## POPULARITY OF PRIMARY WANES

Underground Antagonism to New Law on Increase in Washington.

SERIOUS FLAWS CROP OUT

Candidates Are Privately Hostile to Measure, While Majority of Editors Consider It to Be Unfair.

OLYMPIA, July 25.—(Special.)—There an underground feeling growing roughout this state against the direct

overy of new defects in the act every

fices who speak privately in opposition to the workings of the law are in the majority, but these opinions are carefully guarded because of the belief that the act is still favored by a majority of the voters at large.

Majority of Editors Oppose.

An Olympia man who made a fairly complete canvas of the newspaper edit-ors attending the convention at Vancouors attending the convention at various-ver last week asserts that a majority of them are opposed to the law as it is ap-parently working out in this state, but that the newspaper editors are also im-bued with the idea that the people generally want it and will object to its con-

the results of the primaries bear out the fears of observers of the present situa-tion, will depend the fate of the act. If good men are generally chosen for the positions on the Republican ticket the opponents of the law will be content with numerous amendments. If the op-posite is the result, a repeal will be urged at the next session of the Legis-

### Act Provides Free-for-All.

The principal criticisms of the law are that it provides a "free-for-all" for men without merit to get on the primary ticket and endanger the chances of the stronger candidates; that it permits chicanery in the bring-ing out of dummy candidates; that the second choice provision is so compli-cated that it will result in the throw-ing out of thousands of improperly marked ballots; that it is not sufficiently restrictive upon voters of one party participating in the primaries of another; that the method of filing declarations of candidacy brings about an undignified scramble for place, and that the non-partisan judiciary feature cannot be intelligently carried out without reading another section into

The objection that the primary pro-The objection that the primary provides a free-for-all race comes principally from persons interested in the county tickets. In some counties with from 1200 to 2000 Republican votes, there are as many as nine candidates for the same office. For such office a vote of 250 or less may nominate a candidate and he is likely to be one who could not get more than 250 votes if only two instead of a half dozen or more were running.

suspected is that the Democrats will bring out but one man for each office in numerous counties, and thus leave the members of the party safe to vote the Republican ticket, and possibly put in several weak candi-dates who can be defeated in November. This scheme was tried and worked untcipal campaigns last Fall

### Challenge Is Poor Safeguard.

The primary law provides for the challenging of voters, in which event the voter must make oath that he intends to affiliate with the party whose ticket he is voting in the primaries. The only strength to this section, it has been pointed out, is the moral respect held for an oath, as the secrecy of the balloting in the general election is so safely guarded that there can be no opportunity to ascertain whether or not a certain man violated his oath

every county the filings so far e promise a heavy ballot for the ideration of the Republican voters. For the Republican state ticket 40 names are on file for places, with several more to hear from, while there are but 14 position to be filled. The county ticket must be added to this with, in some instances, as many as 60 or more names, and the second choice feature and the separate judicial ballot must be tacked on, and so the task confronting the voter is just beginning to be

### One Serious Oversight.

One of the most serious defects in the law yet discovered is now under discussion among some of the best legal lights of the state. In attempting to provide for the election of a non-parti-san judiciary, the Legislature left out a very important point. It made no provision for the manner in which the names of candidates for judicial offices should appear on the ballot in the No-

In one section the law says that only the number of candidates equalling the number of judicial positions to be filled, who receive the highest number of votes at the primary election shall be candidates in the general election, and that "their names shall appear on the general election ticket under the designation of such respective offices.

There is no other direction.
In another section the law permits new parties or those that cast less than 10 per cent of the vote at the last preced-ing election to nominate their candidates by the convention method.

Legal authorities are pretty generally agreed that the minority parties have the right to nominate judicial candidates. Members of such parties cannot vote in the primaries without swearing, if challenged, that they will support the ticket received from the election officers. In effect the members of minority parties are barred from participating in the selec-

The question is next raised as to how

the primary nominees for judicial posi-tions and the selections made by the minority parties shall appear on the genral election ballot.

eral election ballot.

If the primary nominees were put under a separate heading in one corner of the ballot, most of the Republican and Democratic voters are likely to overlook them, and there would be a reasonable possibility that some convention nominee would have the highest vote in the general election by reason of his more advantageous routition.

