

SHEETS TO LOAD HERE

Argyll Will Carry Hay and Oats from Portland.

FEED DELIVERED AT ALASKA DOCK

Not Yet Settled Whether She is to Carry Soldiers or Animals to the Orient.

The transport Argyll will sail from Portland for the Orient with a cargo of Government hay and oats. The feed, which was purchased in Portland Saturday by the U. S. Army, is to be delivered to Alaska dock, and a large quantity of hay and oats, purchased under a former contract, is already there.

Whether or not the Argyll will take any troops or animals is not known. If the military authorities at Vancouver have any information on this point they are not at liberty to part with it, for they assert that they have nothing whatever to say.

A number of trucks were busy yesterday in transferring baled hay to the Alaska dock for shipment on the steamer. The hay for shipment to the Orient is all double baled to reduce its bulk, and has to be baled in a special machine. For this reason the dealers get a little more per ton than for the hay sold to the Government for use at posts in that country, which is shipped in ordinary bales.

Chief Quartermaster Jacobs has now contracted for delivery at the Alaska dock 300 tons of hay in double compressed bales, and a successful bidder on another lot of 500 tons.

The War Department has also been making extensive purchases of hay and oats in Seattle, but whether this is for shipment on the Argyll is not known. Portland dealers here could well afford to bid on it, and lay it down in Seattle, as they could do so and make about the same profit as they do here, the greater price paid for the hay at Seattle equaling the freight. In view of this difference of price, the dealers think that the Government should make all its purchases of hay in Portland.

EAST SIDE AFFAIRS.

Grocery Horse Runs Away—Other Matters.

A horse attached to a cart, the property of R. W. Parker, a Grand-avenue grocer, between East Washington and East Stark streets, was frightened by the electric street car, and ran northward to East Stark street, where he turned toward the river. At East Third street he ran into the corner of the stable in which he kept. The horse was running at a rapid rate, the light cart being kept bounding in the air most of the time. A buggy and horse had been backing up the street, and the horse and cart were colliding with the rear end of this buggy, doubling it up and throwing the horse into the air. The horse was then running at a rapid rate, and the other horse was fast in the harness and shafts. Both struggled some time before they were extricated. The buggy shafts were broken. The Parker horse and cart were not injured. Mr. Parker says that the horse was frightened by the electric car, but he was stopping at the corner of East Third and Stark streets, and the horse ran off. He says that the man who manages the electric street car, who is a Frenchman, is a very nervous man, and that he is afraid of the horse.

Road That Should Be Graveled.

The road on the hill on the Base Line extending down to the Sandy River is in excellent condition. It is a good road, and heavy expense to get it into such a condition that it is in its present condition, but the work is of a permanent character, and can be maintained at small expense. The grade is so steep that a wheelman can ride down the hill with safety. At the Sandy bridge there is quite a resort. Beyond the Sandy much work remains to be done. There is very little graveling beyond the Sandy, and the remainder of the roads have not been gravelled, and become very dusty in summer and muddy in winter. The roads which were laid out with excellent grades by Mr. Hurlburt, who is a skilled civil engineer. The country is very hilly, but the grades of the roads are such that the farmer can haul full loads over them, but some of the leading thoroughfares out of the Sandy should be gravelled and put in good condition. It is a growing district, and the farmers deserve good gravelled roads. The Base Line and the LaSore roads at least should be gravelled as soon as the county can get at it. Both are well traveled and lead to the Sandy bridge.

Improvements at Mount Scott.

The much of improvement has been taken up at and around Mount Scott, and many changes have been made. M. L. Lutz, of Portland, has just completed another large greenhouse on his tract on the slope of Mount Scott. He had built a large one a year ago, and this is the second. Mrs. Smith, of Portland, has completed a cottage, and will reside there. The Sam Long property has passed into the hands of a Wisconsin man, who is so well pleased with the surroundings that he will make his home at Mount Scott, and has already sent for his family. He will make extensive improvements, including new buildings. There is a general picking up all through the surroundings. Land is being cleared on Mount Scott and brush burned. The cycle path completed along the Foster road this year has been a great success for that settlement. A great many wheelmen and wheelwomen go out there Sundays and in the evenings and lunch on Johnson Creek.

