

ANSWERS TO JOURNAL ATTACKS

After Time Is Given for Retraction of Accusations Proof of Falsity Sent.

PUBLIC DENIAL DEMANDED

State Senator Declares Publisher's Promise to Recant if Charges Were Found Untrue Has Not as Yet Been Made Good.

After several weeks of vain expectation that the Portland Journal would publish a retraction which he avers was promised him, State Senator L. N. Day yesterday submitted to the Journal and to The Oregonian a letter pointing out many absolute and at least two libelous misstatements concerning him in an article published in the Journal March 5.

Senator Day's letter is accompanied by copies of letters from the Attorney-General, Secretary of State, secretary of the State Printing Board, by the certificates of public accountants, affidavits of well-known engineers and by clippings from the Journal itself, all directly contradicting every important statement made in the Journal's article.

Trouble Over Power Report.

The article in question was an attack upon Senator Day concerning the report of the legislative committee which, jointly with the Government, investigated the power possibilities of the Celilo rapids, under authority conferred by the Legislature of 1913, and accused him of misappropriating funds, suppressing public documents and of other misdemeanors.

The article, according to admissions made in a letter to the Journal from Senator Day, was written by Ralph Watson, formerly State Corporation Commissioner, who was bitterly and aggressively active as a lobbyist in the last Legislature against consolidation and other measures advocated by Senator Day to cut down Statehouse jobs and reduce expenses. He was finally removed from office by Governor Withycombe, under the terms of the Mosier bill, which Senator Day aided in passing.

Time Given for Retraction.

Senator Day's letter follows: "Portland, April 12.—C. S. Jackson, Publisher Oregon Journal, Portland, Or. Sir: More than two weeks ago in my presence you instructed the editor of the Journal to investigate the truth of certain statements published in the Journal, March 5. It is now more than a month since you were untrue to make full correction. It has not been done.

"Fifteen minutes spent in inspecting your own files and in dictating letters would have provided your editor long ere this with complete refutation of the statements in question, both from your own newspaper and from the public records of the state of Oregon.

"Your editors and reporters are of course fully aware that the Journal has persistently and repeatedly misrepresented my legislative record and public activities. As to the Journal's assertions that I stood for this or that when everyone knows I stood for something else, I am largely indifferent. But the article of March 5 is libelous. It accuses me of acts which are prohibited by law. As to imputations concerning my personal honesty I am not unconcerned.

Evidence Is Provided.

"I am therefore submitting herewith the evidence your editor will not take the pains to obtain and ask that it be published so that the Journal also print an editorial disavowment of its news story and retract the editorial comment heretofore based thereon.

"The article which you instructed your editor to retract if not true concerned the publication of certain maps of Oregon by the Columbia River power project committee created by the Legislature of 1913, of which I was chairman.

"Your article stated that the publication of these maps was not authorized by law and that I had diverted state funds to that purpose. This is constructively a charge of criminality under the laws of Oregon.

"The article also stated that the committee had been created by the act of 1913, and appropriated by the act of 1913, and more constructively, this accuses me of creating a deficiency as a public officer—an unlawful act.

Other Statements Resented.

"Other false statements in your article of March 5 were, that I had suppressed the reports of the Government engineers on the Columbia River power project; that I had withheld information from the public; that I had made report of expenditures and that the maps published were false and misleading and that I personally was distributing the maps throughout the state.

"Untrue assertions comprise every phase of importance in the article. I shall now quote the various falsifications published by the Journal and produce as evidence against them, testimony of the Secretary of State, the Attorney-General, the secretary of the State Printing Board, a reporter of your own paper, a responsible map-maker, a firm of certified public accountants and engineers of unquestioned standing.

"The state officers quoted speak after examination of public records. These records were readily available to the Journal's editor had he been actuated by fairness, been submissive to your orders, or been mindful of the reputation of his paper for honesty and accuracy.

Charges Are Quoted.

"Day diverts the expenditures in part of a \$15,000 legislative appropriation to pay for these maps. This from the Journal's headlines, March 5, 1916, followed by text to the same effect.

"I quote from an opinion statement prepared by the Attorney-General of Oregon:

"I have your letter of even date herewith submitting the question whether the cost of preparation of two maps prepared by your committee with its report to the 28th Legislative Assembly was a proper charge to be audited and paid out of funds appropriated by the Legislature for the purpose for which your committee was created. (There follows a quotation from the law.) It is, therefore, apparent that the making of these maps, or other exemplifications of the information, estimates and other data gathered by the committee are a part of the duties of said committee, and the cost thereof a proper charge against the appropriation.

"This disposes of the charge that state funds had been diverted to an unlawful purpose.

No Accounting Charged.

"I quote again from the Journal of March 5, 1916:

"The committee used up all the \$15,000 appropriated and more, and never made an accounting to the Legislature of how the money was spent or for what purpose."

"Later I shall quote in full a letter

from W. M. Plimpton, secretary of the State Printing Board, in whose official possession is the report of my committee. It is sufficient now to refer to his certificate that there is a "complete financial statement" included in the report.

