ablished every svening (except Sunsa) Build-every Sunday morning at The Journal Build-ing, Broadway and Yambill sts., Portland, Or. class matter.

TELEPHONES Main 7173; Home, A.6051, All the operator what department, you want FOREIGN ADVERTISING REPRESENTATIVE banks jumped from \$334,650,000 Withycombe's recommendation to

DAILY SUNDAY DAILY AND SUNDAY

Seize the moment of excited curiosity on any subject to solve your doubts; for, if you let it pass, the desire may never return, and you may remain in ignorance.-W. Wirt.

THE PRESIDENT'S DAY

PRESIDENT of less poise United States in war with have been a most unfortunate and other basic materials. status for us at the time the European war broke upon the world

have embroiled us with Europe before now, and, instead of having peace, we too would be in the flict.

boys in the bloody trenches and Brown holds: that a joyous peace and tranquility rest over the country.

to occupy, because it is in such mad time when the unhappy people agonizing throes of a conflict that is swallowing up the resources and the lives of great countries with the frenzy of a hideous Moloch of unappeased war.

It is fitting in the day of our envied and enviable situation to 4.—The state engineer is responrecognition of our country, our ordinates of his department.

free institutions and our president. spirit of our common country.

TRUTH IN ADVERTISING

ciated Advertising Clubs of bids. World in Chicago this week.

This sentiment among advertising men, and the with the state engineer. It stands for a great believable, and that means sticking to defied the law.

actually has in stock.

for information. They do much hands and run things to suit themof their shopping in easy chairs at selves. home. Truth in advertising has

THE SOUTH'S PROGRESS

ORTHERNERS intent upon their own affairs have formed than Bowlby would allow. the habit of looking toward

The South's capital invested in manufactures increased in twelve 700. years from \$1,408,866,000 to \$3,-113,000 to \$3,900,000,000, or 109 per cent. The number of cotton ral message recommended placing storing sanity is apparently a spindles increased from 4,467,383 of the state highway engineer's to 11,858,600, the number of looms department in the office and under from 113,106 to 252,000, and the supervision of State Engineer amount of cotton ased from 749,-915,066 to 1,319,708,000 pounds. The production of pig iron engineer and state highway engineer jumped from 2,642,720 to 3,054,- be combined UNDER THE STATE 980 tons. The lumber cut increased ENGINEER, who shall have an unfrom 14,444,965,000 to 21,607, salaried advisory board of three mem-519,000 board feet, or by 49 per ters, to cooperate with him in all The Arizona, the largest battleship cent. The capital invested in agri- that concerns state highways. land, buildings, machinery and live- ommendation. It gave the govstock, grew from \$5,262,279,000 to ernor what he asked. It placed \$12,102,000,000, or 129 per cent, the state engineer, according to the In war, like everything else, it is The value of agricultural products attorney general, in full charge of necessary to keep near the base of

tional bank capital from \$106,- highways. 504,000 to \$242,800,000, or 127 The governor and the treasurer

any ad- charged with paying too much at- Lewis to commit unlawful acts by tention to the South's interests, the surrender of his authority to his his fine for speeding. Cast your haps one destroyer and two sub-\$.50 idea being that the nation's future chief deputy and at the same time bread upon the waters and after marines, to every 10 miles of seacoast, will be determined by developments forcing him to give a bond of \$10,- many days it shall return to you. he said, and you are pretty certain to in the North. But the Manufac- 000 for the faithful performance \$7.50 | One month...... s. st turers' Record, commenting on the of duty by such chief deputy. above figures, says:

is cutting more than half the lumber cut in the whole country; it virtually discredit further attempt for an monopolizes the cotton seed industry, intelligent development of highwhich turns out annually \$150,000,000 worth of crude products, and the South makes 70 per cent of all the commercial fertilizers manufactured in the United States, having an annual value of about \$105,000,000. the coals of this country suitable for used in smelting iron, 75 could have embroiled the cent lies in the South, and all but two of the sixty-odd useful minerals produced commercially in the United Mexico, and have had us in States are produced in the South. hostile relations with that country which mines practically all of the

A BEAUTIFUL MESS

A president of less poise would HE full opinion of Attorney General Brown on this page throws remarkable meaning around the act of Governor deadly embrace of a horrible con- Withycombe and Treasurer Kay in the attempted deposing of State There is thankfulness throughout Engineer Lewis and the placing of this broad land that our firesides Chief Deputy Cantine in charge of are intact, that our homes have no the road work. Attorney General

1.-The powers and duties of the state highway engineer are It is a precious position for us transferred to the state engineer.

