

PLACE OF RECORDS CAUSES PUBLIC TO SUFFER

Portland's Loss of Public Properties for Ends for Which They Were Intended Said to Be Completed.

By J. B. Ziegler.
Portland's loss of the public properties, for the purposes for which they were intended, according to the liberal plans of the early fathers appears at this time to be almost complete. They included a public levee embracing the present land between it and the river, which might now be used for the dock commission's plan to be used for a great terminal system, land and water, and embracing and connecting air units public and private, and providing that free interchange of traffic, which, according to the present plans of the federal government, will be made a requisite condition to secure a federal aid and appropriation. However, despite multiplied precautions against it, we now have private claimants in possession of the levee and claiming and passing by deed, in pretended fee simple, title to the river down to the pier head line. Doubtless the strong arm of the nation alone prevents usurpations of ownership of the harbor itself, just as the old G. S. & N. Co. claimed exclusive right to the use of all the navigable waters of the Willamette and Columbia.

Give Belated Publicity.

To give a belated publicity to the legal rights of the public therein (the jus publicum which has tried the dexterity of the most expert legal jugglers) at this time, that the public may call a halt to the fatuous progress of these unappeasable philistines, is the object of these letters.

For some years past municipal and county officials have exercised a most active complaisance in permitting the claims of these people to the pier head line to become a matter of public record.

There is no better dead line at which a halt may be called to these insidious depredations than the ordinary high water line held by the courts to be the boundary between private and public property and established as such by U. S. surveys in the meander line.

All claims of private owners below this are an evasion of the laws, such as efforts to encroach by changing the water line with fills, and in a harbor-like Portland, where the public are just beginning to be conscious of the values of these properties and the need of their improvement, such lack of public fairness and spirit should not be for a moment tolerated.

Belongs to the Public.

The soil of the banks now belongs to the public, and are to be improved by public corporations with public funds. It would be the sheerest folly to permit the properties thus improved to pass into the hands of private claimants by this sleek manipulation of the highway line, a legal boundary.

Other states have forestalled such impolitic tactics by protecting the banks of harbors for public terminal improvement, and their courts have supported them. What is the matter with Oregon that she must walk forever at the end of a chain tied to the axle of Special Privilege?

Let the reader's attention dwell for a moment upon the sad story of the record of these public properties as I have found them. Many pages are missing, but they may be replaced from those that remain.

From the east side of Front street to the pierhead line, throughout the city an average breadth of about 400 feet represents roughly the public loss—worth how many millions? Who can answer? It is not my intention to resurrect at this date, the old question of title to the levee, but to use the history of the levee as an object lesson to call a halt at the ordinary high water line.

Let the eye follow along down the river bank until we come to docksite No. one.

Planted in 1833.

In 1833 this water front had been planted there is a map of record of the survey in the U. S. engineer's office, or should be. In 1855, the city council ordered the city surveyor, D. W. Taylor, to make a map of this frontage for city use. He did so from the U. S. engineer's map. This map showed the west line of Front street at the intersection of nineteenth street, a straight line. The city boundary was deflected by and coincident with the original high water line, and low water line was only a few feet out. Both were interrupted by one or two small rills, which emptied into the river at the place. This is corroborated by the testimony of the longshoreman, Fisher, who lived in a boat house anchored there and testified that the Mays tract was entirely covered by water nearly all the time, and 15 feet deep in parts.

Yet what do the city records and the county assessors' records show? In the map at present a part of the official records? No.

What do the official records show as the boundary line of riparian owners? The pier head line. On what authority? Ask the custodians. I have never heard one say. Presumably because some one else did. Who was the first transgressor?

Devoted of Original Head.

I know not. But the claim of title is as devolved of an original head as a broken tapeworm.