Special Tent Meetings.

Special tent meetings will be held in a large tent on Fargo and Kerby streets, Albina, under the auspices of the Second United Evangelical Church. Rev. A. L. Lindsey is the pastor. The services will commence tomorrow evening, when Dr. Bittner will preach the sermon. Rev. C. F. Poling, of La Fayette, will be the latter part of the week. Professor D. M. Metzger, of La Fayette, also will assist in the meetings, and will be present over the coming Sunday. These meetings will be interesting, and the public generally is invited to attend them.

Opened a Gravel Pit.

The county has opened a gravel pit on the south side of the road that springs

around the north side of Mount Tabor. When this road was graded out it could be seen that there was some good gravel well down, and it is now being taken out. The excavation destroys the cycle path for quite a distance, but the road is in good condition, and the gravel can be around the bank. The gravel at this pit is very convenient, and can be gotten at very conveniently and cheaply.

Fire in a Cottage.

A small fire occurred in the cottage at 121 East Eighth street last evening. It was extinguished by the department very promptly, the loss being only about \$15. The cottage is occupied by Mrs. A. McLeod. The loss is covered by insurance.

East Side Notes.

Police Commissioner Rankin came from Long Beach yesterday to look after some business. He will return to the beach at 10 o'clock.

The electric car sprinker jumped the track in Holladay's addition yesterday forenoon. After leaving the rails, the car ran along the street a short distance before it stopped.

Fred Martin, of Fairview, was severely injured yesterday by a piece of iron falling on his foot, badly crushing his great toe. He was brought to St. Vincent's Hospital in the evening. He will be laid up for some time.

The hop field of W. W. Ootton on the Powell road is looking thrifty. The worms were kept out of the field. Picking will commence about the 1st of September.

Dr. Wise, room 64, The Dekum.

MR. KERSHAW'S CASE.

Denies That He Gave False Figures of Oregon Wheat Products.

TACOMA, Aug. 10.—(To the Editor.)—My attention was drawn to an article in The Oregonian of the 8th, in which you sought to take exceptions to my statement of the crop of Oregon. I wish to state right here that such information is incorrect. I never gave any figures by telegraph. I sent my figures to an inquiry from Messrs. McIntyre and Wardwell, which were turned over to Mr. Lyle. They were sent by letter. The figures of 2,000,000 for Washington were correct, also about 5,000,000 for Idaho; for Oregon the 3,000,000 are incorrect. I have written Messrs. McIntyre and Wardwell to publish same as sent. I have bought and sold Oregon wheat for years, and always wish to give credit to Oregon. I am sure that I have never in grain trade too long to make such absurd statements. However, there was no occasion for you to rush into print without first finding out the accuracy of the figures. The newspaper editors of our Pacific Northwest have made themselves ridiculous, however, in estimates of our crops, viz., 30,000,000 for Washington and proportionately for Oregon. Rather sorry of the boom of the wheat market, all estimates, even those emanating from Tacoma, influence both buyer and seller. If Mr. Kershaw takes a kindly interest in Oregon, as he says he does, and if he wishes to maintain a reputation for fairness, he owes it to himself and to the exporters and producers of the Northwest to state the estimate he did furnish, so that it may be definitely determined to what extent his figures were juggled by the persons through whose hands they passed.

PERSONAL MENTION.

Jefferson Myers, of Salem, is registered at the Imperial.

Lee Cochran, of Denver, is registered at the Portland.

Mr. Merrill, of Clatskanie, is registered at the St. Charles.

