

The Polk County Observer

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(THE HOME PAPER)

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(TWICE-A-WEEK)

NO. 45.

QUEEN BEE TRAVELS FAR

ACCOMPANIED BY ONE HUNDRED BUZZING ATTENDANTS.

Mr. Smith Buys New Strain From Italian Switzerland and Will Improve His Swarm.

On Wednesday Mr. Floyd E. Smith, who has about ninety colonies of bees, received direct from Pedeville, in Italian Switzerland, a queen bee, it coming to him by parcel post the entire distance. This queen left Switzerland July 22 and arrived August 5, accompanied by about one hundred other bees sent for the purpose of caring for the queen. This strain of bees has taken prizes at nearly all the expositions across the big pond, and also at the St. Louis exposition in 1904, and although it cost Mr. Smith but \$2.50 delivered it is highly prized by him. Five years ago Mr. Smith brought with him from Michigan the strain of bees now gathering honey and money for him, and the purchase of this new strain is for the purpose of testing its superiority over the stock he now has. If found to be better than the Italian bees he is breeding he will make a change.

The queen bee, the mother of the hive, is unique in that she can lay male or female eggs at will, placing these in cells of sizes varying with the sex, that of the worker being hexagonal and often as much as one-fifth of an inch across, while the drone cell, on the other hand, is of the same shape but decidedly smaller. In the honey-season, when the bees are storing the honey, the queen bee will lay about 300 eggs a day, or two or three times her own weight, according to Mr. Smith. Within forty-eight hours the eggs hatch, larvae remaining insignificant for from four to five days, when the mass takes a rapid stride to maturity, attaining full growth in twenty-one days.

Survival of the fittest is then the rule, and the struggle for existence among the bees wipes out the greater part of them. In fact, while in the winter season bees live for months, and there are instances known of bees living two years, or even three, the average working season of a bee is less than six weeks. Accidents and the strain of the labor are responsible for the number of fatalities. Numbers, however, increase constantly in the hives during the working season. Otherwise the hive would die out. In the spring the hive contains comparatively few workers—2000 to 2500, and no drones, the lazy-bones having failed to survive the winter. When the flowers begin to come the bees take up their work. If the season promises to be good, the queen begins her laying with drone eggs. The amount of honey brought into the hive seems to govern her in these functions. Then the workers begin their appearance, and twenty-seven or twenty-eight days after the hatching, or about a week after reaching maturity, they begin their work in the fields, gathering not alone the honey, but pollen as well, the pollen being employed to mix with the honey and to feed the young.

The drones will hatch and mature in about sixteen days, and shortly after begin their flights, usually between 2 and 3 p. m. This flight of the drones is merely for the purpose of mating with some chance queen on her wedding flight.

To understand the interesting ceremonies attendant on this wedding flight one must go back to the older hive. When a queen has filled a hive with a brood, and the bees have been hatched in such amounts as to crowd and overheat the hive, Her Majesty comes to feel that it is time to send out a swarm. If the honey season is good the queen then proceeds to head such a secession, leaving the young queen, reared for this purpose, to depart on her wedding flight, and then, returning, rule the hive.

The queen bee is fertilized but once in her life and it is at this period that, if she be mated with an Italian or other rare species—queens of which bring from \$2 to \$3 apiece—all the successive progeny will show traces of such parentage. The mating takes place high in the air, and no attempts at mating in confinement have succeeded thus far. As the eggs for queen bees are at all stages when the old queen swarms, the young queen, coming to her own, will go through the hive, stinging through the cells of the rival queens, often on the point of hatching. Bloody Mary, with her stiletta, in this wise, makes way with all possible pretenders. If, however, the new-crowned queen feels that the season promises exceptionally well and that there will doubtless be a second swarming from the hive, requiring that another queen bee be left behind, she will permit two or perhaps three queen-eggs to hatch. Then as soon as enough workers have appeared the swarm occurs, for the queen can brook no rival.

New swarms may settle anywhere, from low bushes or the earth itself to the branches of oaks thirty feet

from the ground, and these the apiarist shakes into the hives, to start still another colony. The members that desert the hive in a swarm will be from a third to a half of the entire population, and as after, or second, swarms are frequent, the productivity of the queen bee is obviously tremendous. Now and then a queen will desert the hive without having done more than about laid the egg in a queen-cell, but this is exceedingly rare.