The territory in which lies docksite No. 1 was annexed to Portland in 1852. It is a safe assumption from the map of 1853 quoted, that both the Mays tract and a part of Seventeenth street at that time, so being no upland, there was no riparian owner, and nothing to which a wharf right under the law of 1852 for incorporated towns could attach except the public street on which the public has the same what rights as attach to private estates. Mr. Mays bought the land, if remembered aright, in 1842 from Guy G. Willis. P. L. Willis and Boschee platted a part of the Guild donation land claim in 1850. Willis paid Guild \$2000 for a 1/15 acre, the Pacific Milling and Elevator company bought it about three years ago for \$135,000, returning Mays a mortgage for \$100,000. It is assessed for about \$92,000. The dock commission offered to double that and pay it to the milling company, thus giving them a profit of about \$50,000 for three years' holding, notwithstanding weakness or absence of title.

Any injustice, confabulation or recrimination about that? I would like to hear a reply from Messrs. Fulton, Thompson, Day, Moser, et al., who "hold" the title of confabulation.

As Assessor Sigler was a witness in the case. He was entirely lost as to the extent of tracts of real estate abut-

APPLE SALE ENDS; MARKED SUCCESS SIGNALIZES EVENT

Record Made in Portland's First Sale of Luscious Fruit; Object Lesson for Householder Is Given.

Portland's first general apple sale, the biggest in the history of the United States, for the same space of time, ended last night with a record of between 20,000 and 25,000 boxes of apples sold, an average of about eight apples for each man, woman and child in the city.

Compared with the famous apple sale at Chicago, last month, when 84,000 boxes of apples were moved, and considering the difference in population, Portland families purchased nearly three times the quantity of fruit.

Incidentally, thousands of persons have learned the first lesson in lower living costs, which the home economics department of the Woman's club wished to impress, namely that buying in bulk is a potent factor in lowering the grocery bill. This was one of the reasons that actuated the clubwomen when they started agitation for the sale, and Mrs. A. King Wilson, chairman of the committee, expressed herself as delighted with the success that has attended the initial step in their campaign of education.

Newsboys Get "Shower."

The closing hours of the sale yesterday were marked by a shower of newsboys for the luscious fruit at Sixth and Washington streets. Scores of youngsters struggled to secure the fruit, which was tossed from an automobile by C. A. Malboeuf, Hy Eilers, Dorre E. Keasey, C. C. Chapman and C. H. Moore. Apples were served at the regular luncheons of the Press and Commercial clubs.

Much credit for the success of the campaign is given to C. A. Malboeuf, secretary of the Northwestern Fruit exchange, who was active in securing the co-operation of grocersmen, and in arranging plans for the sale.

Publicity Aids Sale.

That publicity was a prime element in the sale is indicated by the fact that the apple market was stagnated three weeks ago, when the Woman's club took the matter up and began to agitate it publicly.

Streets Will Shine if She is Elected

(By the International News Service.)
Oakland, Cal., March 8.—Oakland has come to a woman candidate for street commissioner, Mrs. Frances Hall, and her friends are rallying to her support in this novel race.

Not only women, but men as well, have flocked to the standard of the feminine aspirant for office.

Mrs. Hall's platform is a key to the argument that will be used in her support, viz.:

"The men of this state some time since realized that womankind was endowed with sufficient intelligence to vote properly and to hold public office and so by their votes bestowed the franchise upon us. Such being the case I think it the duty of every woman to serve the government in such capacity as she feels best fitted for."

FRIGATE PORTSMOUTH GIFT TO CALIFORNIA

(By the International News Service.)
Washington, March 8.—The navy department will proceed at once to put the old wooden sailing ship Portsmouth in commission to be sent to San Francisco as a gift to the state of California.

The Portsmouth is now at the Norfolk navy yard. The vessel was built at Kittery, Maine, in 1843, and her first cruise was to the Pacific under command of Commander J. B. Montgomery, arriving at San Francisco July 5, 1846.

On July 24 of that year she captured San Francisco from the Mexicans. She cruised in African waters, stopping the slave trade, and was with Farragut when the Mississippi forts were passed and New Orleans taken during the Civil war.