J. C. Henry, of La Grande, is registered at the Perkins.

W. M. Riddpath, of Spokane, is registered at the Portland.

Mr. J. C. Kennedy and family, of Skamokawa, are registered at the Perkins.

H. C. Coeser and wife, of La Grande, are registered at the St. Charles.

Deputy Sheriff Meyer returned yesterday from a trip to San Francisco.

W. Lindgren and wife, of Washington, D. C., are registered at the Portland.

W. H. Hampton, a mining man of Pierce, Josephine County, is staying at the Imperial.

Mrs. Elta Reed, formerly of Gardiner, Douglas County, now a resident of San Francisco, is in the city for a few days, staying at the Burbank.

August Toliver, of Seattle, a member of the First Washington Volunteers, was in the city yesterday. He is assisting in the preparations for a reunion of the regiment at Seattle, July 4, 1901.

ST. PAUL, Aug. 11.—Count and Countess De Tocqueville and daughter, Mlle. Marie de Tocqueville, all of Paris, arrived in the city this morning from Chicago, en route to San Francisco, via the Northern Pacific. They intend to make a thorough tour of the West before returning to Paris.

NEW YORK, Aug. 11.—Northwestern people registered at New York hotels today as follows:—H. B. Litt, at the Hoffman; L. E. Amos, at the Grand Union.

From Seattle—R. Nordhoff, J. Norhoff, and W. L. Reynolds, at the Albert.

From Tacoma—J. M. Ferris, Jr., at the Neubergh.

From Pomeroy, Wash.—M. A. Dunham, at the New Amsterdam.

RATE REDUCED TO CHICAGO

For the occasion of the National encampment of the G. A. R., the O. R. & N. will sell on August 21-23 round-trip tickets to Chicago at a special rate of \$71.50, including room for 60 days, such stop-over privilege returning.

Three trains daily via the O. R. & N. gives the choice of many routes, and the service is excellent. For tickets and further information call on or address V. A. SCHILLING, City Ticket Agent, 30 Third street, corner Oak.

BURIALS IN CITY LIMITS

POWER OF COUNCIL TO PROHIBIT THEM QUESTIONED.

Subject Goes Into Deeply in the Case of a Gravedigger at Lone Fir Cemetery.

The question of the authority of the Common Council to prohibit burials in a certain portion of Lone Fir cemetery, and defining the same to be a nuisance, was argued and submitted before Judge Frazer yesterday.

The ordinance relating to the subject was passed in 1885, and is as follows: "It shall be unlawful and is hereby declared a nuisance and misdemeanor for any person or persons at any time from and after April 1, 1885, to dig or cause to be dug or opened, or make or cause to be made or constructed, any vault or tomb in any burying-ground, cemetery or churchyard or in any other part or place in the City of Portland, or sell any real property therein, except in the places hereafter set forth, for the purpose of

burying a dead body, if it is properly done, and it is not a nuisance. Said the attorney: "It is proved a body was buried in a vault 2 feet thick each way, it would be no defense under this ordinance."

The points made by Mr. Dunway on the other side were many. He said the city does not need an express provision in its charter empowering it to exclude slaughter-houses, or to exclude burials from a given district. As the burial of the dead within the city may be a nuisance, the city has power to pass ordinances prohibiting such burials. If a particular burial is made in such a place and in such a manner that it is not and will not be a nuisance, was a question of fact to be tried out in the case, but could not be tried out in habeas corpus proceedings after a conviction. "It is sufficient," counsel stated, "to sustain the validity of the ordinance that the act complained of may be a nuisance. From the passing of the ordinance there is a presumption that it is such a nuisance, and the ordinance would not be passed."

Mr. Dunway further contended that the city claims authority to pass this ordinance under the city charter, and to declare burials within the inhabited part of the city to be a nuisance and detrimental to the health and welfare of the city, and that it has been upheld by the Supreme Court of Oregon, and has been done in every state in the Union. Under the ordinance at bar, every one was treated alike.

