**OUR STORE IS CLOSED TODAY** But 'twill pay you to study the following list for tomorrow's buying

### Sale Fine Undermuslins

We offer an exquisite sample line of HIGH-GRADE, EXCLUSIVE LINGERIE at about one-third less than regular prices. Every plece accurately and amply proportioned, dainty in style and finished to a nicety. Materials, the finest cam brics and nainsooks, with choice embroidery or lace trimmings.

LADIES DRAWERS-LADIES GOWNS-Worth \$5.50 at ..... Worth \$6.00 at ... CORSET COVERS-PETTICOATS-\$1,75 grade at..... \$5.00 grade at. \$7.50 grade at ... ..\$5.43 each FINER AND MORE ELABORATE ONES PROPORTIONATELY REDUCED.

As no underwear of equal fineness has been shown in Portland, this sale is of

Special Sale of Baby Carriages 12 styles of the latest improved fa- SECOND FLOOR ANNEX.

mous Whitney make, at temptingly low prices this week. Values to \$34.00 equally reduced.

Fancy Hose Special Ladies' full finished lisle or cotton Hose; fancy cross stripes, plaids or with polks dot boot tops; worth 60c and 50c, at.... 28c pr

Sale Leather Belts at 25c each Regular values to 50c. Black and colers in Morocco, seal grain, braided and patent leather. Also, plain calf and white kid. Steel nail head trimmed or

plain; some with purses attached. Styl-

Sale of Tots' Hats

Fresh, crisp styles in wide-brimmed Hats. Of silk mull, India silk, lace, straw, etc. \$1.35, \$1.50 and \$1.75 Hats...... 95c each \$2.00 \$3.25 and \$2.50 Hats..... \$2.00, \$2.25 and \$2.50 Hats.....\$1.54 each \$2.00, \$2.25 and \$3.75 Hats.....\$2.29 each

Choice importations showing the greatest triumph in textile weaving and printing. Values, 25c, 30c 19c yd

Fine Embroldered Handkerchiefs at 19c each

Wash Dress Fabrics

NOT AN EVERY-DAY PRICE for fine Handkerchiefs, hemstitched, with embroidered borders and corners or em-broidered edges. The values, 20c, 25c and 40c, make our price, 19c each, seem almost ridiculous.

# EASEDNORTHBEACH

ish, durable and cheap at Mc each

Shrewd Act to Extort Money by a Seattle Syndicate.

PORTLAND SAVES SOUTH OF TINKER'S

Washington Legislature Will Be Asked to Declare North Beach a Public Highway.

Persons who have enjoyed the breeze and buths of Long Beach each year will be interested to know that a Seattle combination made an attempt last week to my toll on this well-known health resort, or drive its vosttore away entirely. The plan was pursuant to Washington statutes-acquisition or leasing of tide lands. Every owner of a cottage along beach and every transfert victor would have found his right to bathe in the surf disputed by a symitoate specplating on the few pleasures Nature alted along the shore. As the case now ands about sixteen miles of the northern and of the beach is possessed, under lease, by some of the Washington peo-ple who seem to have originated the scheme, but four miles at the southern and, where most of the bathers resort, are in the bands of Portland men who hasn the hands of Portland men who has-ened to secure themselves and other Oregon owners against such aggression.

Long Beach, while in Weshington, is

Long Beach, while a strongly an Oregon report. There are per-tages 180 families of Portland and Oregon owning cottages and lots there. This cottages and lots there. Title lots extends only to tide land under operation of the laws for the or-dinary acquisition of landed property in Washington, A different law governs that strip between mean high and low tide which is designated as tide land law. This provides that certain tide lands may be leased or purchased, after a given appraisement and notice, and the lessee owner guins an ordinary property right to the exclusive use of the land. What the effect of leasing all of Long Beach would be may be imagined by collage owners if they will picture them-colves barred from the surf without they pay tribute to some designing syndicate r person who had rether play the leech

