

SUBMITTERS BRIEF IN ROAD BIDDLE

Judge Seneca Smith Explains Why Issues Were Illegally Voted at Election.

COUNCIL IGNORED CHARTER

So Says Lawyer in Statement of Objections Prepared at Request of Mayor Lane—Powers Granted by Law Exceeded.

Judge Seneca Smith yesterday submitted to Mayor Lane a brief embodying his views on the law regarding the so-called amendments to the city charter and the bond issues recently voted on. It sets forth that in placing before the people the question of whether or not \$5,125,000 worth of bonds should be issued for civic improvements, including a city waterworks, a new firehouse, new Madison street bridge and new levee, the Council did not act regularly nor within its province, and that the penalty for irregular action of this kind is removal from office of the council members guilty. The question of the issuance of a proper legal notice is only a technical matter, says Judge Smith, while the question of the question are of vastly greater importance.

The power is conferred upon the people by the constitution to "propose and enact laws and amendments to the city charter independent of the city Council," says Judge Smith, "a power conferred on the people after a struggle extending over many years, which power the Council has flagrantly attempted, in proposing and submitting these so-called amendments to the people to usurp to itself, and further has attempted, in direct violation of the charter, from which it derives all its powers and to which it owes its existence, to involve the city in a bonded indebtedness, without having been moved thereby by petition of the voters, as the charter and laws prescribe, and without the many carefully drawn and wholesome provisions in the charter providing against invalid and unauthorized action on the part of the people.

The only authority contained in the city charter for the issuing of bonds for the acquisition of public utilities as those for which these so-called amendments provide, is contained in article V of the charter, which article authorizes the city to issue bonds and franchises, and applies exclusively to those subjects.

The law, as it is set forth in this article, states that the city at the time the Council proceeded to propose and submit to the voters the so-called amendments involving the city in an enormous bonded indebtedness, stands as the law, there being no pretense of amending or repealing any part of it.

Provisions Carefully Drawn. The provisions of this article were carefully drawn, with a view of preventing the city from becoming involved in debt and from issuing bonds until the people had first been thoroughly informed and advised as to the probable cost of the utility or utility to be acquired, either by purchase or construction, by having estimates of such cost and propositions for the sales to the city or for construction, submitted to the voters, with the question to be voted on as to whether, with all this information in their possession, they desired to make the proposed acquisition.

Ignored the Charter Law. Notwithstanding all this, the Council ignored the whole of Article V referred to, and without any petition therefrom from the people, without submitting any plans or estimates of cost, without negotiating for any propositions for the construction of the utilities proposed to be constructed under the charter, so as to inform the voters as to the necessity for the amount of bonds proposed to be voted, without submitting to the people the question of the desirability of acquiring the utilities proposed to be acquired, or determining such desirability itself, by ordinance, without calling a special election at which the amendments to the charter, and the question of issuing bonds, and no other question should be voted upon, they proceeded to formulate and they call amendments to the charter, not by applying to this subject, but to some sections that were really obsolete, having already performed their functions) and by resolution submitted them to be voted upon, not at a special election, but at a general election.

Great Millinery Sale. Still going on at Le Palais Royal, 375 Washington street.

CHARGED WITH RIOTING

L. B. Moran Arrested on Complaint of Street Carmen.

Louis B. Moran, a young man employed by the American Type Foundry Company, was arrested by Acting Detective Alden late yesterday afternoon on a warrant issued out of the Municipal Court on a complaint charging participation in a riot. On the 24th, representing the company, furnished bail in the sum of \$250, and the prisoner was released. Two more arrests are to be made, but the names of the men are unknown at this time. They are being sought by the police on "John Doe" warrants.

The details of the case are peculiar, and involve Conductor D. Hatfield and Motorman R. I. Newcombe, of car No. 358, on the Richmond division of the Portland Railway, Light & Power Company, and Edward Jenkins, who was a passenger Tuesday night when the carmen were attacked by the three men, led by Moran, it is alleged. Retenage is alleged to have been the cause of the trouble.

Wednesday night's trouble followed a clash between Conductor Hatfield and Motorman Newcombe with a passenger, who rode on their car Monday night, according to their statement to the police. The man used vile language, and was asked to remain, when he became still more obstinate and the car crew started to put him off. Then the father of Louis Moran took sides with the passenger, and in the skirmish received a bruise on his hand.

GOVERNMENT TOO SLOW

Work on Naval Pier at Jamestown Fair Stands Still.