The cell that is to produce a hive is about the size and the form of a peanut. On hatching, the young princess is fed on a special food, royal jelly it is called, which is milky white, and while pleasant to the taste is exceedingly pungent. This food seems to be put into the cell all at one time, and just before the transformation from the egg occurs. Worker bees are reared on a coarser food and in smaller cells. Both workers and queens are of female eggs, and under proper treatment will produce females. The sex is determined by the will of the mother bee.

Attending Camp Meeting.

Among those camped on the Quinby grounds during the meeting at that place are: Rev. G. Erskine and family, Kings Valley; Professor L. P. Gilmore and family, Monmouth; Rev. V. A. Ballantyne and wife, Dayton; Rev. M. J. Ballantyne, Rev. C. P. Gates and family, Mrs. Dolly Bierly, Mrs. Miller, Professor D. M. Metzger and Mrs. A. Launer, Dallas; Rev. W. S. Plovman and family, Lewisville; Mrs. A. Boydston and daughter, Independence; and Rev. C. S. Poling and wife, Sodaville.

WIDOW GETS PENSION

JUDGE HOLMAN ISSUES ORDER COMPELLING COURT TO ACT.

Payment Was Withheld by Polk County Commissioners, Claiming Woman a Marion Charge.

In the case of Maud Edna Zachary against the county court, being an action to compel Polk county to pay her and her offspring money under the widows' pension act, Judge Holmes issued an order favorable to the plaintiff. By the order of the court Mrs. Zachary and her five children under the age of sixteen years will receive \$40 per month from the second day of May last, payment to be made immediately after the writ issued to the county court.

The county commissioners withheld the allowance of the pension sought by Mrs. Zachary on the ground that she was not a legal charge of Polk county, but of Marion, from which county her husband was sentenced to the penitentiary. According to the testimony taken by the county court, the woman had resided in Marion county with a relative for some time after her husband's incarceration, and then came to Polk county, took up her residence and made application for the pension, which application it was dismissed.

"If we must allow the pension of Mrs. Zachary," said Judge Teal, "we must allow the nine others pigeon-holed in my office and where it will end there can be no telling. I do not consider this a just claim, and may appeal it to the Supreme court for a decision on the matter."

Falls Into Court House Basement.

Sam Fearn, the Indian convicted of assault upon the person of Sephias Tipton, while loitering about the courthouse Tuesday afternoon, fell down the basement stairs, and suffered no serious injuries. He struck the concrete floor with a sickening thud that was heard in the offices above, but there being no outcry an investigation was not instituted. Dr. McCallon was called when the man was discovered, and he quickly revived the patient.

Erects Large Dryer.

R. P. Riggs, who recently purchased fifty acres of the S. P. Kimball prune orchard, will soon have completed a dryer of more than the necessary capacity for handling his crops. The daily capacity of this dryer is about 900 bushels, but Mr. Riggs has abundant room for three more tunnels, making a capacity of 1200 bushels. The dryer is of the hot air type, much used in this vicinity.

Travelers in Europe.

Among those now traveling in Europe are Carl Gerlinger and family, and Mrs. Fred Gerlinger and Mrs. Carl Gleath of Dallas, who went to Germany a short time since for a four months' sojourn. Mrs. Harriet A. McArthur, the mother of C. N. McArthur, is traveling with Miss Genevieve Thompson, now in London.

Additional Sewers Necessary.

The construction of the proposed sewage disposal plant, bids for which will be invited soon, will necessitate the building of approximately 750 feet of 8-inch sewer; 850 feet of 12-inch sewer, 400 feet of 16-inch sewer and 150 feet of 18-inch sewer and seven manholes.

SERR HAS GREAT FAITH

ENTHUSIASTIC OVER PROSPECTS FOR OIL NEAR DUFER.

Recently Visits Scene of Operations in Which Several Polk Men Are Interested.