It has been suggested that the conven-tion nominees might be put under the same heading as the primary nominees, but then the question is raised as to the order of the names, while some good lawyers think that the minority party by

mandamus proceedings could upset such an arrangement. The suggestion that the names of the primary nominees be printed on both Republican and Democratic ballots in the general election is met by the answer that the general election laws prohibit the printing of a candidate's name on

the printing of a candidate's name on more than one ticket.

It has also been suggested that if two Republicans and one Democrat should be nominated in the primaries for Supreme bench, the two Republicans' names should go on the Republican ticket and the one Democrat's name go on the Democratic ticket. The objection pointed out to this is that as a matter of law the County is that as a matter of law the County Auditors, who prepare the ballots, do not know the politics of the candidates for Supreme Judge voted for in the primaries:

### Missing Link Apparent.

throughout this state against the direct primary law. While there has always been a spirit of antagonism toward it on the part of professional politicians, the feeling is now spreading to that large class of business men that has always taken an interest in politics in an effort to get the best men into office.

The objection appears to arise principally from fears as to the results of the primaries in September and from the discovery of new defects in the act every if the guestion should be the content of the primaries of the primaries in September and from the discovery of new defects in the act every if the guestion should be to the primaries of the primary should be the content of the primary should be the primary should be the primary should be the content of the primary should be t The omission in the law was called to

One legal authority here declares that if the question should go to the courts, they would either have to read a new section into the act or else declare the boasted non-parties. ed non-partisan judiciary feature uncon

### POSTMASTERS WILL MEET

Convention in Portland in August-Some of Speakers.

CORVALLIS, Or., July 25 .- (Specal.)-The coming convention of Presidential Postmasters Association of Oregon, to be held in Portland, August 7 and 8, will be attended by E. T. Bushnell, chief clerk in the office of the First Assistant Postmaster-General and by W. R. Hinman, assistant superintendent of the depart-ment of salaries and allowances, both of Washington, D. C. Mr. Bushnell will address the convention on the subject, "The postal savings banks and the ex-tension of the parcels post on rural routes," Mr. Hinman will discuss, "Salaries and Allowances."

Other topics and speakers at the convention will be: "Postoffice Management." Ed Hosteller: "Postoffice Accounts," J. S. Van Winkle; "Common Errors," J. C. Riches; "Fourth-class Postmasters," M. F. Davis; "Rural Delivery," E. C. Clement, sublication. livery," E. C. Clement; subject to be selected, T. T. Randall; subject to be selected, J. W. Minto.

Secretary B. W. Johnson, of the as-

Secretary B. W. Johnson, of the association, has been notified by the department at Washington that ten days' leave of absence will be given all members of the association who desire to attend the convention, and that the railroads have announced a one and one-third fare for the round trip. The convention takes place in the convention hail of the Portland Commercial Club building. The purposes of the convention are the betterment of the service in the state, by atudy of conditions and comparison of notes. The association was organized last December, and all postmasters of the eligible to membership.

### TEST SUNDAY CLOSING LAW

In numerous localities it is also feared that the Democrats may take a hand in nominating Republicans for county offices. In support of this belief it is pointed out that in almost every county the Democratic candilates are holding back until after the emocratic semi-convention is an ext Monday.

The CSEBURG, Or., July 25.—(Special.)—R. B. Mathews, Denning & Kent, E. Rhodes and E. Jennings were arrested this morning on complaints filed by District Attorney Brown, charging them with violation of the Sunday-closing law. These men conduct, respectively, a soft and tobacco store classical and coost.

plead not guilty.

The outcome of these cases is awaited with great interest. Coincident filing of these cases, Rev. J. K. Hawking, pastor of the Methodist Episcopal Church, announces that the subject of his sermon tomorrow evening will be "Blind Pigs

### WILLIAM M'MATH DROWNS

Loses Life While Seining for Salmon on Miller Sands.

ASTORIA, Or., July 25,—(Special.)—William McMath, a seiner employed at the Miller sands, was accidentally drowned while at work this afternoon. As the seine was being hauled in Mc-As the seine was being hauled in Mc-Math went out to it on horesback, as he had done many times before. The horse stumbled into a deep hole, throw-ing McMath in the river, and he sank before ald could reach him.