PIONEER LAID TO REST.



DANIEL BLAIR TEST.

The funeral of Daniel Blair Test, pioneer of 1852, who died Saturday, August 11, took place yesterday forenoon, from the Memorial Evangelical Church, East Eighth and Tibbets streets. Rev. R. Pierce, pastor, conducted the services. Rev. L. E. Rockwell, D. D., of Kenney, and Rev. John Plinn, a pioneer Methodist minister and boyhood friend of the deceased, were present and assisted. The conclusion of the services at the church the remains were conveyed to Lone Fir cemetery.

Mr. Test was born in New Jersey, and was 60 years old at the time of his death. In 1852 he came to Oregon with the immigrant train of Captain Morse, and in the same train was Miss Angeline Curry, whom he married in 1855. They first settled in Douglas County, where they lived nine years, their nearest post office being in Elkton. They then moved to Lane county, and lived on a farm for several years, and in 1864 moved to Eugene, where they lived till they came to Portland, eight years ago.

Mr. Test was through the campaigns of 1855 and 1860, of the Rogue River Indian War, and was a member of Captain W. V. Chapman's company. He was also a member of the Pioneer Association of this state. Mr. Test was a man of excellent character and sound integrity. For a number of years he had been in feeble health. A wife and the following children survive his death: Mrs. Rachel Marshall, Peasland, R. C.; Mrs. Mary Workman, Portland; Mrs. Caroline Mayfield Barker, Eugene, Or.; Mrs. Emory Hill, Portland, Or.; C. Grant, Edwin C., and Frank L. Test, Portland.

depositing any dead body therein, or for any person or persons to inter or deposit or cause to be interred or deposited in any grave, vault or tomb any dead body within the City of Portland, except within the following limits, to-wit: That part of Lone Fir cemetery beginning at a point 30 feet south and 75 feet east of the northwest corner of section 1, township 12 south, range 1 east, William meridian; thence south 80.47 feet; thence west along the north side of the right of way of the City & Suburban Railway Company to the southeast corner of section 7, Garrison's subdivision, in East Portland; thence north to the Base Line road; thence east along the south side of the Base Line road to the place of beginning.

"All of Riverside cemetery, in section 22, township 11 south, range 1 east.

"All of the Jewish cemetery, situate in section 21, township 11 south, range 1 east.

"St. Mary's Catholic cemetery, situate in sections 8 and 26, township 1 north, range 1 east."

While the ordinance does not so specifically state, its principal purpose is to prevent the interment of bodies in any of the new or eastern part of Lone Fir cemetery, being a parcel of land between East Stark and Morrison streets, and running east from the old cemetery line. It comprises about 150,000 feet, and it is said the cemetery association also claims the right to plant a further 15 acres of land. Since the ordinance was passed, the cemetery association has been digging in the prohibited territory, and is still doing so.

The matter came up yesterday on a demurrer to the habeas corpus petition of Cass Wyatt, a section hand who was fined \$25 in the Municipal Court for burying a body in the prescribed district. In support of the demurrer, Deputy City Attorney R. Duffway argued that the city has a right to regulate interments, and that the ordinance is not unconstitutional, and that it does not constitute a nuisance.

Mr. Stout disputed the validity of the ordinance upon two grounds—first, that an ordinance to regulate interments is an act a nuisance that is not one at common law or by some general statute. Burial of the dead was a sacred rite of humanity, so regarded by all laws from the law of Moses down. It was not a nuisance per se, unless it defiled the water used or impregnated the air breathed by a community, and this was not the case here. Second, the ordinance was unfair, arbitrary and unreasonable in restricting burials to certain spots and prohibiting them in another cemetery and vacant grounds. As an example of the unreasonable, he cited the case of the Love tract of 400 acres on Columbia Slough, but within the city limits, and yet under the ordinance it would be a crime for Mr. Love, when he died, to be buried on his own ground. There were other large tracts where a person could be buried and the grave would not be within a quarter of a mile or perhaps a mile of a dwelling-house. Such a burial, he contended, was not a nuisance, and could not be made so by a city ordinance.