Frederick V. Holman, of Portland, forturately discovered that notices to lease the 20-mile such in front of what is known as the Peninsula, were published in South Beatl. Bickling was to commones Priday. Mr. Holman hurriedly interviewed H. W. Corbett, W. M. Ladd, Jacob Karen and orbans and statements. Jacob Kamm and other prominent men of the city who were lergely interested there, and he was immediately comreceived to go to South Bend to protect fortherd interests. Before such land can be leased or sold. It must be appraised, and bidding must not fall below the fig-tures of the appraisament. In this case the argumissment fixed the lease value for five years at 10 cents a chain per year.
When Mr. Holman reached South Bend
be found Mr. Young, a representative of
David Bruce, of Seattle, the only person present to bid. Publication of the notice with by posting at South Bend, and mat-turally residents of Portland would never hear of the proposed action, so wital to their interests, excess through chance. Mr. Holman informed the Scattle bidder that Portland property at Long Beach would be protected if all the brach had to be bought along the Peninsula front. Therefore no effort was made to lease the first at Lorg Beach against Mr. Hol-man's purpose, and he secured it at the minimum of 10 cents a chain. David Bruce, of Scattle, as announced in yes-terian's Oresonian, leaved all the remain-

testing a Cresonian, seased all the remain-ing front of the Peninsula, except a short eliretch purchased by Mr. Holman in front of Jacob Kamm's property.

The people residing about the beach are much wrought up over the leasing and note proposition. They bitterly oppose the scheme of the Seattle combination to seaver control. to secure control. They were informed that all the leasing and purchasing done by Portland men was in the interests of by Fortains men was in the interests of the public, and done merely as a safe-sused against the designing persons who apude application for the lease. Instead of profiting by their lease, the Porjhand men will be out their time and money, as they will make no effort to charge for the new of the tide land they have so as iney will make no effort to charge for the use of the tide land they have ac-quired commol of. The public, as be-fore, will go and come over it at their own free will. Should the Seattle men attempt to levy tribute on the northern sizteen miles of the beach on the Penin-sila, it appears they will meet with de-termined opposition, as all the residents are highly inversed. H. H. Tinker, as stated yesterday, will correst in the courts the right of any lesses acquiring control of the beach in front of his place for the purpose of making charges to the for the purpose of making charges to the public. All the cottagers will join in a fight, which might be based on the shifting resture of the band in question, which is claimed to be quite different to what it was when the Government me-ander line was orientally are. ander line was originally cun. When seen yesterday regarding what he had done and the scheme at the beach, Mr. Hot-

Under the laws of Washington tide former the laws of them two miles on either side of an incorporated town, are second-class tide lands and may be sold second-class tide lands and may be sold or leased for a term not greater than 20 years. As is known, the Hwaco beach years. se 20 miles in length, being continuous for sig Sichel & Co., agents, celebrated that distance, and has been used from Herbert Spencer cigars.

as a public highway for the reason that there are no county roads near the beach. It is of such character as to form a perfeet roadway, and is improved twice a day by the ebb and flow of the tide. This beach has never been taken up as tide hand because it is of no value to any one except to the public at large as a health resort. At the last session of the Oregon Legislature there was ematted a law that the shores of the Pacific Ocean between ordinary high and low tide, from the Columbia River on the north to the southern boundaries of Ciersop County or the south, be a public highway and shall ver remain open as such to the pub-At the next session of the Washing ton Legislature a petition will be pre-cented to have a similar act passed re-lating to the beach in front of the Peninsula. This Summer these petitions will be droublied among the cottagers and residents for signatures. "May last. E. Coke Hill, son of W.

May last, E. Coke Hill, son of W. Lair Hill, formerly of Portland, but intitivity of Eastern Oregon, applied for a lense of all the lands along this beach, except in front of Section II, where Long Braich is situated. Hill went to Nome on the Elder, and is there yes. The laws of Washington provide that in leasing these lands, notice must be possed in the of Washington provide that in leasing these lands, notice must be posted in the Courthouse of the county where the lactic are situated. Such a notice was posted at South Bend, the county seat of Pacific Courity. It become known that the lands were to be leased only a few days before, and I learned of it Friday, the day bids were to be made. I intervitowed several prominent men of Portland who are largely interested there, and we all determined to lease the beach ourselves, as trusteen, for the benefit of ourselves, as trustees, for the benefit of the public. There is absolutely no pur-pose to make any profit by our lease, for if the Legislature will smort the law perpetuating the beach as a public highperpetuating the beach as a public high-way and accurring it to the use of the public, our lonses will be cancelled. I accordingly bid in all the tide lands of-fered for leuse south of Tinker's. This includes what is known as the fishing rocks. The price paid was 10 cents affinest roks. The price paid was 10 cents affinest rocks. The price paid was 10 cents affinest robin per year, the term being five years. All the hands north of Section 16 were bid in by Mr. Young. It is supposed that The tide lands in front of Section 16 were legally sold to H. W. Strutton and W. F. Meloy. In the case of the tide W. F. Mesoy. In the case of the this light for the general purposed that some provision will be made if the Legislature will enset such law as its last or Cregon, to have the lense canf the Legislature will enact such law as is had as Gregon, to have the lease can-celled, as will be the case with what we acquire, after the public has been

