

# RIGHT OF WAY IS FIXED FOR CANAL

## Transfer Made by Seufert Bros. to Portage Board Completes Route From Celilo to Big Eddy—Consideration Not Named.

A meeting held at the office of Governor Chamberlain today closed the contracts that complete a right of way for the Celilo canal for the entire eight miles from Celilo to Big Eddy. The final transaction was between the state portage board and the Seufert Bros., in which the latter transfer to the state about 6 1/2 miles of the right of way. The consideration is not named.

Those present at the meeting were Governor Chamberlain, Secretary of State Dunbar, Major Langfitt and Captain Frels of the United States engineering department, and Frank A. Seufert, representing Seufert Bros. The land included in the transfer comprises about 235 acres, in a right of way varying between 100 and 400 feet. It is at present used as a highway and is of similar land to that which was condemned last week by the Wasco county circuit court in the state's suit against

J. H. Taffe. The right of way desired by Taffe is about one-half mile in length, and he asked \$40,000 for it. The jury awarded him \$15,000. He applied for a new trial, which the court refused. The state may now deposit the sum of \$15,000 with the court and take a judgment against the land, and no further obstacle remains to the commencement of work on the canal.

A separate right of way has been given free by both Seufert Bros. and Taffe for the portage road, the land to revert to the former owners whenever the canal is completed and the road abandoned. The portage board and the Open River association's executive committee held a meeting this afternoon to discuss the nature of the contract which the state will require in the Open River association and consideration of the turning over of the state appropriation of \$185,000 to the association for building the portage road.

# TWO POSTMASTERS ALONE AT MEETING

T. C. Watts of Reubens and H. M. Fowler of Goble answered the invitation to be present at the St. Charles hotel, Front and Morrison streets, at 3 o'clock this afternoon. The invitation was to all postmasters of fourth-class in the state of Oregon. Those two, however, were the only ones who had arrived at that time.

The call for a meeting of postmasters of fourth-class stations was made through the columns of a local paper. The call was in the form of an advertisement,

stating merely that a meeting would be held at the St. Charles at 3 o'clock this afternoon. The notice was clipped from the paper, enclosed in an envelope and directed to postmasters throughout the state.

# FRENCH MUST TRY ALL OVER AGAIN

In the circuit court this morning Presiding Judge George sustained the demurrer interposed to the suit of Lloyd H. French for a divorce from Cora E. French. An amended complaint was filed to be filed as the demurrer does not go into the merits of the case, but deals only with the pleadings.

Mrs. French was formerly married to Edward T. Lyons and divorced from him in Clark county, Washington, September 21, 1921. She married French in this state November 12, 1921. The decree provided that in accordance with the Washington statute made through remarriage again within six months from the date thereof.

# MANY ARE CAUGHT "HITTING THE PIPE"

Eleven Chinese were placed in the county jail last night as the result of a raid on dens in which opium was smoked. The sheriff and his deputies proceeded first to 125 1/2 Second street, the same building in which they raided a fan-tan game the previous evening, and to 12 1/2 Second street, where the den was distant.

A quantity of opium was secured. After the arrest the hat of one of the prisoners was knocked off and two cans of opium which had been hidden on the top of his head fell to the floor.

# PRESS CLUB CLAM BAKE ON TONIGHT

An informal reception and clam bake will be given this evening by the City Press club. All newspaper men, whether members or not, are cordially invited to be present and members are at liberty to bring their friends. The informal functions given by the Press club have become very popular and always draw a large attendance.

# WIFE SEEN HIS LOYALTY

Accusing C. L. Long of unfaithfulness and cruelty, Mary Long filed suit against him in the circuit court yesterday for a divorce and alimony in the amount of \$10 a month. The divorce to resume her maiden name of Wolf. Mrs. Long charges her husband with failure to provide her with the necessities of life. When she lay sick at a hospital, she asserts he consorted with women of bad reputation and bragged about it to his wife's relatives. She names a "Miss or Mrs. Williams" as co-respondent in the suit. Attorney A. H. Greene appears for her counsel.

# EXECUTIONER DROPS DEAD BY HIS VICTIM

Madrid, Sept. 24.—A dramatic scene occurred at the execution of Murderer Ciudad today. Jose Garcia, the newly-appointed executioner, had just garrotted the condemned man, when the horror of death overcame him and he fell dead at the feet of the man he had just executed. The two corpses were removed together and the crowd stood with averted heads when they were carried out, believing it the judgment of God on Garcia for his acceptance of such an office.