The Beavis Oil company, composed in part of Henry Serr of this city, Messrs. Whitney, Walker and others, of Independence, operating about nine miles west of Duffer in Eastern Oregon, after several months of discouragements has reached a point where it expects oil at any time. Last January a piece of pipe fell to the bottom of the hole, delaying the work of drilling, but this has now been recovered and good progress is being made. While attempting to remove an obstruction from the wall of the hole with dynamite, a faulty joint of casing was loosened, fifty feet of it going to the bottom of the well.

Mr. Serr, who has been associated with the company since its inception five years ago, visited the property last week, and is very enthusiastic over the prospects for bringing in the well in paying quantities. There is at present considerable quantities of oil in the sand at the bottom of the well, and gas comes from the hole constantly and is easily seen as it escapes. While in The Dalles Mr. Serr said to a reporter for The Daily Chronicle of that place that he would demonstrate to the satisfaction of any one that oil really existed in the well. He is quoted by that paper as follows:

"I have a proposition that I will make to any party of 10 men in The Dalles," said Mr. Serr today. "I claim that I can demonstrate to any one that there is a large quantity of oil now coming out of the well when the sand pump is worked and that I can gather oil from the top of the water and it will have the same appearance as the dirty oil that a machinist gets on his hands when working with the machinery of an automobile. I will prove that to the satisfaction of any party of 10 men or a dozen parties, for that matter, or I will pay all of the expense of the trip of the party or parties, and, as a guarantee I will deposit a certified check for the amount of the expenses in any bank in the city. All that I ask is that should I prove my point that each man pay his own expense and invest a similar amount in the stock of the company to assist us to finish the well. It makes no difference to me if it is one party of 10 men or 50 parties, I will make the same guarantee."

Our Method of Prune Growing the Best

With a view of gathering information as to the production and marketing of prunes in continental Europe Governor West requested Mr. H. S. Gile, a prominent prune packer of Salem, who was about to visit Europe, to look into the situation while there and render such a report as might be of interest to the growers and packers in this state. Mr. Gile returned a few weeks ago and the governor sends The Observer a copy of his report which may prove of interest to readers, inasmuch as Polk county is one of the largest prune producing districts in Oregon. The report is addressed to the governor and is as follows:

In fulfillment of the commission which you entrusted to me concerning the matter of investigating the growing and marketing of prunes and other cured fruits in Europe, I wish to say that I first spent about thirty days in Italy. That country is not a large producer of cured fruits except citron and other glassi fruits, of which there is a considerable industry at Leghorn. The citron itself, however, is largely imported in brine from Sardinia.

Speaking broadly, the Italian method of growing and marketing her horticultural products is in no way comparable to the methods employed in the Northwest of the U. S. A. In many places their methods of cultivation are primitive in the extreme. Grapes for wine and olives for oil predominate. The finished product of each is of a very high order.

Our Oregon prune, primarily misnamed "Italian" prune, is not now being produced in Italy and I have serious doubts if it was ever grown in that country to any extent. In any event diligent personal inquiry and investigation failed to discover it or any person or firm who had any knowledge concerning such a variety of fruit.

A rather insignificant quantity of evaporated prunes are produced annually in the vicinity of Amelia, known to the trade in Italy as the "Prune d'Amelia." The quality of this fruit is in no way comparable

MOTION IS OVERRULED

LEWIS DAVIS MUST STAND TRIAL IN POLK COUNTY.

Attorney Toose Fails to Get Change of Venue to Marion—Case Docketed for Next Week.

The motion for a change of venue to Marion county in the case of Louis Davis, charged with murder, once convicted of the crime and given a new trial by order of the supreme court, was argued before Judge Webster Holmes Wednesday afternoon, whereupon the motion was denied. Davis will, therefore, be tried in Dallas, and while the date has not been announced, the case will probably be called early next week.

Following is the ruling of Judge Holmes, on motion of Walter L. Toose, Jr., attorney for Louis Davis, for change of venue.

In cases of this kind, where a person is indicated for taking human life, and stands upon trial for it, it is the duty of the court to see that the trial is fair and impartial, and to protect the rights of the accused, and to see that nothing transpires that would jeopardize his rights or impair them in any way, and the court is fully conscious of that duty, and will undertake to discharge it fully to this defendant.