NORFOLK, Va., June 21.—(To the Editor.)—In all that I have seen written concerning the delay in the completion of the Government pier at Jamestown, the Government is too slow. The pier is a fine structure, and the work is well advanced, but the Government is too slow in completing it. The pier is a fine structure, and the work is well advanced, but the Government is too slow in completing it.

GIVEN SIX NEW CLERKS

Addition Made to Postmaster Minto's Office Force.

Authorization of another addition to the clerical force in the Portland Post-office was received yesterday from Washington by Postmaster Minto, six additional clerks are to be employed, and also an assistant porter and messenger to begin work July 1. For the past two years increases in the office force and carrier service have been frequent as was necessitated by the rapidly growing business.

SPECIAL EXCURSIONS.

The Canadian Pacific excursions will be on again July 2 and 3. Very low round-trip rates to St. Paul, Chicago and St. Louis are offered at special points, with long-time limits and stopovers going and returning. Double daily train service, superb equipment, dining and sleeping car service unexcelled. For particulars call on or address F. R. Johnson, G. A. P. D., 142 Third street, Portland.

GREAT MILLINERY SALE

Still going on at Le Palais Royal, 375 Washington street.

NOT A DRUG FEND

White Slave Girl's Case Puzzles Portland Police.

TELLS OF HER CAPTIVITY

Alma Church, of Spokane, Fell Into Hands of Chinese Master Through Marriage to a Merchant of That Nationality.

After a night of peaceful rest in the women's ward of the city jail, the first she had enjoyed in two years, Miss Alma Church, the white slave who was rescued from a den in Chinatown by Acting Detectives Kay and Klenon Wednesday night, was able yesterday to give a few details of her life as a captive. She is a physical wreck, however, and it may be that her mind has been so weakened by the cruel treatment received while she was held in bondage by Lee Lim, her yellow master, that she will never be able to tell all her awful story.

FROM KELSEO TO THE OCEAN

NORTHERN PACIFIC PLANS TO BUILD NEW LINE.

Secures Rights of Way in Name of Washington & Gray's Harbor Railway.

From Kelseo, Wash., to the Pacific, tapping the Willapa Harbor and Gray's Harbor country, is the latest railroad project to be fathered by the Northern Pacific. Rights of way are now being secured for such a line and it is expected construction will be begun as soon as the Portland & Seattle work is completed to Vancouver. The name under which the projected line is acquiring rights of way is the Washington & Gray's Harbor Railway.

"HOUSE THAT JACK BUILT"

Dress Rehearsal Held for Play to be Presented by Children.

To the uninitiated it seemed as if fairyland had been transferred yesterday to the vicinity of Thirteenth and Montgomery streets. For such a fluttering of tulle and gauze, and such a gathering of flower girls, brides, bridesmaids, even moonbeams, was never heard of or seen before. And what was it all about? Why a dress rehearsal of "The House That Jack Built" to be sure, and a fascinating sight it was.

DALLEZ PEOPLE BUY LOTS

Invested in Rose City Park Lots Yesterday—Purchase Eight.

The fame of Rose City Park has spread to remote sections of the state. Miss Lydia Bottmiller of The Dalles, Oregon, visited Rose City Park Wednesday evening in company with relatives in this city and three members of her family purchased eight lots. Miss Lydia Bottmiller took four, Miss Gustave Bottmiller three, and Emil Bottmiller one. The latter two live in this city.

PERSONAL MENTION.

Rev. A. A. Morrison, rector of Trinity Episcopal Church, left yesterday for New York on a month's vacation. W. C. Bristol, United States District Attorney, has returned from the public lands convention at Denver, where he went as a delegate appointed by Governor Chamberlain. Through the efforts of the Oregon delegates the passage of resolutions condemning President Roosevelt's public land policy was prevented and a resolution favoring the protection of municipal water supplies for forest reserves passed. Mr. Bristol said yesterday that Secretary of the Interior Garfield, U. S. District Commissioner of the General Land Office, and F. H. Newell of the reclamation service, and Gifford Pinchot, head of the Forestry Department, would arrive in Oregon, July 12, to investigate land affairs in Oregon.

James B. Barber, postmaster of Rapid City, S. D., and wife and two children, are visiting Judge P. H. Whitfield and family at 40 Thompson street.

Dr. H. W. Coe has made Rev. E. L. House, of the Westminster Congregational Church of Spokane, two offers to enter into business relations with him, but said yesterday that he did not intend to raise the total debt upon the First Congregational Church, was very arduous, and twice while there his health failed. It is thought that if his present ministry should become too wearing upon him he will consent to take up work along some other line. Dr. Coe is now endeavoring to deal with another offer to take up his business venture with him.