# KRONENBERG SUIT NOT TO BE ABATED

A jury in Circuit Judge Cleland's court brought in a sealed verdict last night to the effect that the action instituted by P. J. Kronenberg against Peter Conrad should not be abated. It was read in open court this morning. This means that the trial of the case may proceed on its merits. In many ways this case is peculiar.

Attorney Ed. Macenahill, acting for Kronenberg, brought a suit at law instead of in equity, in order that an attachment might be filed, as it was feared Conrad would try to dispose of his property. This property is now under attachment. The amount sued for is a balance of \$550 said to be due Kronenberg.

# DEMOCRATS WILL GET DOWN TO WORK

The Democratic state central committee will meet next Wednesday afternoon in the headquarters at the Hotel Scott to arrange for the campaign in Oregon. Meetings are to be held at numerous places, and it is expected that one or more of the national committee members will be sent to this coast by the Democratic national committee to speak for Parker and Davis.

Chairman Alex Sweet and Secretary J. B. Ryan of the state central committee are engaged in sending letters to prominent Democrats all over the state and in arranging details of the campaign. There have been many visitors at the headquarters, and there is abundant evidence that a heavy Democratic vote will be polled in November. Party interest has been greatly stimulated by the encouraging reports sent out by Chairman Taggart of the national committee, who confidently predicts the election of the Democratic nominees.

# WASHINGTON MAN LOOKS FOR BROTHER

Spokane, Wash., Sept. 24.—A week ago today Charles O'Hara left his home 20 miles west of Spokane on the Coulee and drove to Reardan. The night nothing has been seen of him by his family. In Reardan he cashed a check for \$110 in Jimmie Morehouse's saloon. His brother, Weaver O'Hara, came to Spokane yesterday to ascertain if possible his whereabouts, not finding him in the vicinity of Reardan. He found his rig at the Star stables and says that he found stains resembling blood in the bottom of the buggy. The night man at the Star stables says the man who brought the rig last Saturday night answers the description of the missing man.

# GIRL IS MARRIED TO A SMALLPOX PATIENT

Salt Lake, Sept. 24.—Joseph Cannon, a son of former President George Q. Cannon of the Mormon church, was married to Miss Greesbeck today under peculiar circumstances. Cannon is sick and was visited by Miss Greesbeck. The doctor diagnosed his ailment as smallpox. As the doctor is a Mormon elder, he performed the marriage ceremony.

# OPERATION IS PERFORMED

London, Sept. 24.—An operation was successfully performed on today Curson this afternoon. Her condition is still grave but the outlook is hopeful.

# WAGON IS IMPALLED

Allintown, Pa., Sept. 24.—Grand Sire Elect Wright of the Odd Fellows was installed at his home here today by Past Grand Sire Campbell of Ontario in the presence of a score of the officials of the grand lodge of Pennsylvania.

# TRAINS COLLIDE KILLING SIX MEN

## THIRTY-FIVE OTHERS ARE REPORTED AS INJURED—ONE TRAIN IS COMPLETELY DESTROYED, WITH EXCEPTION OF SLEEPING CAR—COACHES IN TENNESSEE.

(Journal Special Service.) Knoxville, Tenn., Sept. 24.—An east-bound passenger train on the Southern Railway at noon today collided with a west-bound passenger train of the same line. Six persons are known to have been killed and 25 others injured. The wreck occurred near Newmarket, 30 miles west of here. The known dead are: WILLIAM KANE, engineer of the west-bound train, of Knoxville; RICHARD FARROTT of Knoxville, engineer of the east-bound train; JAMES KING of Knoxville; JAMES MILLS, colored, of Newmarket; ROSCOE KING, fireman, of Newmarket; E. C. ERNEST of Johnson City. Every car of the east-bound train was demolished except the sleeper. The river crossing at Newmarket on the west-bound train were killed.

# MANY PERSONS SHAKE HAND OF FAIRBANKS

(Journal Special Service.) Rushford, Minn., Sept. 24.—Fairbanks made no speech in La Crosse this morning but hundreds of people shook his hands. A thousand persons met the special here where Fairbanks' many Doill. None of the managers of the delegation of Minnesota politicians joined the party at La Crosse.

# PAROLE ARRIVES

(Journal Special Service.) Esopus, Sept. 24.—Parker arrived at 3 o'clock this afternoon. His journey was uneventful.

# MURDERER ELUDES PURSUING OFFICER

(Special Dispatch to The Journal.) Walla Walla, Wash., Sept. 24.—Tom Lapensie, foreman of a street paving gang, shot and killed Dominic Di Valeri during a quarrel here last night. The dead man is said to have wealthy relatives residing in St. Paul. Five Italians were arrested but the murderer escaped.