There is only one question for the court to determine on this motion, whether or not this defendant can secure twelve impartial men to sit as jurors in the trial of this case, the trial of this defendant, who are fair and impartial, and not prejudiced or influenced in any manner by what has been published, or by any rumors that may have been circulated, with reference to this unfortunate occurrence.

A matter of this kind, as any other matter coming before the court, which is presented upon affidavits and counter affidavits, is an uncertain quantity, they are ex parte, and there is no way of determining how the party has informed or expressed himself, and they can go no further than to take the affiant's opinion that twelve men could not be drawn with any reasonable probability, that would be fair and impartial, and that it would amount to simply combing the county to undertake to select twelve such men. But there is a way where that can be reduced to a certainty, that is, to first try and see whether or not we can get twelve men who are fair and impartial. I have sufficient faith in the good citizenship of this county to believe that none of the

in the Northwest to be counted in this men examined here would perjure themselves, and that they would state whether or not they have entertained any prejudice against this defendant, and if after a reasonable investigation it is found we cannot select twelve men, then I will entertain this motion. I would change the venue to some convenient county upon my own motion if I thought or had reason to believe he could not get a fair trial, but I do not see fit to grant the motion under the present circumstances and conditions, and the showing made, and I realize it is a hard showing to make. But at this time, I will over-rule and deny the motion, and we will first make the attempt to see whether a fair jury can be obtained, and if it cannot be, after a reasonable attempt, why I will consider the motion again, and if you wish, you can supplement it with further affidavits, or if it occurs to my mind from what takes place here in the examination of the jurors, if there is any doubt in my mind that he cannot obtain a fair and impartial trial, I will change the venue. I will undertake to see he has a fair and impartial trial as every man accused of crime is entitled to, and that is the only thing to consider. That will be the order of the court at this time.

Prizes Offered for Yell.

Children's Industrial clubs of Polk county have received a communication from State Superintendent Churchill, in which three prizes are offered for the best anti-cigarette yells submitted for use by the gathering of delegates from all the clubs of the state at the State fair this fall.

BLACK ROCK IN DANGER

SHOULD WIND SHIFT VILLAGE WOULD BE WIPED OUT.

Logging Company's Railway Trestle Has Narrow Escape From Being Destroyed by Flames.

The fires that have been raging on the Spaulding company's logged off lands above Falls City for about a week is reported to be subsiding, and the only fear that now exists is that a heavy wind may take it over the hill to camp eight. Eight or ten men have been fighting the fire for several days, and are now endeavoring to keep the flames from communicating to the railroad trestles of the logging company. It was thought yesterday that the trestles would not be saved, but the two locomotives were brought into use, and the structures were saved, for the time being at least. Mr. Canfield of Black Rock was in town late yesterday, and said the fire was working its way west toward the logging camp, but predicted that the wind would shift before this morning. Should a heavy west wind prevail, the flames would be driven to Black Rock, a distance of a mile and a half, in which case it would be impossible to save the town.

The lands that are now being burned over were logged off five or six years ago. The continued dry weather has made the "down" highly inflammable, and the old stumps and snags holding the fire makes it practically impossible to extinguish it.

PROCURES LIQUOR FOR LO.

Such Is the Charge Against O. R. Levens of Near Amity, Under Arrest.

When Sam Fearn, the Indian found guilty of assault upon the person of S. Tipton, fell down the courthouse stairs the other day, a bottle of whisky dropped from his pistol pocket and peacefully reposed upon the concrete floor, having suffered no injury. The officers seized the package, sniffed the aroma from the open neck, but were unable to determine to a dead certainty from whence it came. An investigation followed, however, Fearn divulging the name of the offender against the peace and dignity of the people, and later Deputy Sheriff Savory arrested O. R. Levens, he having been charged with procuring the liquor. He will probably be arraigned today.

Clips From Its Record.

From a Vancouver, B. C., newspaper it is learned that Lackrose, an Independence horse, is making good across the border. The following is clipped from that paper:

"Clipping one and one-fifth seconds off the track record and lowering the Canadian record for the distance of 2-5 of a second, Lackrose, wearing the colors of R. P. Dickinson, of Independence, Oregon, Friday at Minoru park covered the five and one-half furlong course in the Hastings speed handicap in the sensational time of 1:05 1-5 to win at the end by a nose from Brighouse, with Seneca, the favorite a length behind for the show. All credit is due, not only to Lackrose for his wonderful race but to Jockey Murphy for the accompanying masterful ride."