The body was recovered shortly and The deceased was about 45 years old and had been employed at the Miller unmarried and his only known relative

### Has Used Same Wheel 13 Years

ALBANY, Or., July 25.—(Special.)— County Recorder Grant Froman has a bicycle which he has ridden continuously for more than 13 years and which is yet in good condition. He has cov-ered more than 22,000 miles on the wheel and all of its essential pasts are wheel and all of its essential pasts are the same today as when he purchased it in the Spring of 1895. Mr. Froman has used the bicycle principally in rid-ing between his residence and place of business in this city. He has made four long trips with the bicycle, going once to Elk City, once to Belknap Springs, once to Cascadia, and once to Mill City, all hard mountain rides. His record ride for one day's run is 108 miles. His cyclometer today registers His cyclometer today registers 16,832 miles, but this was not put or the bloycle until after Mr. Froman had ridden it four or five years.

### Bought Liquor for Other Women.

ALBANY, Or., July 25 .- (Special.)-That she found her husband in a drink-lug resort in Portland in the act of sending a Manhattan cocktail to a woman in one of the boxes was a leading allegation in a complaint for divorce filed in the State Circuit Court here today by Margaret A. Gillett. Gillett was foreman of a printing establishment in Portland until recently, but squandered his money on liquor, his wife says, so she was compelled to make a living as a musician. The parties in the case were married at Oregon City, February 19, 1901.

Special sale fine shoes at Rosenthal's.

# DIAMOND TIRES WIN GLIDDEN TOUR



rage subject to the terms and conditions printed on the back of this blank. The Postal Telegraph-Cable Company (Incorporated) tra

sf v 247 1216pm

San Francisco Cal., July 25, 1908

Pac. Coast Rubber Co .. Portland, Ore.

"Diamond tires won Glidden tour again. Cost per car on DIAMOND tires sixteen eighty eight. Cost per car on all other makes sixty four ninety four. Difference in favor of Diamond forty eight naught six. Blowouts of Diamond tires five. Blowouts of other makes fifty six. Detailed figures on tire cost and results on request. Perfect scores on Diamond tires nine. Perfect scores on all other makes combined thirteen. Penalties on Diamond tires none. Cars voluntarily changing to Diamond tires enroute two. Cars changing to other tires enroute none. Total cars contesting for Glidden trophy on Diamond tires thirteen. Total cars contesting for Glidden trophy on all other makes combined seventeen. Total of all cars in tour on Diamond tires twenty one. Total of all cars in tour on other makes thirty five. And had the three teams finishing with perfect scores run off the tie there would have been five sets of Diamond tires against four of all other makes combined in that contest. The above figures are impartial and accurate. They speak for themselves. Diamond tires have won the Glidden tour on tire cost the only cups there were for tires, every year since the inception of the contest. The nineteen naught eight tour particularly emphasized the superiority of both Diamond casings and Diamond tubes. It showed plainly also that the Marsh Rim is the only hundred per cent efficiency quick acting rim

C. E. MALHEWSON

TRACK-LAYING IS ADVANCING HALF-MILE DAY.

Elgin Extension of O. R. & N. Being Rushed to Completion by Large Force of Men.

WALLOWA, Or., July 25 .- (Special.) The work on the Wallowa extension of the Eigin branch of the Oregon Railroad & Navigation Company's lines Is being rapidly pushed to completion.

Already the road has been extended some six miles into Wallowa County and is being advanced at the rate of over half a mile a day. Engineer Branover half a mile a day. Engineer Bran-don, who has the work in charge, says that the road will reach the Canyon House in a week and will be completed to Wallowa in six weeks, and that reg-ular trains will be running into Wallowa this Fall.

lowa this Fall.

A large town has grown up at the mouth of the Wallowa River, where the supply depot for the construction work is located. Over 50 tents and an equal number of boxcars are used for houses, a complete water system is in-stalled and an engine empolyed to pump water from the river. Several miles of sidetrack are in operation, and up-to-date machine shops and a steel-bending machine have been installed. Several hundred men are employed. About 50 men work on the steel gang. A bridge crew is at work putting in the cement abutments for the permaent bridge across the Grand Ronde

as the steel gang reaches this city.

### **HUBBARD TREE LARGER YET**

Marion County Refuses to Yield All Honors to Old Yambill.

HUBBARD, Or., July 25.—(Special.)