FIGHT ON RACE TRACK GAMBLING CONTINUES

(By the International News Service.)
New York, March 8.—The fight to prevent race track gambling was renewed today when Charles M. Wyson, attorney for Justice of the Peace Charles F. Gittens, of Homestead, L. I., filed an appeal with the court of appeals from the recent decision of the appellate division of the supreme court dismissing the case against Paul Shane, a bookmaker, who had been charged with violating the law by taking oral bets. The appeal is made to the higher court to which the case can be carried and the decision will be final.

Upon the decision from the last appeal will rest the opening of the tracks at Belmont Park, Sheephead and Saratoga during the coming summer.

ting on the river, never questioned the ownership of the property to pierhead line, didn't consider it his business, but was perfectly willing to collect taxes from anyone who would pay them, whether the property lay in the water or on the land.

He, however, showed where his sympathies lay by the remark that the high water line was out of the question, as a boundary line, as he had seen it away up on Sixth street.

Such judicial definitions as ordinary high water, vegetation line, or that of Judge Thayer, "high water line within the bed of the river," did not, evidently, appeal to his appreciation.

Another significant void in the public records of the city is the maps of surveys ordered in 1857 or 1858, by the council, of the townsite, for the purposes of entry in the United States land office. This was ordered recorded in the "city surveyor's book of records."

The map was made, the entry filed and, as stated, the patent issued December 7, 1860, antedating all others. It is in the records that the city bought up the donation land claims of Lowndale et al.

What was done with the municipal ownership and to whom its title descended is an interesting question that may yet be unearthed.

But the point I want to make now is that the custodians of the public records are intended and engaged to safeguard those instruments protecting public properties as well as those protecting private properties. The void in the place of these maps and boundaries is a void most eloquent of official unfaithfulness.

NEWSBOYS TREATED WITH REAL SHOWER OF JUICY OREGON APPLES



Scene at Sixth and Washington streets, where newsies were showered with apples by citizens in honor of Apple Sale Day.

PRIMARIES HELD IN ST. JOHNS

Charles Bredeson Wins Choice for Mayor on Both Tickets.

St. Johns, March 8.—With a bare 40 per cent of the registered voters at the polls, the primary election today was one of the tinnest ever held in this city.

The only real fight of the election was for mayor. Charles Bredeson sprung a complete surprise by winning the nomination on both the Democratic and Republican tickets. In each party he won by a substantial majority.

Those who were nominated are: Democrats—Mayor, Charles Bredeson; recorder, F. A. Rice; treasurer, J. E. Tanch; attorney, Percy C. Stroud; councilmen-at-large, S. G. Wright, H. M. Waldref and J. W. Davis; councilmen, First ward, L. B. Martin and C. E. Gattlock; councilman, Second ward, Roy Wilcox and J. F. Gilmore.

Republican ticket—Mayor, Charles Bredeson; recorder, F. A. Rice; treasurer, J. E. Tanch; attorney, Percy C. Stroud; councilmen-at-large, J. W. Davis, S. G. Wright and Frank Horvath; councilman, First ward, L. B. Martin and J. N. Purkapis; councilman, Second ward, P. Hill and Ray Wilcox.

Mr. Bredeson states that he will begin at once an active campaign for the general election in April. He would make no statement other than to say that he would make a clean sweep of the engineering and police departments, which he claims have neglected their work for the last month in electioneering for Mr. Muck.

Mrs. E. W. Valentine received a few complimentary votes for mayor from her suffragette friends.

ARMY AND NAVY WILL REMAIN NEAR MEXICO

(By the International News Service.)
Washington, March 8.—Until there is a far better prospect of peace in Mexico than exists at present, neither the federal troops on the frontier nor the United States war vessels now in Mexican waters will be withdrawn. Secretary of War Garrison announced this afternoon that the troops will remain on the frontier for the present and Secretary of the Navy Daniels asserted that the ships sent within striking distance of Mexico will remain where they are.