At an inquest held today over the body no further particulars were developed. The Italian witnesses would not talk about the affair and when questioned could not make any answers whatever. The sheriff returned to the jail at noon today after securing the country but was unable to locate the murderer.

# FORMER MAYOR EDSON OF NEW YORK DIES

(Journal Special Service.) New York, Sept. 24.—Former Mayor Franklin Edson died this morning at his home on West Seventy-first street. He was 75 years of age. Edson was president of the produce exchange in 1872, 1874 and 1878 and was elected mayor of New York in 1883 on the Democratic ticket. He amassed a fortune in the distillery and grain commission business and was widely known as a public spirited man.

# CERVERA'S DEAD TO BE BURIED AT HOME

(Journal Special Service.) Madrid, Sept. 24.—The Spanish government has authorized a vote of thanks to be handed in writing to the American minister for the permission of the United States for repatriation of the bodies of Admiral Cervera's sailors. Public subscription will be opened for the raising of funds, and preparations are being made to bring the corpses to Spain with due solemnity.

# REMOVAL COURT NOMINATIONS

(Special Dispatch to The Journal.) Goldenale, Wash., Sept. 24.—The Republican county convention today nominated William Coate for representative, W. B. Warwick for sheriff, A. M. McLeod for auditor, T. B. Montgomery for treasurer, R. D. Bunker and Sam Chisler for Emma Clanton for school superintendent, and Jacob Richardson for surveyor.

# BREAK MONTANA JAIL

(Journal Special Service.) Billings, Mont., Sept. 24.—Ten prisoners, among them some of the most desperate criminals ever confined in the Yellowstone county prison, made their escape from jail last night. Posses are following them.

# TWO MEN BADLY BURNED

(Special Dispatch to The Journal.) Forest Grove, Or., Sept. 24.—A serious accident occurred yesterday in the Pacific Coast Condensed Milk factory. Two men, Halney and Van Olson, while taking out the manhood of the engine were badly scalded. They will probably recover but their bodies were very badly burned.

# SUITS OF MARRIAGE

(Special Dispatch to The Journal.) Ontario, Or., Sept. 24.—The jury in the case of James Colwell, who is being tried for the murder of Warren Curtis, this afternoon returned a verdict of manslaughter.

# 700 MECHANICS STRIKE

# COURTNEY IS OUT: JACKSON GETS JOB

(Journal Special Service.) D. D. Jackson, formerly the county jailer, will take the position of superintendent of the poor farm November 1. This decision was reached by the board of county commissioners at a meeting held yesterday afternoon. No order to that effect has been signed, but Mr. Jackson was notified that he will be appointed to the other position, never seriously considered for the position by the board.

By request of the board J. E. Courtney, who at present occupies the position presented himself at the meeting and was asked to explain why he should not resign. He made a statement, in which he denied the charges that have been disposed to be against him with you as possible and to give you ample time in which to make your preparations for departure.

"Very well, then," said Judge Webster. "The board is a unit on the proposition of your discharge. You will relinquish your office on November 1. We are disposed to be lenient with you as possible and to give you ample time in which to make your preparations for departure."

Commissioner Barnes was not present at the meeting but before his departure signified his consent to any action that might be taken by the board. Commissioner Lightner expressed the opinion some time ago that while Courtney had made a good record as regards economy, he had shown his incapacity to govern himself, and accordingly could not be retained at the head of the institution. His record as regards economy and frugality are required.

Trouble with Courtney began about six months ago, when he forced Charles Stanley, a Union veteran, to leave his institution. The G. A. R. posted up the light and made things very unpleasant for the poor farm superintendent for some time.

The Courtney got into an altercation with the hospital management and the two institutions had to be conducted separately. He has been accused of discharging men without cause, giving false certificates, using improper language in the presence of women, threatening to beat men who incurred his displeasure, leaving nurses in town to tend to the institution in a particular manner from the end of the car line, and many other offenses.

His conduct finally culminated in his creating a scene in Judge Webster's office because two old men whom he had discharged were reinstated. He afterwards took the two commissioners out to dinner and endeavored to explain his course. This act caused the board to discharge him as a person of doubtful character and a less combative person appointed to succeed him.

Because of friction with Courtney the hospital and nurses attached to the county hospital have resigned their positions. Dr. Bowles and Mrs. McDonald, a nurse, were the last to leave the institution. Dr. Hickman went out with Courtney and saw a check for \$100 and remained only three days.