The citizens of Hubbard read with
smile the statement in Thursday's
pregonian wherein "Yamhill County Oregonian wherein "Yamhill County claims to have the largest cherry tree in the state. "Hubbard people wish to inform the Yamhillers that old Yamhill is not the only sun-dog on the horizon when it comes to big things. Marion County was barred in the contest for prizes at the recent cherry fair at Salem because the contest was bedd in Marion County. In the contest for other honors, how

ever, Marion County claims an equal right with other counties, and if any of Yamhill County's citizens wish to of Yamhill County's citizens wish to see real big things, Hubbard people will be glad to show them a cherry tree which exceeds theirs by a foot and four inches in circumference and a foot in spread. Right in town and immediately back of the postoffice on ground owned by Mrs. Sewell, so close in fact to the building as to be a serious handleap to the tree, Hubbard has a seedling cherry tree 30 years old, as near as can be ascertained, which measures eight feet two inches in circumference at two feet from the ground. Although the limbs have been cut-back several feet on each side as cut back several feet on each side as well as the top it still measures 43 feet spread and the same in height. In measuring the tree at a point two feet from the ground it was measured at its smallest circumference. diately above this point the tree be gins to bulge, as its huge limbs fork two feet higher up. The tree has never neglected its duty at harvest time, and although no record has ever been kept of its yield it would be hard to find a tree more loaded than

### TURNS DITCH ONTO LAND Experiment in Irrigation Being

Made Near Hillsboro.

sight at blossoming time.

is annually, nor a prettier

HILLSBORO, Or., July 25 .- (Special.) -A. P. Stover, Irrigation Engineer for the United States, has just finished put-ting water, out of a branch from the east fork of Dairy Creek, on 50 acres

of land on the George R. Bagley ranch, four miles northwest of this city. This is the largest irrigation experi-ment made by the Irrigation Depart-ment in the Willamette Valley and the outcome is being watched with interest. The land irrigated is very productive without water, but it is expected to produce a great deal heavier

with water turned on in July and

August. Water was turned on in the laterals yesterday and the engineering proved highly successful. With an expense contained about \$400 an additional 50 or 60 acres can be thoroughly irrigated. The ranch is being used for dairy purposes and is known as the Dudley Mill ranch. It is understood that the 50 acres fur-nishes the scope of Uncle Sam's experi-

### CARD OF THANKS.

We desire to express our sincere thanks to the many friends who tendered their sympathy and assistance during the recent death of our beloved child, Maudie. C. T. MALOTT AND ELLAN MALOTT.

M'BRIDE'S ILLNESS.

Attorney Fenton Lays Claim to Rails Carey Asks if He Wants Them for Harriman.

HILLSBORO, Or., July 25.—(Special.)
—After three days of trial the Oregon
Electric condemnation case against David
Reghitto, et al., is still in court. Adjournment was taken today, owing to the
acute illness of Judge McBride.

The owner of the land asks for \$18,000 The owner of the land asks for \$18,000 for damages to the land by virtue of the line crossing the land, near Beaverton, this amount to cover the loss of the lessee of the place, who has the garden place rented for a term of years. Two acres are involved, and testimony disagrees as to values, some witnesses testifying that the land is worth \$200 an acre, while others have sworn to values as high as \$3000 and \$4000.

One of the features of the trial was the bringing out of a point of law covering the ownership of the 1400 feet of ties and rails laid on the disputed property. The company entered the premises, and graded and laid the rails before condemnation proceedings were filed. Messrs.

graded and laid the ralls before condem-nation proceedings were filed. Messrs. W. D. Penton, Rufus Mallory and E. B. Tongue, counsel for the Reghittos, con-tended that the ties and rails became real estate, and that in the matter of dam-ages, the Oregon Electric would be com-pelled to buy back the material. They sustained their contention with many authorities, but Judge McBride decided, under the circumstances that he was

under the circumstances, that he was justified in holding contrary.

The anomaly of Mr. Fenton, the well-known Harriman attorney, of Portland, appearing as counsel for a farmer, as against a corporation, provoked interest, and Judge Carey facetiously asked Mr. Fenton if he wanted the rails for Mr.

### DEATH ROLL IN NORTHWEST

Stephen Merlau, Well-Known Resident of Lane County.