Will Deliver Lecture.

A lecture of unusual merit will be given at the North Portland branch library next Wednesday evening at 8 p. m. Dr. C. D. Williamson will give his travel talk on "The Grand Canyon of Arizona and the Yosemite Valley." The lecture will be illustrated with more than 200 views.

ASK SCHOOL BOARD TO NAME WOMAN AS THIRD ASSISTANT SUPERINTENDENT

Candidates for position of third assistant to superintendent of schools, which position women's organizations have asked to be created. Left to right—Mrs. A. N. Felts and Miss Athia Dimick.

The women's organizations of Portland have asked the school board to create the office of third assistant superintendent of schools and to appoint a woman for the place. Two candidates have announced themselves. These are Miss Athia L. Dimick, principal of the Brooklyn school, and Mrs. A. N. Felts, prominent eastern educator, who recently removed to Portland. A third has been suggested, Miss Grace P. DeGraff, president of the Grade Teachers' association and teacher in Ladd school, but she said yesterday that she did not expect to apply for the position and would not care to accept it if offered.

AMERICAN GIVES NEW VERSION OF MADERO'S DEATH

Says No One in Mexico City Believes Killing of Deposed President Was Planned by Huerta.

(By the International News Service.)
New York, May 8.—An entirely new version of the assassination of former President Madero of Mexico was told today by Frank S. Dart, a photographer for a film company of this city, who arrived in Mexico 12 hours after the death of the former ruler.

"I do not believe and I do not think that Madero's most loyal supporters believe that General Huerta, 12 hours before the killing of Madero, had it in his mind to do away with Madero," said Dart.

"These are the facts that I was able to pick up in the terror ridden city immediately upon my arrival. General Huerta had decided that it was for the best interests that Madero and Suarez should leave the country."

"A special train was made up to carry them and their families to Vera Cruz, where they were to be put aboard a steamship upon their promise never to return to Mexico. The entire party was aboard the train and were just about to leave when General Huerta received word from Vera Cruz that a large number of Madero's friends were organizing there and that they had expressed their determination to intercept the train bearing the president's party and rescue their leader."

"Thereupon General Huerta changed his plans immediately and ordered that Madero and Suarez be taken back to the penitentiary. It was while they were passing the wall, that they were shot down by a band of Huerta's men. This version of the killing of the former heads of Mexico is told on all sides of the city."

YOUNG OREGON CITY MAN DISAPPEARS

(Special to The Journal.)
Oregon City, Or., March 8.—Ray Cooper of Oregon City has been mysteriously missing since February 17. His father, E. H. Cooper, believes the young man has been murdered or possibly shanghaied. Young Cooper is 25 years of age and has been employed by the Pacific Telephone & Telegraph Co. as lineman.

He kissed his wife good-bye on the morning of February 17, and presumably went to his work. When he did not return in the evening his family became alarmed and instituted a search for him, but without avail. He was in charge of some work being done between Rainier and Westport, and said he was going to Rainier in connection with this work.

He was recognized by friends at the Rainier station about 8 o'clock that night, and talked with a stranger, also another lineman. The stranger is now thought to have had something to do with the disappearance of Ray Cooper.

Cooper had on his usual working clothes, and was without funds, and his friends can assign no possible reason why he would have voluntarily disappeared. He is known to have cashed a check before the laboring commencing, not an unusual thing for him to do, as he frequently had to cash checks for incidental expenses while on jobs of this character. The young man's father has employed detectives and is making every effort to locate his son. The police generally have been notified to be on the lookout for him.

WILSON WALKS IN MINUS THE BAND

President and Family Attend Theatre—National Anthem Omitted by Request.