The nature of this beach is such that improvements cannot be made thereon, because they would be destroyed, witch seems to indicate that the persons seek-ing control merely intend to acquire possession of a health resort. The people there are indignant because of the effort to secure control of the beach, more particularly since for the past 50 years they have used it as a public highway."

## LUNCHEON TODAY.

Women of the Elks at the Imperial Hotel.

Be it remembered by every friend of Be it remembered by every friend of Portland's big street fair, by visiting Elks and by strangers generally, that the best midday meal in town will be served today from 11 to 2 at the Imperial Hotel. Seventh and Washington streets, by the auxiliary committee of the Elks. The price is 15 cents. Ice cream and cake will be served all day and evening.

There was a great attendance Pester-There was a great attendance Pester

day, but nothing compared with what tocooking is the sort your mother The cooking is the sort your mother used to do, and such as you have not gone up against since leaving home.

The women expect to realize a hand-some sum from this for their building.

which promises to be the unique feature of the fair. The merchants have donated the things that are being served. The Port-land Gas Company furnished a gas range, and Ellers Piano House supplied the or-chestra plano with the Angelus player.

which furnishes sweet music while you Don't forget the attractive spot. If you do, the Fourth will not be as full of glory for you as it should.

#### FOUR HOMELESS BABIES.

May Have Seen Better Days, But Are Nevertheless Worth Considering.

his Issue, "Some Great, Grand Snaps We must make room for new shipments of planes about to arrive, and want these grand planes out of the way. No reasonable offer will be refused. We mean business. Ellers Plane House, 351 Wash-

Driving Park Company Irvington Track Ladies free Grandstand free. Infield open to carriages, no extra charge. Races called promptly at 2 P. M. and finished promptly.

Programme—The gentleman's road race,
the free-for-all pace,

and three running races.

STORE CLOSES AT NOON.

**GLOVE SALE** 2-Clasp "PRESIDENT

Plque Kid Latest Style Embroidery Primrose, Mode, Myrtie, Biscuit; Reg. price \$1.25. AL10

100 Pairs Kid Gauntlets Sizes 54 and 6 Only Regular Price \$1.09

Sale of Fabric Gloves The Balance of Our 25c, 35c and pair 50c Taffeta and Lisle Thread Gloves In White and Colored. ALSO

LADIES' STYLISH TRIMMED HATS Value \$6.50 to \$8.00

at ...... EACH Value \$5.00 to \$6.00

EACH A New Lot of Genuine Mexican Bats

SAILORS.

75c Sallor Hats, 49c \$1.25 Sailor Hats, 98c \$1.50 Sallor Hats, \$1.19 \$2.00 Sallor Hats, \$1.49

Children's \$2 Trimmed Leghorns at ..... \$1.12

FLAGS! FLAGS!

\*

Printed Fiags on Stick-Lot 1, 4c Lot 2-Printed Flags on Sticks, 15c, 18c, 20c, 50c, 45c each. Cotton Bunting Flags-On stick, 18c, Mc, 50c each; unmounted, 75c, \$1.00

Slik Flags on Sticks-Lot 1, Sc. Sc. 12c, 15c each, Lot 2, 25c, 59c, \$1.00, \$1.95 ench.

Wool Bunfing Flags-Lot 1, \$1.90 to \$3.40 each. Lot 2, \$3.95 to \$5.75 each.

# \$3,000,000 BOND ISSUE

In Black and Colors 19 special

CITY & SUBURBAN ROAD FILES TRUST DEED.

Present Million and a Quarter 6 Per Cent Bonds to Be Taken Up by 4 Per Cents.