2.- The state engineer must give contrast with the spirit of this war- an additional bond of \$10,000 to of other great nations are in the of his duties by the chief deputy guarantee the faithful performance engineer.

3.-The chief deputy provided for in the Day law is answerable to the state engineer for all his

heed the appeal of Mayor Albee and sible under his bonds for the acts suck the life out of industry. devote a thought next Thursday in of the chief deputy and other sub-

5 .- Wherever there is a duty to If all the cities in Oregon in be performed or authority to be the facts. Independent ship owners overalls and a canvas jacket. Then their own way observed the day it exercised such duty and authority dare not embark in shipping be- he went into the vitals of the craft would be a fitting expression of the are to be exercised by the state cause other so-called independent and for half an hour worked with a engineer in his capacity as ex-

for any new road work must be throat competition in which losses EN thousand advertising men prepared under the general director are recouped from the earnings of the men of the engineering division will attend the eleventh an- tion of the state engineer and be the trust. nual convention of the Asso- approved by him before inviting

It will be a notable gathering, for legislature to transfer and vest in the sessions will be given over al- the state engineer all of the powmost exclusively to promoting the ers, duties, authority and respontruth, that honesty is the best sibilities formerly belonging to the policy. President Woodhead de- state highway engineer, and that the faker, the crook and the shyster equipment and furniture relating from the advertising field will be to the work and business of the office of the state highway engineer is country-wide shall be transferred and lodged

continued against fakers. Business Either the attorney general is men are generally beginning to see wrong, or the governor and state that advertising is more than a treasurer are wrong. If the attorbusiness principle, and the only way ney general is right, the governor to make it effective is to make it and the treasurer have deliberately

Under our form of government. Chicago claims the credit for the attorney general is the official originating the idea that honesty adviser of public officials in all in advertising is the best policy. But legal matters. His office was creit has grown so that it is now ated for the purpose of interpreting nation-wide. Reputable business the law for state officers to the men know that their statements in end that all state business could and nothing else. Any deviation under the forms of law. After from that rule means ultimate loss seeking advice from the attorney to the advertiser, for his integrity general as to the relations between is gauged generally by what he the state engineer and his chief advertises for sale and what he deputy, the governor and state treasurer, finding, apparently, that Truth in advertising has demon- the law as interpreted by the attorstrated its efficiency. Because they ney general does not suit their can depend upon what they read, program and purposes, have elected buyers look to the advertising pages to take the law into their own

Their act is a climax in the made the newspaper's advertise- long series of remarkable acts ments as interesting to many of its that have come to pass since the readers as the telegraphic and local contractors in Columbia county demanded \$60,000 more of taxpayers'

It is a culminating circumstance the South with a spirit of tol- in a long list of assaults on public eration. They are inclined to think authority ever since Bowlby ex- don Post advocates that home inthe land of cotton unprogressive, posed the mulcting of the taxpay- dustry be patronized in the purtied to old ways and supremely ers in bridge building, such for chase of munitions and supplies, satisfied with itself. A recent cen- instance as in Lane county, where The dollar that stays at home goes sus bulletin showing the growth of \$186.32 a ton was paid for steel the farthest. the South's productive interests be-tween 1900 and 1912 is illumi-f. o. b. at Eugene. In that bridge the steel was worth only \$9540, a sane and safe Fourth of July. but the taxpayers paid for it \$23; Americans of foreign birth and an-

Most remarkable of all, in the and forget all about the hyphen. 500,000,000, or 148 per cent. The attempt to depose State Engineer value of output grew from \$1,860.- Lewis is the fact that Governor Withycombe himself, in his inaugudepartment in the office and under doctrine that like cures like. Lewis. Here is the governor's recommendation to the legislature: I suggest that the offices of state of pavement for highways,

culture, comprising investments in The legislature followed the rec- with water, champagne and whis- of commission with a drag line be-

If the governor and state treashighway department altogether and ways in Oregon.