(By the International News Service.)
Washington, D. C., March 8.—The president and Mrs. Wilson made their first public appearance here, socially, tonight when they were the guests of Mr. and Mrs. William C. Wilson at a double box party at the New National theatre. Owing to instructions sent to the theatre, the usual flag drapery of the president's box was taken down and for the first time in the memory of the Washington public, the band did not play the Star Spangled Banner on the entrance of the executive. The additional guests were the Misses Wilson and a number of the Wilson relatives.

Sightseeing trips to places of interest in Washington have been taken every day by the Wilson girls.

ROTARY CLUB WILL MEET NEXT WEDNESDAY

President C. V. Cooper of the Rotary club sent notice to all members yesterday that the usual meeting on Tuesday would be postponed until Wednesday, when the club members will meet at the Ad club at luncheon in the Hotel Portland to hear Director William H. Allen of the New York bureau of municipal research. Announcement was also made of the links night planned by the club for April 8 at the People's theatre. A series of special moving pictures are to be shown. Souvenirs will be given and a prize beauty contest held. Music will be furnished by an orchestra, quartet and several soloists. Each of the Rotarians is to pay a quarter to attend. The proceeds are to be devoted to meeting the expenses and for further entertainment.

WHAT EACH DEFENDANT SHALL PAY IS QUESTION

With the plaintiff, John F. Holmboe, anxiously waiting to find out from whence \$8000 is to come, attorneys for W. H. Morgan and the Howard Automobile company yesterday began a battle before Circuit Judge McGinn to determine how much each party must pay. The two defendants agreed to settle the case for the amount stated and offered to let a jury decide as to what per cent each should pay. Morgan is willing to pay half, but the company only wants to pay \$2500, leaving Morgan \$5500 to pay. Morgan was learning to drive a machine which was being demonstrated by an employe of the company at the time Holmboe was run down and injured. The case will begin again tomorrow morning.

Bunco Men Sentenced.

Five "bunco" men, arrested March 2 by the police, were given 120 days and \$50 fines each yesterday by Justice Bell. The men were well equipped to ply their trade and the fact that they left British Columbia on the same day, Seattle on the same day, arrived in Portland on the same day, and stayed at the same hotel, proved their undoing, as Deputy District Attorney Collier used that in his argument as the grounds for vagrancy prosecutions. The men were J. D. Raymond, Frank Caviness, George Lloyd, Ed McDonald and Ray Hooper. All have records in police circles.

Journal Want Ads bring results.

An Open Letter to Mrs. A. King Wilson and the Portland Woman's Club

D. C. BURNS, Pres. J. H. McAFEE, Secy. & Treas.

D. C. Burns Company, Inc.

208-210 Third Street Portland, Oregon, March 8, 1913.

To Mrs. A. King Wilson and the Portland Woman's Club.

Ladies: Allow us to take this method of thanking you for the great common good accomplished through your efforts in the promotion sale of apples. We are pleased to state that we disposed of a very great many boxes of apples and, judging from the many good reports we received from others, Apple Day in Portland was a very conspicuous success. We further state that we are always ready to cooperate with you whenever you feel like making another effort along similar lines.

Thanking you again, we remain,
Very respectfully,
D. C. BURNS COMPANY.
By J. H. McAfee, Secy. and Treas.

PROGRESSIVES IN CONGRESS BEHOLD THE OLIVE BRANCH

Republicans Offer All Committee Places But Poindexter Who Is Official Bull Mooser of Senate.

(United Press Leased Wire.)
Washington, March 8.—Picking of the chairmanships for the 16 big senate committees was undertaken by the Democratic "steering committee" late this afternoon. Headed by Senator Kern, the majority leader, the committee met behind closed doors to make up its tentative draft. The result is not expected to be made public until the whole senate has been thrashed over in Democratic conferences next week.

The majority caucus distributed more patronage today. Joseph Wilson, President Wilson's brother, was defeated for the \$5000 plum of secretary to the senate, the job going to James M. Baker, a South Carolinian, whose candidacy was endorsed by Senator Tillman. He received 25 votes out of 47 on the second ballot.