A trust deed was filed yesterday from the City & Suburban Railway Company to the Security Savings & Trust Company covering all of the property of the railway company, real and personal, and charters and franchises, to secure the payment of bonds to the amount of \$3,000,-

Six per cent bonds outstanding to the extent of \$1,250,000 are to be taken up, and the balance of the money will be used as necessary in constructing new lines of road, and in doing many other things, all of which are set forth in the instrument. This is probably the largest ocal financial deal ever made in the City of Portland. The bonds are to bear 4 per cent interest, which, when the issue is Pendletonian Who Refused to Ancomplete, will amount to \$120,000 per year. The document is signed. "City & Suburban Railway Company, Tyler Woodward president, C. F. Swigert, secretary, and Security Savings & Trust Company, H. W. Corbett, president, C. F. Adams, see

Resolutions adopted by the Board of Directors of the City and Suburban Railway Company, setting forth the objects of the transaction, are included as a part of the trust deed, as follows: Whereas, For the purpose of retiring the

present outstanding first mortgage bonds of this company, acquiring and constructing addi-tional railways, and for the general purposes payable at the office of the Security Savings & Trust Company, June 1, 1930; but payable, however, at the option of the railway com-pany on or after June 1, 1915, with interest thereon, at 4 per cent per annum, payable wini-annually.
Whereas, For the purpose of securing the

ue and punctual payment of the bonds and sterest, the board of directors at a meeting did resolve, and the president and secretary of the City & Suburban Railway Company deliver to the Security Savings & Trust Company a mortgage or deed of trust, transfer The instrument provides that of the to the number of 1250, or \$1,250,000 for the purpose of retiring the present outstand-ing 6 per cent bonds. The remainder are o he used for acquiring or constructing additional lines of railway, property, power plant, power-houses, rights and privileges, and lands, water rights and other appurtenances necessary therefor, or in making permanent improvements, or betterments to and providing addition equipment for the property already owned. Such remainder shall be certified and delivered by the Security Savings & Trust Company only upon the request of the Board of Directors of the City & Suburban Railway Company, accompanled by the certificate of the president of the company to the effect that additions property has been acquired, or permanent improvements or betterments made to the property owned by the railway company in an amount and value equal to the amount of lands for which such request is made; provided, that any of said 1250 bonds so set apart not required for re-tiring the present outstanding 6 per cent bonds, may be disposed of by the City & Suburban Railway Company or used or applied as its Board of Directors may

determine, provided at all times there shall be held \$1250 in 4 per cent bonds, for each outstanding 6 per cent bond. The property conveyed in the trust deed covers all of the real estate, all lines and cars, machinery, appliances, telephone lines, station houses, car-houses, dyna-mos, machine-shops, franchises, charters, etc. The real property is described as block 7. Goldsmith's Addition; tots 1. 4 and 5, and east 1/6 of lot 8, block 8. Couch Addition; bot 5, block 7. Paradise Springs; tract of land, 124x180, Powell's Valley

#### EVE OF THE FOURTH.

Tens of Thousands of Portlanders and Strangers Celebrate.

An excellent duplicate of the turbule scenes in China might have been found in the streets last evening. Bombs, fire-crackers, candles, rockets, "Dewey chasers," torpedoes, concussion powder, and a variety of other explosives formed for patriotic purposes, made night hideous. From the fall of twilight until midnight there was no rest. The giorious Fourth was ushered in with all the eciat known to Young America on such occasions. Timid pedestrians found torpedoes ex-ploding under their feet with the seeming strength of the war-size article. Women were kept shaking their skirts to keep "Dewey chasers" from burning them, Huga bombs of extending the party of the control of t Huge bombs of earsplitting dimensions burst in the streets near the throngstreet-car tracks often became roar streets near the throngs.

sputtering lines, as the whoels set off a series of torpedoes placed on the rails. Yet, with all this hubbub and noise, every-body "enjoyed" himself, except the occasional victim of a hoodium. For years there has not been more people on the streets in the evening, and at the same time the throng filled every walk down-town. Between 8000 and 10,000 persons were packed in around the music stand in the Park blocks to hear the excellent programme of Brown's military band. For two blocks all available space there was occupied until well into the evening. People stood or reclined on the grass, unless bounced to their feet by the mischlevous small boy, armed with a cracker or bomb.

Splendid displays of light and colors were everywhere. The Portland General Electric Company's brilliant flag led in beauty. The Oregonian's illumination of the tower attracted much attention. Woodard, Clarke & Co.'s displays held throngs all afternoon and during the evening. A general spirit of jollity reigned, marking a period in patriotic celebrations of the city.

#### PAID HIS FINE AT LAST.

swer Census Enumerator.