OUR NEED FOR SHIPS

ONGRESSMAN ALEXANDER told members of the Portland Chamber of Commerce that bill is necessary to an adequate ex- at anchor in the North river. Escorted pansion of the country's commerce, by the scout ship Birmingham, the and all Pan-America, which would country's output of phosphate rock. He is chairman of the committee destroyers glided up to their stations barred barries, sulphur, fuller's earth, pyrite on merchant marine and fisheries on the Jersey side of the river, oppoand has made an exhaustive study of the problem.

Portland producers and exporters craft are of a class apart from the destroyers-just as we would have to facts which they cannot dodge. He men of the battleships. The uniform declared that under present condi- they wear most often is the blue dun- the smallest risk to his comparatively tions it costs four times as much saree, spattered with grease and oil, to ship lumber from here to New with almost disreputable watch-caps York as it costs to manufacture the reposing at every conceivable angle. would have heard a great deal more lumber in the first place. One of Each destroyer, which contains a crew of their ability to inflict damage with Oregon's chief industries is thus numbering from 100 to 125, is a har- their torpedoes."

throttled by lack of ships. Competent observers the country over are impressed more and more with the need of an adequate American merehant fleet. The ship situation. Commerce on the seven card-set forth his case. seas is controlled by gentlemen's agreements, community of interest plates, sir, and they don't appear to believe it. arrangements and other secret al- show why we torched coming up the

Many honest men oppose governnational shipping trust drive them eral other implements. 6.—The plans and specifications out of the business through cut-

ness to any extent because of a issue up to the upon it.

As Judge Alexander well knows and as he has repeatedly shown, especial enrichment.

Because of their power in the federal Senate, the coming movement of the great grain crop of farmers will lose enormously times as much as they should for were. getting a bushel of wheat to starving Europe.

The announcement that a scion of the house of Morgan is about cook recalls the old rhyme:

"He used to dance with Annie." She waltzed with fairy grace. He used to drive with Fannie, She had such a pretty face.

But he finally married Mary, For she knew how to cook.

achieved.

Forecasting a long war the Lon-

At last Portland is going to have cestry are going to get together

The theory of a California physician that baseball will aid in resound one, being based on the old

Five years from now we will all know which is the best kind We will not need to take the promoter's word for it. Everybody should be satisfied.

key.

increased from \$1,564,069,000 to all that "concerns state highways," supplies. On their march to Paris have used in war"- The officer JOURNAL \$3,397,000,000, the equivalent of but now that it has been so or the German armies got too far shrugged his shoulders. 110 per cent. The value of min-dered, Governor Withycombe joins away from their base and had to eral output jumped 209 per cent. with State Treasurer Kay and, over stop. It was the same with the aside from affording protection to S. JACKSON..... Publisher eral output jumped 209 per cent. With State Treasurer Ray and, over spening (except Sunday) and Railroad mileage increased from the advice of the attorney general, Russians on their way to Vienna, battleships, the destroyers do valuable work on their own account in the 61,880 to 90,930; national bank re- attempts to depose State Engineer And now the Teutonic allies on able work on their own account in the

One good turn deserves another. per cent, and deposits in national are not only making Governor Colonel Roosevelt took boxing lessons from Mike Donovan and now place four destroyers against one enjamin & Kentner Co., Brunswick Bidg., to \$1,059,068,000, or 216 per cent, the legislature ridiculous, but they Policeman Donovan, Mike's son, dreadnought, you are placing odds in President Wilson has been are trying to compel State Engineer loans Archibald, the former president dent's son, \$25 with which to pay craft. Allow two destroyers, or per-

Hail and tornadoes in Nebraska, rain and floods in Kansas and urer persist in their folly long Missouri, and yet there are some Of the 262 different kinds of indus-tries in the United States, 235 are enough they will destroy the state people in Portland complaining represented in the South. The South about the June showers.