The only way to avoid disappointment is also to avoid hope.

DUNIWAY'S STATEMENT

GIVES SOME FACTS RELATIVE TO TILLAMOOK CASE.

Contents That Judge Holmes Was Not Disinterested Party When He Appointed Receiver.

The Observer desiring further and more definite information concerning the Tillamook Hotel case, in which Judge Holmes sat after having just previously disposed of his stock in the hotel company, yesterday telegraphed Ralph Duniway, attorney for the Tillamook Hotel company, P. J. Worrall and Anna Worrall, asking if the Oregon Journal had reported his remarks regarding Holmes correctly, and in reply this morning received the following:

Portland, Oregon, August 6, 1914.—Polk County Observer, Dallas, Oregon. Dear Sir: Your telegram reading, "did the Oregon Journal quote you correctly in Tillamook Hotel hearing before the Supreme court wherein you charged bad faith on the part of Judge Holmes" received. I do not recall what article you are referring to, so cannot give you an answer to your telegram.

In the case of John Leland Henderson vs. Tillamook Hotel company, P. J. Worrall, Anna A. Worrall and Chas. Kunze, the attorneys for the defendants claimed that Judge Holmes was disqualified and ought not to sit in the case because he had subscribed for one share of stock in the Tillamook Hotel company, and was in a similar position to the plaintiff, to wit, a minority stockholder, and therefore was not a disinterested and qualified judge to sit in the case. Judge Holmes and M. W. Harrison filed affidavits to the effect that Judge Holmes had sold his share of stock upon which he had paid only \$20, to the plaintiff a few days before the suit was filed, and I believe the balance due on the share of stock was paid January 21, 1914, after the suit had been filed and Judge Holmes acted in the case.

Judge Holmes granted an injunction order in that case, and appointed a receiver in the case, which seemed to me to be in violation of the decisions of the Supreme court of Oregon, the statutes of Oregon, and the well considered cases, and to have taken a very extreme view, and seems to me, a very erroneous view as to his power as a judge.

In presenting the case to the Supreme court on the motion to obtain a stay of proceedings, and which stay of proceedings the Supreme court granted and ordered possession of the property returned to the defendants pending the appeal, I urged that the action of Judge Holmes was erroneous and that he had such connection with the case and interest in the case that he should not have acted as judge, and in the future conduct of the case I will make the same contentions, but of course I am not prepared to charge "bad faith on the part of Holmes."

I am simply an attorney in the case and I am presenting the rights of my clients as I see them, and I feel very clearly that the action of Judge Holmes was erroneous, very erroneous, and very oppressive, but I am not prepared to charge, and have no right to charge, bad faith on the part of Judge Holmes. It is no part of the duty of a lawyer in presenting a case to charge bad faith on the part of the judge of the Circuit court. What we are required to do, and do, is to point out the erroneous illegal conduct which we claim was committed by the Judge of the Circuit court, and submit the question to the Supreme court for the Supreme court to say whether or not our contentions are correct.

The only question that is passed upon by the Supreme court so far is that Judge Holmes committed error in not ruling our notice of appeal and bond stayed and superseded his decree, and that the property should be returned to the defendants pending the appeal. Of course this information all appears of record in the case filed in the Supreme court.—Ralph R. Duniway, attorney for Tillamook Hotel company, P. J. Worrall, Anna Worrall.

Chilcott Sells Dairy.

Ross Chilcott has sold his dairy near Black Rock, from which he has been furnishing milk to the logging camps, to a Mr. Fisher of Falls City, and will probably go to Tillamook county to reside. He had some fifteen cows.

Wedding Announcement.

Mr. and Mrs. J. E. Mason announce the marriage of their daughter, Wava L., to Dr. Clinton L. Foster on Wednesday, August 19, at the latter's residence on Ellis street.

Depart for Washington.

Mr. and Mrs. A. J. Barham departed on Wednesday for Washington, where they will spend several weeks looking after property interests.

Oregon Historical Society
207 Second Street