There seems to be no question as to George Eley, the man who was arrested at Pendleton for refusing to answer the questions of a census enumerator, being ed States Marshal to answer to the charge of contumacy preferred against him, and the officials of the United States Court, ng to make matters as easy for his as possible, got him before Judge Bellinger at once, and, as the case was not a flagrant one, the Judge let him off with

George, however, had made up his mind that he would not pay a fine and so went to jall, being under the erroneous im-pression that he could serve out his fine in five days and go back to Pendleton in triumph and say that even the United States could not get ahead of him and make him pay a fine. The officials were so disgusted with his pig-headedness that they let him follow his own bent, A reporter who talked with Eley the day he was brought here left that night

for Eastern Orogon, and on returning yesterday inquired what had become of Eley, and was surprised to learn that he was in jail and likely to stay there, as he would not pay his fine, though amply able to do so. He called at the jail during the afternoon and gave Eley some friendly advice. He told him that the sentence of a United States Court could not be served out at the rate of \$1 per day; that he would have to stay there is days and then take the pauper convict oath before he could get out, and, as he had property, he could not take that oath and would have to stay there till he died or paid his fine; that the court had been very lenient with him, and the pig-head obstinacy he was exhibiting was a very

poor return for this leniency.

Eley, who was sitting on a box, surrounded by a miscellaneous collection of hoboes and flends of various types, with a little tin pan in his hand, waiting for his allowance of tea, seemed startled, and, as the perspiration rolled down his face, he said he thought he would be let out in five days. His disinterested friend assured him that he was mistaken and that the best thing he could do was to pay his fine and get back home. "I through Pendleton yesterday," said his friend. "The sun was shining brightly there; the fields of golden grain waving in the sun; the headers and harwaving in the sun; the headers and harvesters were at work; everybody was happy and busy. There were cattle on a thousand hills along Meacham creek, and ten thousand hills on which there were no cattle, because not even a god could stand on them unless furnished with spiked shoes, and the Indians on the reservation had put up a town of tepees 30 feet high and were going to have a grand powwow and war dance on the Fourth." Elley could not hold out any longer, but cried out: "Til pay, I'll pay." His friend called on United States Marshal Houser, who promised to send a deputy over to who promised to send a deputy over to collect the fine and release Eley at once. He came out of Jall a free man about 5 P. M., and probably took the "Flyer" for bome at 5 o'clock last evening, and between the "clerk" and the barber in the buffet car, will doubtless land in Pendleton this morning in good shows ton this morning in good shape for cele-brating the glorious Fourth. If he lives ten years he will know enough to answer the questions of the census enumerator

### ADGIE AND THE LIONS.

One of the most interesting attraction One of the most interesting attractions offered to the public during the present week is Adgie and her troupe of magnificant flows. All visitors to the city during the hojddays are flooking to flowarth and Clay streets where this thrilling performance takes piace twice daily, viz., 2.30 P. M. and 3.30 P. M. This brave woman enters the during the company of the com brave woman extens the den at each performance and compels the king of the forest to execute a number of different tricks. Miss Addit, while in the cage, executes a graceful dance and concludes a brilliant and awe-inspiring spectacle by placing her pretty head in one of the lion's mouth.

2c per dozen to 80c each COTTON BUNTING PLAGS 18c to \$1.35 each Extra Heavy, 5x8 feet, each .... \$1,75 Extra Heavy, 8x12 feet, each .. \$3.50 WOOL BUNTING PLAGS 85c to \$20.00 each Tri-color Ribbon No. 14, per yard ..... Be

Se to \$1.50 each

Ladies' Gloves

Ladies' Vests

Hosicry Specials

American Flags

SILK PLAGS

MUBLIN FLAGS

Low neck, sleeveless, Richellen ribbed Vests, ecru 12C only, each

Low neck, sieeveless, fancy 16C

Ladies' lace striped fast 19C black Cotton Hose; regular 19C

2, per yard .... 40 No. 3, per yard..... 5c Large stock of Cannons, Toy Pistols, Caps, Horns, etc.

Oxford Ties Ladies' Oxford Ties, black, tan or ox-blood, heavy sole, welt extension, latest style, \$2.23 a pair.

Baby Carriages

A \$1 Hat for 52c Great Special Sale of Ladics' Sailor Hats

A delayed shipment, consisting of 60 dozen rough-straw Sallor Hats, latest Fifth-Avenue style, regular \$1.00 grade, received Saturday. 52cca will be closed out at...... See display in Fifth-Street window.