THE WATCH DOGS OF THE BATTLE FLEETS

From the New York Evening Post. LEEK, dark, rakish, the three divisions of the Atlantic torpedo flotilla added a new note of inpassage of the ship purchase terest to the fleet of war vessels lying site the battleships, and anchored in single file. As with the submarines, monious home, where officers and men are brought into close contact, and where mutual respect and under-

standing obtain. Today, for example, a grimy chief purchase bill was strangled in the machinist's mate approached a young get that message? senate at the last session of con- officer in uniform, and without the gress, but that did not settle the formality of touching his cap-the issue. Enough ships and reason- officers and men are thrown so closeable rates are absolutely necessary, ly together on these craft that con-Private capital is not meeting the stant saluting has fallen into the dis-

"We have gone over those baffle liances which hold up rates and other night. Unless, perhaps, they're a little leaky.'

"I guess, perhaps, they are leaky," ment participation in the shipping replied the officer. "Wait a minute." business from entire ignorance of He went to his cabin and slipped on vessels secretly owned by the inter- wrench, a file, a steel saw, and sev-

You could just see his legs, and stood about, lending a helping hand American private lines cannot when the muffled voice called for it, now handle South American busi- but in the main simply leaving the combination of five great com- When he reappeared, hands and face panies, which has established a sys- blackened, and a long scratch above tem of rebates with South Ameri- the wrist, he smiled and gave the can shippers. Even tramp ships men a little talk. That is to say, he are kept out of that trade, so hard told these machinists, qualified men clares the campaign for eliminating all records, maps, charts, plans, and fast is the hold of the trust all of them, just what the matter was and how he had made temperary repairs. As the machinist's mate had surmised, the trouble was leaky tubes, the shipping bill was beaten in the causing fire to escape from the fun-Senate by the monopolistic ship nels when the craft was speeding. owners and ship builders, a small The officer returned to his cabin and market. It is strange, after the reveland select coterie of American mil- in a short time was on deck, immaculionaires who care nothing for the late as ever. Throughout the best of country as a whole, but want the fellowship was displayed between this with the Retail Grocers' association nation's affairs regulated for their man and the crew; the sailors knew their places and the officer knew his, but above and beyond was that common interest which close association brings. The lieutenant knew more the United States will be so ham- about his business than his men, pered by lack of ships that the which was precisely as should be, and he was as willing to get down and advertisements must be the truth be transacted according to law and through being forced to pay three grovel in the heart of things as they

"You know," he said, standing on the deck and gazing over toward the big Texas, "we have outlived our name technically. We are not really to wed a girl who knows how to torpedo boat destroyers any more. In fact, this name has died out in the navy; we are destroyers. There are no more torpedo boats to destroy, as a matter of fact; our craft, by way of all-around efficiency, long ago relegated them to the scrap heap. But what we really are and should be called is battleship protector. That but with a condition. These dealers The expenditure of one and one is what we are really. Submarines quarter million dollars on the have thrown the capital ship absocounty highways at this time is a lutely upon our protection. No hatmoney than Bowlby would allow, big proposition and means a whole tleship is safe in submarine infested and the contractors in Clatsop lot. Future progress in highway waters without us. Give two to each county demanded \$73,000 more development hinges on the results battleship—there are not enough of us to do this in our navy, worse fortune-and that dreadnought will be pretty well protected from subs.

"Of course, it is not absolutely certain protection, but, believe me, we have been able to hold up our end against the submersibles. What our maneuvers showed is not public rrop erty yet, but I think I can say that whereas the subs have put it over on us, we, in turn, have turned a trick or two at the expense of the submersibles. You see a submarine hates swift craft that can also make a quick turn worse than poison.

"Could two or three destroyers have taken care of the Lusitania?" The officer reflected a minute.

"They could have come pretty near doing it," he said, "Mind, I don't say it is a certainty, but the chances would be favorable for the destroyers. You see, they can scuttle around ahead, astern and alongside a liner; and, even if they miss the submarine, they can riddle a torpedo under way with machine guns. I wish I could in the world, has been christened tell you how we put a submarine out tween two of us. Of course, the line broke, and the submarine was only technically out of commission; had it been a chain, which we sh

Proceeding, he pointed out that,

Entered at the postoffice at Portland, Or., for sources from \$705,282,000 to \$2,- Lewis as head of the highways and their way to St. Petersburg are way of torpedeing capital ships of the expects transmission through the mails as second 112,717,000, or 199 per cent; na- install his deputy as head of the getting a long way from their base. enemy. He said that maneuvers had First First love breaks hearts and love mends them. pretty well demonstrated that two destroyers can make a lot of trouble for a battleship, and that when you to correct his bad grammar. hold battleships sufficiently far off-But a woman always stops talking shore to give the coastwise forts long enough to give a many idle days. At the same time, you allow your own battleships to go to sea and give them a wide radius of action without bothering about the as they protect the coast by fighting