# ESCAPED "TRUSTY" WILL RETURN NOW

"I would rather lose \$1,000 than go back to Portland and meet Sheriff Word and Jailor Grafton after running away from there." This was the statement made by James Smith, the "trustee" who escaped from the county jail with W. A. Elliott, another "trustee," on the night of September 1, when he was captured at Albany this morning by Sheriff White of Linn county.

When a telephone message from Sheriff White reached Sheriff Word and Under Sheriff Morden this morning that Smith had been captured, it was to be expected that this afternoon they were the happiest men in town. The sheriff has made several trips to different parts of the state trying to locate Smith, a man whom he had been told was in the asylum on account of the ingratitude shown by him.

Smith was serving a year from last March 21 for the larceny of dental tools. He was in the jail here, where he was found on the street in a drunken condition by Jailor Grafton and placed on the rockpile. Smith will also go on the rockpile and will have the pleasure of looking around a heavy ball and chain.

# TRANSFERS SUIT TO U. S. CIRCUIT COURT

JUDGE GEORGE MAKES ORDER ON STATEMENT OF AFFIDAVIT—SUIT OF FROTHINGHAM PORTLANDERS AGAINST WELLS-FARGO & CO. AND OTHERS TO BE TRIED HERE.

On the strength of an affidavit filed in the circuit court yesterday Presiding Judge George issued an order transferring the hearing of the suit of Mayor Frothingham and others against Wells-Fargo & Co. and the Commercial National bank of Portland to the United States circuit court. The petition, in which fraud is alleged, was accompanied by a bond in the amount of \$500.

The petition was filed through the law firm of Platt & Platt, and covers two and a half closely typewritten pages. It is announced in a preface to the grounds for the petition that the amount at issue is \$16,185.20. The plaintiffs, however, ask for the accounting of more than \$100,000.

According to the petition, the controversy is between citizens of different states, the plaintiffs being residents of Oregon, and Wells-Fargo & Co. being incorporated under the laws of Colorado. It is alleged that the Commercial National bank was joined in the controversy "with the fraudulent purpose and intent to prevent the case from being removed to the United States circuit court."

In endeavoring to establish the contention the fact is pointed out that the Commercial National bank was organized in 1902 by virtue of the National bank act and long since passed into liquidation, settling with all its creditors and the government.

The case of suit herein is a separable controversy in the nature of a "relief" is sought therein against this defendant solely, and the said Commercial National bank is not a proper or necessary party, but a formal, nominal and unnecessary party thereto.

It is asserted that the plaintiffs have no intention of prosecuting the suit against the bank, as there are no officers or agents on whom service of process can be had.

(Special Dispatch to The Journal.) Spokane, Sept. 24.—In the case of Mrs. Harris of North Yakima, who is on trial here charged with the murder of her attorney's 3-year-old babe, Prosecuting Attorney Kimball made a strong plea in an endeavor to carry out the idea that the plea of insanity on the part of the defendant was a sham. He said that the jury was to be prejudiced by sympathy rather than by actual facts, and that the county heretofore had been beset several times and he hoped it would not happen in this case.

R. W. Nizam made a very strong and able plea for the defense and created a favorable impression upon the audience. He dwelt upon the insanity plea, founded upon the testimony of the expert doctors that had attended the family, acquaintances, together with physical troubles, and the answers asked concerning the girl's condition.

# HARRIS TRIAL AT SPOKANE NEARS END

Judge Sullivan finished his plea for the defense this afternoon and the prosecution will close its case. The judge will then give his charge to the jury and the case will probably go to the jury about 5 o'clock today. The attorneys on each side are allowed an hour each for their plea.

# PACIFIC UNIVERSITY HOLDS RECEPTION

(Special Dispatch to The Journal.) Pacific University, Forest Grove, Or., Sept. 24.—The regular term college reception was held in Marsh hall last night. A large crowd of students and friends gathered in the chapel, where a very pleasant evening was spent. The room was beautifully decorated with autumn leaves.

# LITTLE GIRL WORE MISSING CLOTHING

(Special Dispatch to The Journal.) Moscow, Ida., Sept. 24.—Beula McVail, aged 11 years, came from Oklawaha, Fla., to visit an aunt in this town. She had two pieces of baggage and left one at the depot and called for it the following day, when it could not be found. Her aunt attended a theater Tuesday and saw a child in the audience wearing one of the missing dresses. The child's father was arrested. He says that he did not steal the value, but that it was given him by mistake and that he did not know it for a week.