Ladies' Bicycle Skirts Tan or Brown Cotton Covert,

Ladies' Jacket Specials All regular \$6.50 Jackets, \$4.12 All regular \$10.50 Jackets, \$6.95

Great Reduction Sale of Ladies' Shirt Waists All white and colored Waists at the fol-

10.25 Waists, each...
11.75 Waists, each...
12.25 Waists, each...
12.06 Waists, each...
14.09 Waists, each...
15.09 Waists, each...
15.09 Waists, each...
15.09 Waists, each...
15.00 Waists, each...
15.00 Waists, oach...
15.00 Waists, oach...
15.00 Waists, oach...

Wash Skirts

Ladies' Linen, Denim and Pique Wash Skirts, assort-ed colors, plain and trim-med, all this scason's styles; regular prices, \$2.50 and \$3.00; each

Summer Goods Plain White Pique, Per yard..... 21c Fancy Brocaded White 47C

Crockery Department 5-quart Granite Iron Saucepans, each ... 320 

Specials this week in Clothing Department

Men's All-Wool Cassimere \$10.15 Men's All-Wool Fancy \$12.68
Worsted Suits, invisible \$12.68
brown plaids; a suit.
Men's All-Wool Fancy \$14.38
dark checks; a suit.

Boys' Suits

years; a suit.

Boys' Washable Suits, striped Galatea, with combination collars and cuffs, sizes 3 to 19 years; a suit.

Boys' Washable Suits, in Crash and Striped Percale, sizes 2 to 10 years; a suit.

Boys' Washable Kilt Suits, blue and pink striped percale, with plque collars and cuffs; sizes 2 to 4 years; a suit.

Boys' Washable Kilt Suits, blue and pink striped percale, with plque collars and cuffs; sizes 2 to 4 years; a suit.

Fireworks, Pistols, Cannons, Caps, etc., free with every Boys' Suit.

Extra Values in Rugs SMYRNA RUGS 7½x10½ feet, each......\$18.00 9x12 feet, each......\$25.00 WILTON RUGS 84x10% feet, each ..... \$29.00 9x12 feet, each .....\$35.00

New Goods

We have just received new lines of Men's Fancy Socks in stripes and polka dots. Men's New Neckwear, 50c lines.
Men's latest style Straw Hats.
Boys' All-Wool Sweaters, navy and maroon, roll or sailor collar, at \$1.00 each.

Soap Boxes

Celluloid Soap Boxes, assort- 17C Note Paper

Old Dorchester Bond Paper, Gladstone shape, in white, azure, Dresden blue, violet and heliotrope; special, per 

Hair Brushes Solid Back Hair Brushes, \$ 410

N. B. OUR STORE WILL CLOSE AT NOON TODAY.

# MEIER & FRANK CO

## HELENA PAYS DIVIDENDS

Of ONE-HALF CENT per share each month. At this rate the dividends will pay interest at the rate of 22 per cent per annum on your investment. WHAT MORE DO YOU WANT?

HELENA NO. 2

Bids fair to do as well with development which is being pushed.

MAY QUEEN

For the last few days was the heaviest trader, and we predict much higher prices on this stock.

WATCH OUR AD for pointers on the market. We will gladly send our weekly market letter upon request.

# Wagy, Hengen & Wagy

TEMPORARY OFFICES:

533 end 535 CHAMBER OF COMMERCE

IN THE SEVERAL COURTS. Suit to Restrain the City From Sell-

ing Property. The Bank of British Columbia, Margaret G. Wygant, William H. Marshall, George W. Marshall, Arthur D. Marshall, Mary E. Marshall, Viola L. Marshall, Margar-etta A. Marshall, and University Land Company have sued the City of Portland to restrain the sale of property for de-linquent assessments for the improvement of Tenth street from Hoyt to Northrup street. Judge Sears has issued a tempor ary restraining order. The amount involved is \$2500.

The plaintiffs allege that May 4, 1888 the Board of Public Works, without any right so to do, undertook to improve the street by grading and macadamizing and constructing an elevated roadway, and made assessments for the costs which are specified. It is stated that the property of plaintiffs was not benefitted by the improvement, and that the elevated roadway is 16 feet above the surface of the lots, and is inaccessible, from the surface of the lots, and of no benefit to them, but is a damage. It is further alleged that the plaintiffs were not given an opportunity to appear before the Board of Public Works, or to show that sums assessed upon the lots were in ex-cess of the benefits, and that the assess-ment under the guise of taxation constitutes a taking of private property for public use without just compensation, and not process of law, and is in contravention of the provision on that subject of the Constitution of the United States, and is also in contraven-tion of the provisions of the Constitution of the State of Oregon on the same

subject. Lenora S. Gregory has sued W. G. Steel et al., to forclose a mortgage for \$3000 on a tract of land.