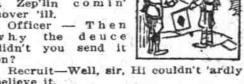
> have got within sight of land. "You hear a great deal of the sub marines in this war," said another officer, who came up at the time, "but if the allies and the Germans really get down to real sea fighting, you will see where the destroyer figures. Very often you hear battleship men He is chairman of the committee destroyers glided up to their stations cite the war in the far east between Russia and Japan as establishing the other craft, but you must remember Mr. Alexander brought home to crews of these venomous-appearing that Admiral Topo had to nurse his do-dealing the greatest injury with small fleet of destroyers. Had he had more destroyers, we undoubtedly

and sinking enemy vessels before they

A FEW SMILES

Officer (instructing recruit in sig-Recruit - Yes. sir; three taubs an' a Zep'lin comin' hover 'ill. Officer didn't you send it

on the return trip.



Lady Passenger (up in aeroplane nervous)-Hadn't better descend now? Some-

thing might go wrong with the engine. Aviator - Don't worry, miss. No en-/ gine can prevent us

making good

Letters From the People

(Communications sent to The Journal for ter on only one side of the paper, should be exceed 300 words in angth and must companied by the name and address

"Discussion is the greatest of all reformers Discussion is the great it touches. It rationalizes everything it touches, principles of all false anotity and throw back on their reasonableness. If they of existence and sets up its own in their stead."—Woodrow Wilson.

The Public Market Matter.

Portland, Or., June 16 .- To the Editor of The Journal-In Monday's Journal the spokesman of the Rrtail Grocers' association criticises Mr. Bigelow and others associated with the public ations of Ivy Lee's publicity campaign in Colorado in behalf of the Rockefelinterests, how anyone associated can come out and work against an institution that is of so much benefit ing to the public as is the public market. All this talk of Chinese and Japanese and other foreigners is an appeal to race hatred for the purpose of benefiting the Retail Grocers' association. Mr. Duncan knows, and we all know that nothing is said against the commission men who buy their produce from Asiatics in California, Why then, use arguments to stir up prejudices that will benefit no one but a clique that are known to resort to extreme methods? The members of the Retail Grocers' association do not hesitate to sell to their customers produce raised by Japanese or Chinese gardeners. A survey of the position comes the whine will reveal the cause. When it comes to price fixing, it has often been hinted that it is done in other places than on the public market. A grand jury (not necessarily a federal) investigation might reveal a combination in restraint of trade" here

n Portland. The trouble is not with the public market nor with the individual grocer, whose minds are so intent on their business that they haven't time to think of anything else, allow a leader o land them in such controversies as this one over the people's erket. Let eir senses. Here's to the wideawak is willing to abide by the Golden Rule. A CONSUMER

INDEX OF ADVANCING TIDE OF PROSPERITY

From the Chicago Herald Specifications were received in the Chicago lumber market from the Illinois Central railroad yes terday asking for bids on 2,500,000 feet of yellow pine and approximately 850,000 feet of cypress. This is the largest single railroad inquiry received in the local marseveral months, and, according to officials the lumber is to be used in preparing freight Officials say they have every

reason to believe prospects of greatly improved business conditions in the next few months are favorable, and it is their intention to prepare for the movement of the enormous crops predicted throughout the country. The awarding of this contract will make a total of about 7,000,this railroad since the first of the year, and there has also been received at the Carbondale, Ill., and

Grenada, Miss., treating plants of the company 4,850,000 feet of tim-

bers and 320,000 lineal feet of pil-

ing to be used in repairing a rebuilding bridges during

coming summer season.

PERTINENT COMMENT AND NEWS IN BRIEF

SMALL CHANGE

When two cats fight in the dark On the sea of adversity the broker is captain of the watch There is always something coming to us that we should like to see side-

Love is a malady of the mind swells the head but makes \$10 like 30 cents. A man's expenses flourish like the weeds in his garden, while his income doesn't do much better than the gar-

It is sometimes the case that a man who refuses to climb a fence to do something useful will tear down a

den proper,

No newspaper in Oregon can excel the Baker Democrat' in picking up items like this: "Fruit growers in the eastern part of the county and along Snake river say there will be a record breaking crop of peaches this year and of the finest quality ever." . .