CHICAGO, June 27.—(Special.)—Oregon people at Chicago hotels: Portland—D. C. Jenks, at the Great Northern; W. H. Gray, at the Palmer House; Frank Kiernan and wife, at the Sherman; C. C. Corwin, at the Majestic.

NEW YORK, June 27.—Northwest people at New York hotels: Portland—W. H. Ledbetter, at the Hoffman; F. B. Donkey, at the Marlborough; C. W. Post, at the Murray Hill. Spokane—C. E. Mitchell, at the Victoria; A. Jones, at the Broadway Central. Everett—H. E. Owen, Miss M. H. Owen. Seattle—L. M. Ladd, at the Cadillac; A. M. Fortner, at the Fifth Avenue.

BAPTIST CONVENTION ENDS

STANDING COMMITTEES FOR YEAR ARE ANNOUNCED.

Delegates Pass Resolution Strongly Indorsing Sunday Closing of Saloons in Portland.

At the close of the Willamette Baptist Association's convention yesterday, at Calvary Baptist Church, resolutions were adopted expressing approval of the movement for the organization of the Northwestern Baptist Convention; appointing Rev. J. W. Broucher and Rev. C. A. Woody delegates to attend the next meeting of the Northern Baptist Convention, thanking the pastor of Rochester, N. Y., for his fine address; expressing appreciation of the reports of proceedings published by The Oregonian; thanking Calvary Baptist Church for entertainment, and expressing sympathy with General Missionary W. B. Pope on account of the accident that nearly cost him his life.

Resolved, That we express our sincere appreciation for the report of our highly esteemed brother, Rev. J. W. Broucher, D. D., to remain in Portland. The unique and widely useful work which he is doing is not only confined to the White Temple, but is also the great and lasting advantage of all churches of our association and convention. We further express our recognition of the rapid advance during the past two or three years of the Baptist churches to a foremost place among the denominations of Portland is largely due to his influence, co-operation and leadership.

WATCH COFFEE

And Watch It Carefully.

Any brain worker who depends on thought for his success in life, whether by brain work, a varying amount of the delicate particles of phosphate of potash and albumen of which the brain and nerve centers are composed. The fine, microscopic particles of phosphate of potash are found in quantities in the pores of the skin after the sweat has been used actively. This must be replaced from food, or brain fag and nervous prostration set in.

COOLED BY SEA BREEZES

Portland Enjoys Respite From Extreme Summer Heat.

Portland enjoyed an ideal Summer day yesterday. The sun was too hot at times, but the heat was by no means intense and the mercury barely made its way into the 80's, notwithstanding an east wind. This welcome change in the weather was occasioned by refreshing ocean breezes. The hot weather spell of the few days preceding was brought on by currents that had swept the sweltering plains of deserts of the interior. Yesterday's wind came from the ocean and the weather office reports every likelihood of a similar occurrence today. Clouds persisted in trying to organize for business during the afternoon, but failed to get together.

MAIL ORDER DEPARTMENT

Our out-town customers by taking advantage of our mail order department may obtain all the advantages of resident buyers. Orders filled upon day of receipt.

H. B. LITT Washington Street Bet. Park and Seventh Correct Dress for Ladies and Misses Special Allotment of Linen Suits (Coat and Eton Models) Formerly \$9.00 to \$35.00 Half Price Special Assortment of Lingerie Waists Silks Formerly \$2.50 to \$25.00 Half Price

Association of Credit Men. "Portland, City of Beauties," is described by Mayor Lane as being "the gem of the Pacific Coast—whose vision rests on the most magnificent panorama of beautiful scenery of any city in America, and whose resources are as boundless as are those of the vast empire of rich and fertile territory which lies tributary to it." BAPTIST CONVENTION ENDS STANDING COMMITTEES FOR YEAR ARE ANNOUNCED. Delegates Pass Resolution Strongly Indorsing Sunday Closing of Saloons in Portland.

Lennon's FOR GLOVES AND UMBRELLAS ANOTHER SPECIAL SALE OF GLOVES PARASOLS AND HOSIERY GLOVE BARGAINS PARASOL BARGAINS HOSIERY BARGAINS MAIL ORDER DEPARTMENT Lennon's FOR GLOVES AND UMBRELLAS 309 Morrison Street Opposite Postoffice