# FOUR CHILDREN BURN; PARENTS ARE AWAY

(Journal Special Service.) Winchester, Ky., Sept. 24.—While George Cooper and his wife were at church last night, their house caught fire and their children aged from 4 to 7 years were burned to death. The origin of the fire is unknown, but it is supposed that the little ones in some manner caused the conflagration.

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# Who Will Get It? IT MIGHT BE YOU

The next special prize to be awarded for the nearest correct estimate received before October 1st will be a \$350 upright piano.

## SEND IN YOUR ESTIMATE TODAY!

HERE IS A SUMMARY OF THE PRIZES:

1st Prize—A Wilson Touring Car (1924 Model).....	Value \$2,500
2d Prize—A Mason & Hamlin Grand Piano.....	Value \$1,200
3d Prize—A Conover Grand Piano.....	Value \$1,000
Value	
5 Conover Cabinet Grand Upright Pianos.....	\$1,000
10 Kingsbury Upright Pianos.....	5,000
20 Apollo Piano Players.....	6,000
30 Chicago Cottage Organs.....	3,100
40 Grand Rapids Sectional Book Cases.....	1,000
50 Royal Sewing Machines.....	1,500
60 Kalamasos Stoves and Ranges.....	1,500
70 Violins, Guitars, Mandolins and Banjos.....	2,500
80 Solid Gold, Gold Filled, Enameled and Jeweled Men's and Women's Watches.....	1,500
100 Columbia Graphophones.....	2,500
10 Al-Vista Panoramia Cameras.....	2,500
100 Pieces Heavy Quadruple Plate Silverware.....	1,500
100 Gem Safety Razors.....	500
100 Moore's Non-Breakable Fountain Pens.....	250
1,000 Volumes "Theodore Roosevelt".....	1,500
1,000 Volumes "Hodgson's American Homes".....	1,000
1,000 Volumes "Stephen G. Foster's Song Album".....	500
1,000 Song and Music Folios.....	800
5,000 Total.....	\$40,000

## CONDITIONS OF THIS GREAT CONTEST

This contest is based on the total vote to be cast for the office of President of the United States, and will close at midnight, November 7th, 1924. The official figures of the government will determine the result, and the prizes will be awarded by a committee of disinterested judges. Estimates will receive a certificate for each estimate, and those with the most correct estimates will receive a prize. When the contest is closed each contestant will receive a printed list of the successful estimates.

## HOW TO MAKE AN ESTIMATE

It costs you nothing to be entitled to participate. You pay only the regular price of the paper and you get a free chance to win one of more than 5,000 handsome prizes. ESTIMATE ON THE FORM FOR EACH WEEK—SEND TO THE SUBSCRIPTION ACCOUNT, provided conditions and subscription fee forwarded together, but NO REFERENCE WILL BE ALLOWED ON A REESTIMATE OF LESS THAN ONE DOLLAR.

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# SULLIVAN GULCH SAYS THE KNIGHTS LACKED COURTESY

(Journal Special Service.) Washington, Sept. 24.—The navy department has apparently had difficulty with the Knights Templar who recently attended the great convales in San Francisco. It is charged that the Knights were discourteous to Rear Admiral Goodrich, who has made a private report to the navy department, as follows:

"The only recognition of the squadron's presence in San Francisco was the sending of two tickets to me for seats in the grandstand on the day of the procession and being of limited number of cards to the reception which was given by the local commandry to the visiting Knights.

"The seats in the grandstand were in the midst of a large assembly, in an obscure place and in a remote corner. "I was not invited to the reviewing box. There was absolutely no courtesies extended to the enlisted men.

"The chief concern of those who requested the ships to stay seemed to be financial gains which would be received, which amounted to at least \$25,000.

"The admiral suggests that the navy department establish rules which will insure the navy proper treatment when it takes part in shore celebrations, and says: "In the future if an order is given to send sailors to parade on shore I shall instruct the officers in charge to carefully examine into the nature of the different parts of the procession and thereby prevent the navy from taking part in any celebration where it is not accorded a proper place in the column."

(Special Dispatch to The Journal.) Pendleton, Or., Sept. 24.—Mayor F. W. Mallon was elected temporary chairman and J. Ross Dickson secretary at a meeting of the prominent citizens of this town last night, who met to effect an organization to fight prohibition in this county. While local opinion carried by a quarter of a mile wide and from 16 to 10 feet thick. From samples submitted to mineralogists, it is judged that the bed will make the fortune of its finders, as meserchum deposits are very rare.