OREGON SIDELIGHTS

Salem Stateman's O. K. on the good roads cause: "Mulinomah county yesterday let the contracts for her 65 miles of paved roads. She is leading the way in Oregon: for all main highways will eventually be paved, in this pneumatic and rapid-transit age."

Astorian: The Klaskanine fish hatchery has proved its worth and the fish and same commission will do well to t its attention in that direction. son. "I was 12 years old when warm waters of the lower river started for Oregon in 1851. My fat are the best for propagation, and pro-visions should be made to materially add to the increase of the Klaskanine output,

Klamath Falls' reputation as a law abiding city will be much enhanced by the following, in the Herald; "In orer to stimulate criminal business in married her she was a widow with the office of the justice of the peace, the present incumbent, E. W. Gowen, is considering cutting down fines one half, and if this does not help, he threatens to cut to 25 per cent. Children. Ultimately added to Portland threatens to cut to 25 per cent.

STATE ENGINEER CONTROLS STATE ROADS OPINION BY ATTORNEY GENERAL BROWN

Following is the full text of the under the general directions of utility of the battleships above all rendered in response to interrogatories before inviting bids under section 12, presented by State Engineer John H. ewis concerning the respective and relative powers and duties of the state answers to the foregoing questions. engineer and the state highway engineer under enactments of the Oregon legislature, session of 1915:

highway engineer to prepare plans and specifications, and this duty passes State of Oregon, legal department, Salem, Or., May 8, 1915. Honorable John H. Lewis, state en gineer, Capital building. Dear Sir:

I have before me your favor of the 16th ultimo, received during my absence, and will endeavor to answer the questions therein submitted in order:

"powers" of the state highway engineer under chapter 339, laws of 1913, when the consolidation bill (chapter 337, laws 1915) becomes effective? Section 1, chapter 337, page 537, laws of 1915, reads as follows: The office known as the state highway engineer as defined by section 3 of chapter 339 of the session laws of 1913 is hereby abolished, and the powers, duties and work now performed by the state highway engineer shall be vested in and placed under the charge and direction of the state engineer, and

wherever in any law now in force in the state of Oregon, the name "state highway engineer" appears it shall be red that the same "state en-is substituted in lieu thereof. It will be noticed from the provisions of the section quoted that the state engineer is vested with the powers and duties of and to work performed by the state highway engineer

provided in chapter 339 of the laws of 1913. It is also apparent that it is only the office of state highway engineer as a separate and distinct office which is abolished and not any of his powers and duties, such powers and duties being simply transferred to the office of the state engineer and not abolished with the office to which they were formerly attached by said chapter 339, laws of 1913.

engineer to file an additional bond of \$10,300, as provided in section 3, chapter 239, laws of 1913? The filing of this bond is one of the duties required by said chapter 339, to be performed by the state highway en-

gineer and consequently passes to the state engineer by the transfer of such duties under chanter 327 laws of 1915 3. If the governor appoints a "chief deputy in the office of the state engineer," will such "chief deputy state engineer" report to the state engineer The affirmative answer to this question follows from the very words themselves. The word "deputy" is defined

nd Words and Phrases, at page 5, as follows: The deputy is but the officer's shadow and doeth all things in the name of the officer himself and nothin his own name. A deputy is one who by appointmen exercises an office in another's right having no interest therein and doing all things in his principal's name, for misconduct the principal

A deputy is a subordinate officer authorized to act in place of the principal officer in his absence. It therefore follows that the chief deputy provided for in chapter 339 will be answerable to the state engineer for all of his acts and the state engineer will be responsible to the state and all other parties relying thereon 4. Will the state engineer be respon-

sible under his official bond for the acts of his chief deputy and other subordinates of his department? The answer to this is determined by the answer to question number three as to the chief deputy, and it follows that the state engineer will be responsible also for the assistants to said chief deputy, inasmuch as their appointment by the chief deputy is in effect an appointment by the state engineer, inasmuch as the chief depity can perform no act by his own authority, but acts only by the authority of his superior officer vested

in and delegated to him by the law and appointment as chief deputy. 5. In the contract recently executed for the construction of the Mitchell Point section of the Columbia highway, many points are left for final decision by the state highway engineer. the work on the ground, must approve engineer" be substituted for state high way engineer when reading this contract after May 22, or will it read chief deputy state engineer?" Since chapter 337, laws of 1915.