EUGENE, Or., July 25 .- (Special.)-Stephen Merian, a well-known resident of Lane County, died at his home on Seventh and Washington streets this morning at 10:30. Mr. Merian was a native of Canada. He was over 78 years old, and since he moved to this. Park, has taken a prominent part in in India dependent on state aid.

the affairs of the community. Besider ONION-PAIGH SUIT DRASS
his wife, he leaves five children, as follows: Mrs. Nettie Ryan, of this city;
Mrs. Clara Heyer, of South Dakota;
Mrs. Mae Baker, of Salem, and Mrs.
Lila Bushnell, of Eugene.

### AIMS AT DEER, KILLS UNCLE

Ralph Mosberg Accidentally Shoots Jerome Renne Near Creswell.

CRESWELL, Or., July 25 .- (Special.) -Jerome Renne, a well-known resident of this vicinity, was accidentally killed this forenoon by his nephew, Ralph Mosberg, who shot at a deer, but the bullet took effect in his uncle's body, resulting in his death soon afterward. Mr. Renne, who is a one-armed man, went into the hills five miles west of Creswell to hunt for a lost cow. His nephew took a gun and was hunting for deer, when he saw one and fired. He supposed he had hit the animal, and on investigation, found that the bullet had struck his uncle, resulting fatally. The boy at once ran to some neigh bors, giving the alarm, and Gordon was sent for at Eugene.

### BIBLE SCHOOL PERMANENT

Summer Session at Albany to Be Annual Affair.

ALBANY, Or., July 25 .- (Special.)-At a conference here this afternoon atat a conficence here this afternoon at-tended by people from many valley cit-les it was, definitely decided to make the Summer Bible school an annual event here. Plans, will begin at once for a school next year on the same plan as this year's successful session. An organization to handle the 1958 gath-ering will be formed Monday. The ring will be formed Monday present school will conclude its work next Monday evening.

### Albany Good Roads Delegates.

Albany, Good Roads Delegates.

Albany, Or., July 25.—(Special.)—
The Albany Commercial Club has appointed the following delegates to attend the Good Roads Convention in Portland, August 11: B. I. Dasent, A. C. Schmitt, ex-County Judge C. H. Stewart, County Judge C. H. Stewart, County Judge J. N. Duncan and George Taylor. County Judge Duncan has appointed the following delegates from the county at large; J. V. Pipe, of Albany; M. L. Forster, of Tangent; D. H. Pierce, of Harrisburg; W. L. Wallace, of Lebanon; T. C. Isom, of Brownsville.

### PLAY BALL, SAYS PREACHER

REV. PHIPPS DOES NOT OBJECT TO SUNDAY GAMES.

Lectures to Wallowa Sunday School Convention-Meeting Best of 23 Held in County.

WALLOWA, Or., July 25 .- (Special.) -The twenty-third annual convention of the Wallowa County Sunday School Association closed its sessions here yesterday after one of the most enthusiastic and successful meetings in its history. Nineteen delegates from other Sunday schools, besides the mem-bers of the three local Sunday schools and numerous other guests, were pres-ent and enjoyed the lectures and dis-

The convention assembled Tuesday evening and held sessions Tuesday evening, Wednesday forenoon, after-noon and evening and Thursday forenoon. Rev. Charles A. Phipps, of Portland, state field worker for the associated Sunday schools, was present and led the discussions. He lectured Tuesz day night on "The Real American Boy," and during the course of his lecture came out strongly in favor of the National game.

the National game.

"Don't complain about Sunday base-ball," he said, "encourage Saturday baseball. Give the boy something better and he will stop Sunday baseball. Reach down into your pocket, help him buy suits for his team, and then take Saturday afternoon off and go and encourage him. If you attend the Saturday afternoon game, he will want to play on Saturday afternoon. Win the real American boy through the real American game."

Rev. S. C. Adams, of the Presbyterian Church, of Enterprise, \* lectured.

Church, of Enterprise, electured Wednesday night on "The Force, the Field and the Worker." A basket din-ner and supper were served Wednesday on John McDonald's lawn and all guests were cared for throughout their stay by the committee on entertain-

The next convention will be held in

### Two New Irish Universities.

LONDON, July 25.—The Irish University bill was passed in the House of Commons today by a vote of 207 to 13, amid foud cheering, in which the Nationalists took the lead. The central idea of the meas-ure is to found, by royal charter, two new universities in Ireland with head-quarters in Dublin and Belfast.