"In further refutation, I quote from a letter written by the Secretary of State:

"Mr. L. N. Day: Answering your inquiry of today as to status of appropriation of \$15,000, covered by chapter 274, laws 1913, and entitled 'An Act to Provide for the Detailed Survey and Investigation of the Columbia River Power Projects Near The Dalles,' have to say that on March 1, 1916, and April 10, 1916, there remained on hand and unexpended of such appropriation the sum of three and 73-100 (\$3.73) dollars."

"Report Suppressed" Allegation.

"I quote again from the Journal of March 5, 1916:

"When it came time to prepare the

AMERICAN-BRED CHINAMAN TO BE DEPORTED.

Jue Sung Gwong.

Deportation into a land that will be as foreign to him as though he had never known it is to be the fate of Jue Sung Gwong, who is waiting now in the County Jail to be sent back to China on April 18 in accordance with the order of Federal Judge Wolverton.

There is only one possible way of delaying the proceedings, and that is through an appeal, but Jue has no money. He was born in China and came to America when but 7 years old and later attended Hill Military Academy, but his entrance to the United States was illegal, for which he is to be sent back.



report, State Engineer Lewis and the Reclamation Bureau of the Federal Government prepared a report of their findings to be incorporated in the report of the committee. Day suppressed this report, and caused the report of his engineer, Morris, to be printed, giving only such information as he desired the public to have.

"To prove the falsity of the foregoing statement, I quote the letter from Mr. Plimpton, already mentioned:

"State, April 5, 1916.—Mr. L. N. Day, Portland, Oregon. Dear Sir:

"In reply to your letter of this date regarding the report of the Columbia River power project committee which was made to the 28th Legislative Assembly, will say that this report, comprising the committee report, the report of the project engineer and the report of the committee engineer, is in my possession and has been since the adjournment of the Legislature. This matter was all handed to me by the chief clerk of the Senate after the report was ordered printed. The report is part of the original Journal of the Senate and will be filed with same when the matter is disposed of by the Printing Board.

Financial Statement Acknowledged.

"Regarding the 'financial statement' I will say that there is a complete 'financial statement' included in the report.

"Yours truly,

"W. M. PLIMPTON,
Secretary State Printing Board."

"The foregoing, it will be observed, is a certificate from the present custodian of the report. That report is a part of the original Journal of the Senate and it includes the report of the Government engineer and a complete financial statement, so be certain.

Paper Evidence Submitted.

"In absolute contradiction of the Journal's assertions it thus appears that I did not suppress the report of the Government engineers and did make a detailed report to the Legislature of committee expenditures.

"In your article of March 5, 1916, you also say that the maps prepared by this committee are 'garbled,' 'false,' 'misleading,' etc. In the matter of statistical information as to acreage of Government and patented lands.

"I append the certificate of a firm of certified public accountants to the effect that they have checked the statistics on face of the maps with figures supplied by Clay Tallman, commissioner of the general land office, and with the report of the Secretary of the Interior for 1913, and other authorities, and that the statistics on the maps correspond therewith. I append other evidence of their accuracy:

Political Attacks Disregarded.

"It is not a matter of moment except that it shows the apparent determination of the writer of the Journal's article to falsify, but I desire to refute the statement that I am personally distributing the maps in question. The Senate, by resolution No. 38, ordered the printing of the committee's report. Tallman has already been published under the terms of that resolution. It should not be necessary for me to quote the law to you on the distribution of public documents by the distribution is done by the State Librarian.

"Let you pretend to doubt the accuracy of the letters to the effect that I invite you to inspect the originals. I have also accused you of misrepresenting my legislative and other activities, largely immaterial to me, but I am confident the public, which has noticed your frequent transgressions of the truth in general news presentation, will assume from reading the foregoing record, that you have been as false in other statements concerning me as you have in those enumerated. If you care to pursue the matter further, however, I assure you I am fully equipped with evidence, just as conclusive as that herein given, which if published would give greater impetus to your waning reputation for veracity."

"L. N. DAY."

Statistics Checked Up.

The certificates and other documents appended include the following:

A certificate from W. R. McKean & Son, certified public accountants, to the effect that they had checked the figures as to untaxed lands printed on

the face of the power committee's maps and found that they accorded with the figures given by the following authorities:

Memorandum prepared by Clay Tallman, Commissioner of the General Land Office, Department of the Interior.

Report of the Secretary of the Interior for year ending June 30, 1913.

Report of the hearings before the House committee on public lands concerning the Oregon & California land grant.

Oregon Almanac for 1912, published by the State Immigration Commission.

An affidavit by J. P. Newell, engineer, to the effect that he had checked the maps in respect to the proportion of areas of each county under Federal control and that the map is correctly drawn in accordance with the figures given thereon is included. These figures are the ones certified by McKean & Son as accurately transcribed from authoritative data.

An affidavit by John A. McQuinn, civil engineer, that he had examined the power committee's map and had found that it was correctly drawn and traced from a map furnished by Land Commissioner Tallman with respect to Indian reservations, military reservations, National forests, National parks, bird reserves and power and reservoir sites, is also included.