makes the state engineer in effect the state highway engineer, wherever there is a duty to be performed or an lature in enacting said chapter 337 authority exercised under contracts ex- was to transfer the work, powers and ecuted at the time said chapter takes effect, such duty and authority are to the state engineer with a chief to be performed and exercised there- deputy to have immediate charge of after by the state engineer in his ca- such work and to be in fact as well as pacity as ex-officio state highway en- in name a deputy to the state engi-gineer. This is gathered from the neer, and not an independent officer. terms of the act itself. It is also The chief deputy state engineer hav-fundamental that statutes relating to ing immediate charge of the highway procedure and remedles operate as to work of said office and therefore bematters pending at the time such acts ing in immediate relation to the state take effect. And the transfer of pow- highway commission, it ers and duties from the office of that he shall be appointed by the chairstate highway engineer to the state man of said commission, and shall the engineer, and the furnishing to the serve at the pleasure of said chair-appe state engineer of a chief deputy and man and perform such duties as are gineer who is other assistants, is a mere matter of prescribed by said commission. procedure and does not create any new is evidently for the reason that such rights or duties in respect to any of chief deputy shall be at all times in the contracts existing for the construc-tion of highways at the time said act mission and its chairman, and the furtakes effect. Consequently the words ther authority given to such chief "state engineer." from and after the deputy to appoint his own deputies and he serves at the figetive are to be understood instead of highway commission is for the same to this the words "state highway engineer"; purpose. None of this language, how-state en "state highway engineer" or in other words, the state highway ever, is to be understood as depriving to the state engineer and engineer from and after said date is the state engineer of any of his au-

of Attorney General Brown state engineer and be approved by him chapter 389, laws of 1913? This question is answered by the

It is a part of the duty of the state

to the state engineer by his substitution as state highway engineer; or in other words by his becoming state the work, highway engineer by virtue of his of-7. If you should take the view that the legislature did not intend to consolidate the "powers" as well as the "duties" and "work" of the highway engineer, with the state engineer, but he had what seemed to my boyish that two separate engineering offices 1. Will the state engineer have the shall be maintained, will the state en-

gineer be responsible for the loss of Loughlin was a wonderfully kindly any maps, records, equipment and furi- though niture of the highway engineer's department in case he should fail to take admired him. He had long, w) possession of this material and transfer the same to his department as directed by section 2, of chapter 337, through you. He was tall and laws of 1915? Answering this question I would say that I do not take the view suggested in the beginning of said question, but

that the acts of the legislature are to be received and construed according to the intention expressed therein, we must understand that it was the intention of the legislature to transfer and vest in the state engineer all of that Mr. Bush was returning the vi the powers, duties, authority and responsibilities formerly belonging to the state highway engineer.

Section 2 specifically requires that "all records, maps, charts, plans, equip- job for me. ment and furniture relating to the work and business of the office of the state highway engineer shall be trans- Corvallis the Oregan Stateman pi ferred and lodged with the state enstate engineer is required to give a to Salem and the Statesman ca bond for the faithful performance of along and has been in

I cannot understand this language otherwise than as meaning the state to Rev. F. S. Hoyt asking him to engineer is responsible for all of the form the wedding iduals, coming into his possession, to the same extent as the state highway office. The only thing found in chapter 337 tending to inject any ambiguity in and hand him the note. wherein it is provided that the chair- I had shriveled all up and the man of the state highway commission, who is the governor, may appoint a President Hoyt smiled as he read chief deputy to the state engineer who shall serve at the pleasure of the would be most happy to serve h chairman of the state highway com- Mr. Bush did not invite his prin nission; that such chief deputy shall to the wedding, have charge and direct supervision of about two years and had been all work in the department which was moted from devil to compositor. heretofore in charge of the state highway engineer, and that such additional pressman. deputies and assistants as the state and is the author of an excellent commission shall deem necessary in the road department shall be dozen of us, including Henry Bro appointed by such chief deputy state and myself, secured some bells,