J. H. Huddleson has brought suit against the South Portland Land Com-pany to forclose a mortgage for \$30,000 on 318 acres of land. The original amount of the claim was \$45,000. The notes were executed in 1892.

W. P. Fuller Company has sued R. C. Logan and wife to foreclose a mortgage for \$400 on lots 11 and 12, block 13, Central Widening Hawthorne Avenue.

The work of widening Hawthorne ave-

nue, between East Twenty-first and East Thirty-fourth streets, to 70 feet is pro-gressing rapidly. This is one of the most extensive and important works the coun-ty has undertaken for a long time. It is a county road, and, of course, is under the charge of the county. a county road, and, of course, is under the a county road, and, of course, is under the charge of the county. There are heavy cuts on both sides of the avenue out as far as East Thirtieth street. There are directors. The more the latter thought about the matter, the less inclined they have a far as be dumped, so there is no difficulty in get-ting rid of the surplus material. Widen-ing on both sides is progressing so that than a gold mine. It has paid well from

way are left in the center-of the street. poles, however, will have to be ed back so as to conform to the new line. Pioneer fruit trees and big shade trees had to be cut down and uprooted to make way for the march of progress. Under some of the big shade trees on the top of the hill, near John Dolan's place, many of the old pioneers rested when Hawthorne avenue was only a trail leading from Mount Tabor to Haw-thorne Springs. The improvement will result in a beautiful highway through that section. It has been 10 years since the first movement was made to got Hawthorne avenue widened.

JUDGE DENNY'S FUNERAL Multnomah Bar Appoints Committe

to Draft Resolutions. From the residence of Judge M. C. George the body of Judge O. N. Denny vas taken yesterday afternoon to its inal resting place in Riverview cometery. Dr. T. L. Eliot officiating. A distinguished gathering paid their respects to the de-ceased, and it was with more than formal ceremony that the heads of Portland's representative families bowed as the cas-ket was borne by. A mass of lilles were wreathed over the sable covering—the of-fering of friends. Judge Alfred F. Sears, Jr., presented, on behalf of the Bar Association, a handsome wreath. Most of the prominent and elderly members of the association attended the services, as they, more than the younger element, were familiar with the deceased's work in the profession.

The pullbearers were ex-Senator John H. Mitchell, Judge C. B. Beilinger, D. M. Dunne, C. A. Dolph, F. A. Bancroft and Rufus Mallory. Services at the resi-dence of Judge George began at 1:20 P.

In the morning a meeting of the bar was called at which Judge Sears, presid-ing officer, was instructed to appoint a committee to draft resolutions of re-spect, and select a day when the committee should report and the members of the bar be heard. The members ap-pointed were: A. H. Tanner, C. A. Dolph, Raleigh Stott, H. H. Northup and P. S. Miller. The day set for the re and meeting is July 9, at 10:30 A. M.

farmers at Gresham, who estab lished the cheese factory at that point nearly two years ago, know when they have a good thing, and are not inclined Recently an effort was made

the double tracks of the East Side Rail- the start, and now \$1200 per month is paid out to those furnishing the milk to the factory, and they considered that to sell now would be like killing the goose that laid the golden agg. The factory was organized in March, 1808. Those whe started the entryrise have been benefited as well as the community.

VANCOUVER BOATS JULY 4.

Leave Portland 3:30 and 10:35 A. M., 1:80, 3:80, 4:80 and 10:80 P. M. Vancouver 11:30 A. M., 12:30, 3 and 6 P. M. Land foot of Taylor street. Fare 15 cents round trip.

Vacated an Order.

In the case of Allen & Lewis va. the O. R. & N. Co. and the Oregon Short Line Company, Judge Bellinger Festerday made an order vacating an order made November 20, allowing the Oregon was a company to withdraw its gen-Short Line Company to withdraw its general appearance in the case and to interpose a plea of privilege of exemption from suit and service in this district, the Court being fully advised and being of opinion that said order of November 20 ought not