An affidavit by Theodore Rowland, engineer and cartographer, that he had examined the records in all the United States land offices in Oregon with the exception of the one at Lakeview, to obtain the number of acres of unreserved and unappropriated lands in Oregon and had plotted them on the power committee's map, that the Lakeview figures were supplied by S. A. Mushen, county surveyor of Lake County, and that the reserved lands were traced on the map from a map furnished by Commissioner Tallman, is also offered.

There is also an affidavit from Mr. Mushen that he compiled the Lakeview

district figures from the records of the Government Land Office.

Two Maps Being Distributed.

Two maps which accompanied the report of the committee have been printed by the state and are now in the hands of the State Librarian for distribution.

One is a map in colors showing every acre of Government land in Oregon and its classification. When presented to the Legislature last year it was commended as particularly valuable as a public document because it is the only map in existence which shows the location of all Government lands that are open to homestead entry.

The other map is a diagram depicting the proportionate area of Government to private lands in each county. It is this map which has aroused the ire of the bureaucrats and reservationists. Apparently because of its astonishing showing of the small amount of land in private ownership in Oregon Senator Walsh questioned its accuracy at the Portland water power conference.

This map was also used at the hearings by the House public lands committee on the Chamberlain bill for disposal of the land grant and its impressive showing there also caused it to be questioned.

The attacks upon its accuracy by the Journal have been largely generalities and criticism of the inclusion of the open Government land in the total of untaxed land. This open Government land is not taxed now, but will be when patents have been issued to the homesteaders who may some time in the future enter upon it.

Senator Day said yesterday that the maps had caused such consternation among the proponents of Government landlordism that he had taken particular pains to have them verified that an end might be put to the carefully manufactured suspicion directed against them.

New Building Started at Gresham.

GRESHAM, Or., April 15.—(Special.)—E. F. Jones & Co. has commenced

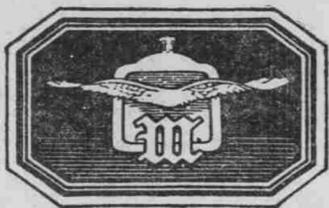
work on a two-story brick building for Ben Mathews to replace the two wooden structures destroyed in the big fire of December 20, 1914, when eight buildings were burned to the ground. The upper floor of the new building will be occupied by Maxwell Schneider's photograph gallery and living rooms.

MAN TRIPS, SHOTS SELF

Barton Tanner Is Injured in Attempt to Regain Balance.

ESTACADA, Or., April 15.—(Special.)—Last Thursday W. W. Stone, of Barton, while attempting to shoot a hawk, which was bothering his chickens, tripped over a log.

In regaining his balance, he pulled the trigger of a .28-caliber revolver, which he had in his hand, the bullet passing completely through his right foot, above the toes.



A STATEMENT Concerning Final Drive in White Motor Trucks

IN VIEW of the conflicting claims for this form and that form of final drive which now confront the purchaser of heavy duty trucks, this Company, as the largest manufacturer of motor trucks in America, deems it fitting to make a public statement of its own purpose and practice in the matter.

White Trucks of over two tons capacity have always been chain-driven, and *will continue to be chain-driven* until some other form of final drive is developed in the future which is more efficient or equally efficient. In its present stage of development, worm drive will not be adopted by this Company, and White engineers now see no prospect of its basic handicaps ever being sufficiently overcome to warrant its adoption.

CHAIN DRIVE EFFICIENCY

1. White chain-driven trucks are more efficient because more power is delivered to the rear wheels.
2. They require a smaller motor for equal load capacity.
3. They consume less gasoline, getting as high as 50% more mileage per gallon.
4. They endure a higher road speed; perform more easily on rough roads, steep grades, and in heavy going.
5. They pull loads out of chuck holes and over obstructions which would stall a worm-driven truck.
6. Tire mileage is materially greater because the unsprung weight on the wheels is so much less.

WHITE TRUCK PERFORMANCE

Motor trucks have been in use long enough to accumulate a volume of motor truck experience, long enough for owners to know *actual operating value*. They can compare one truck with another. They have the records of performance; and large users who keep the most effective cost records indicate the showing of those records by an overwhelming preference for White Trucks.

That preference is well known. It is eloquently reflected in the fact that in total annual sales White Trucks predominate two to one of any other make, and among many large users they predominate ten to one.

WHITE TRUCK PREDOMINANCE

When a truck both outsells any competitor two to one and commands a higher price—its competition is severely felt by trucks of similar design, so severely in fact, as to necessitate a change in that design to escape the brunt of parallel competition. This gives rise to new theories of construction, which are adopted to arouse fresh interest rather than to improve the truck, in the endeavor to divert attention from White performance.

At this late stage of motor truck experience there is no need of truck buyers being bewildered by fads and theories. Over and above the conflict of all theory looms the solid fact of White Truck performance—longer life, more days in service, lower eventual cost, as attested by comparative cost records of numerous large users and by the fact that such users purchase more White Trucks every year than trucks of any other make.

THE WHITE COMPANY, *Cleveland*

PORTLAND

1 Broadway and Oak Street

ONLY GRAND PRIZE for Motor Trucks, Panama-Pacific International Exposition, San Francisco