the state highway commission. Taking these words literally and not ried couple. We certainly made nig construing them in connection with the hideous for a while. emainder of the statute and the legal rinciples governing the appointment in to talk with Mr. Bush. I remeand authority of deputies as hereinbefore defined, would manifestly re-sult in an anomalous condition. For nings at the office. As I slept w instance, the chief deputy is to be ap- Mr. Bush in the office and as I was pointed by the governor and serve at rather bashful and diffident boy, is pleasure, but he is a deputy to an- spent my evenings in the printing other officer elected by the people, and fice. Mr. Lovejoy used to tell a whose authority is prescribed by going with Marcus Whitman di statute. His duties are to be defined by the highway commission, another ndependent tribunal under the statute. The chief deputy is to have direct harge of the work formerly performed by the state highway engineer, and to appoint his own deputies and assistints as approved by the state highway

ommission. A more complete mixture and conflict of authority could not well be invented, expressed, or even imagined, if taken literally, but as already sug gested, this language is to receive a construction according to the intention, which must be ascribed to the legislature to enact a legal and valid law and not a nullity.

It has often been announced by our own supreme court as well as by the supreme court of the United States and of the several states of the Union, that the legislature being one of the three coordinate branches of the government must be credited by the judicial and administrative departments with acting in good faith in every respect, and its acts are to receive intendment in favor of their validity and the motives of the legislature are not to be impugned by the other branches of the government. This being true, therefore, it is evi-

dent that the intention of the legisduties of the state highway engineer The chief deputy state engin when said chapter becomes ef- assistants as approved by the state 6. Must the plans and specifica- way the work formerly performed by lons for any new work be prenared the state highway engineer, nor as re-

N. F. Nelson lives at Brownsy

We sat on the porch of the Linn county the future. near Springfield Illinois, on June 8, 1839," said Mr. name was George H. Nelson. but he was born in added to the samily. and made a little money. Asahel Bush on the Oregon

he Portland in 1851, Father chored are "In February, 1852, I went to Or gon City and became an apprentice was to work for him for five and was to receive \$100 a year. Bush used to sleep in the had a bed that was rolled up du the day. At night he got it out o made it up on the floor, im for quite a while. He was fully shrewd man and a natural maker. He became the state pr and had the law books printed in east at New York prices but charged Oregon prices for the pri ing and made slathers of money

"Dr. McLoughlin and Mr. Bush v good friends. quently send me over to Dr. pay off the printers. great stacks of \$20 gold pieces eight-sided \$50 gold slugs. much of me and of course I gre which fell to his shoulders. He blue eyes that seemed to look straight as a lance. We had a printer Zilber working in the office. He I just across from Oregon City at I She used to come to the of occasionally to see her soon developed quite a fondness Pretty soon I

very often. she made to her father. He wou me from my work and say, Take letter across the river.' Carry love letters became a pretty gon moved to Salem the the capital and when the capital up its type and presses and moved Also, as already seen, the Corvallis. Soon the capital came "I carried the letter from Mr. Bu

was in Salem. President Hoyt we did not call it that in th was teaching a class and I had to students looked at me until I felt as note and told me to tell Mr. Bush devil. He later became an hist litical history of engineer, subject to the approval of pans and a horse fiddle and held charivari in honor of the newly "Most of the big men u

while we were in Oregon City, A. the winter and of how they got and ate horse meat and I listened with intense asked Mr. Bush if he didn't hearing Mr. Lovejoy talk. He

joy it or not. It won't do to off man of his standing." abusive and plain-spoken in the p Billy Adams was running the Ar Oregon City. D. W. Craig was foreman, Mr. Bush always spoke Mr. Adams as 'the deluded editor T. J. Dryer, the editor of the We Oregonian, as 'Toddy Jep Dryer, cause Mr. Dryer was pretty for editors in speaking of Mr. Busi him in the paper he called him 'L. P. Gaines. It made Gaines He got a rawhide, and following

tary Hamilton stepped be

I see you. Mr. Bush came to the fice and told E. M. Waite, his pr got his pistol out of his 'As certain as that conceited asa, rawhide and attempts to flo so certainly will I shoot him

bilities which formerly devolved not be bound to accept his nor could the commission man of said comi

This state engineer, the latter officer