Republican committee assignments, it was learned tonight, will be made with due regard to all members listed as Republicans. This means that every non-Democrat in the upper house, with the single exception of Senator Poindexter, of Washington, who is officially listed as a "progressive," will be offered a committee position by the Republican caucus.

The question as to whether Senators Poindexter, Bristow, Clapp, Norris, Sterling and others will form a separate organization and demand official recognition hung in the balance tonight. The Republican olive branch in the offering of the Republican chairmanships, the liberal radicals had to pause in their preparations to keep up the fight that split the party. No final decision will be made until more is learned of the Republican plan.

Majority of People Wonder Why No President Turned Down Office Seekers Before This.

By John Temple Graves.
Washington, March 8.—The malcontents who are seeking office under Wilson declare that in his own revolutionary act of turning over the offices to his cabinet he has avoided the opportunity of rewarding them and shifting the responsibility of turning them down.

Half of the men who are seeking some sort of recognition under the Wilson administration are basing their hopes upon the real or imaginary record of persons service done to President Wilson preceding his nomination and during the campaign.

It is safe to say that one-half, if not two-thirds of this ambitious army are astonished, indignant and protesting against a change which practically sweeps the record of personal service and personal acquaintance out of consideration. It leaves the hopeful aspirant to pass his claims under the cold review of a new cabinet official, who, perhaps, he does not know, instead of being permitted to plead his merits, his service, his character and his campaign contribution before the president whom he had personally known or personally served.

But there is another side and it is nothing less, than truthful, to say that the majority of the disinterested citizens with whom I have discussed this all absorbing question, believe that Mr. Wilson has done a very wise and very proper thing which it is astonishing no other president ever thought to do before.

INSURANCE COMPANY WILL BE INVESTIGATED

On request of State Insurance Commissioner Ferguson an investigation of the National Livestock Insurance company will be made by District Attorney Evans to determine whether the company is violating state laws. The license of the company was taken away January 1, 1912. Last December the company was placed in the hands of J. A. Todd as receiver. The company had about \$300,000 in policies outstanding, and about \$1,000 in unpaid policies. Since the license was revoked Commissioner Ferguson stated that the company has been doing business regardless of the revocation.

PUBLIC IN FAVOR OF WILSON MOVE; NOT JOB HUNTERS

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LABOR ASKS LAWS FOR PROTECTION OF WHITES

(United Press Leased Wire.)
Vancouver, B. C., March 8.—Legislation similar to that passed in Saskatchewan and Manitoba to prohibit white girls from being employed by Chinamen and other orientals, was asked for this morning by the delegates of the British Columbia Federation of Labor who appeared before the laboring commission. While it was admitted that the evil so far was not very widespread in British Columbia, the delegates urged that the Chinese of late had gained control of a large number of restaurants and that before long white girls would be driven to accept places under oriental masters.

NEW INDOOR POLE VAULT RECORD AT RICHMOND

(By the International News Service.)
Richmond, Va., March 8.—The world's indoor amateur pole vault record was broken here today by Wildeman, of Georgetown university, who cleared the bar at 12 feet. The record will not be allowed as the rules demand that three officials be present. Wildeman was allowed 11 feet, 8 3/4 inches.

5029 Women Registered.

More than half of the women registered for the approaching city elections up to last night were Republicans and more than a quarter were Democrats. The total registration of women was 5029, divided as follows: Republicans, 2881; Democrats, 1242; Progressives, 453; Prohibitionists, 209; Socialists, 109; Independents, 135. Men registered at the present registration number 663 to date. Eighteen actual days of registration have passed at the average for the women has been 27 1/2 days.

There has been invented for boring holes in brick, stone and cement a tool which reproduces the hammer and drill effect of hand tools eight times for each revolution of a crank.



Candidates for position of third assistant to superintendent of schools, which position women's organizations have asked to be created. Left to right—Mrs. A. N. Felts and Miss Athia Dimick.

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