George C. Stout, also for the petitioner, contended that the city has power under its charter only to regulate burials, and not to prohibit them. He said there were no authorities directly on the subject, and that authorities in slaughter-houses and other kindred nuisance cases. The courts could not declare a thing a nuisance unless it was such in fact, and a decision of a Supreme Court was read where it was held that a body buried in a vault was not a nuisance, and a city ordinance declaring all such nuisances was too broad and sweeping. Counsel argued that a body may be interred in any lot in the

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The Consuls report to me at great length, and some of the suggestions are of so much value, that I trust you will be glad to see them. I quote: "Mr. Hugo Henselman, of Prague, says: 'If only you could find a way by which your fruit could be gotten into this market, there, referring especially now to fruit, you would be surprised at the quantity that could be sold here, for it is a fact not to be disputed that the people here, both rich and poor, are really fond of fruit, and the rich because it has a finer flavor and excels the home fruit here in every way, and the poor because they could buy our fruit cheaper than the fruit from here.'"

Consul-General Frank H. Mason writes from Berlin: "From all the sources, and from a special report just made, I learn that the outlook in Prussia is meager for apples, pears and prunes. (See percentage table.) The Spring crop was very late, dry and cold, and injured the blossoms in many districts; then came protracted and continuous rains, which have greatly injured all fruits. There will be an early and a good crop of apples. The outlook for dried fruits in Germany this year is bright."

The Consul at Bordeaux, France, Mr. Alphonse W. Tourge, who writes at great length, makes some very interesting remarks in part: "The season has been unusually favorable to most kinds of fruits, having no late frosts, a dry time at blossoming, frequent and abundant market for apples. In the south of France are never good, but the pear crop promises well—to be exceedingly large and will certainly be of fine flavor. The regulation is very strict, and is noted for their quality. They are, of course, affected by the same plague of worms as the apples, an evil that seems to have no remedy, and is imported from America dried fruits in Germany this year."

The yield of prunes promises well, both in quantity and quality, and I think that this year are not only good, but on the competition of an unusually large and unusually good prune crop from this Consular district; scarcely anything can be done to reduce the quantity, and the weather is not likely to impair the quality. However, the almost universal destruction of all sorts of birds in this part of France in my opinion will soon reduce the production of good fruit well-nigh impossible."

Mr. A. M. Thackeray, Consul at Havre, says among other matters: "I have been invited by one of the largest importers of American fruits that apples are not selling here for future delivery at a price one-third of that asked this time last year. He is of the opinion that there will be no supply of apples imported this year, or at least, very few. There may be a small business done in prunes in the larger sizes."

Summing up all the data obtainable, I find that there is a very large crop of fruit this year throughout the world to compete with, yet I feel that there is a market, and a fair market for absolutely first-class apples, large-sized prunes, carefully packed, to meet the demand of the best trade. It is a pleasure to state that most of Oregon's apples this year are not only of good size, but through the care of the progressive orchardists, are comparatively speaking, free from insects and scab. Our fellow-countrymen are also producing large-sized conditions to meet the demand.

As a guide of what the available apples for export this year will be, I give shipments of the season 1899-1900. The total shipments of apples from all American ports except Pacific Coast were 1,202,121 barrels, distributed as follows:

Table showing apple shipments by port: Liverpool, London, Glasgow, Hamburg, and various other ports.

In addition to the above, there were exported of Pacific Coast apples, via New York, 148,535 boxes, distributed among foreign ports as follows:

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In this connection the complaint comes from European merchants that our boxes are too light. They say apple boxes intended for export should be heavier, and strapped with iron.

In conclusion, I desire to state that the loss in the season 1899-1900, on account of poor quality of apples grown in the east of the Rocky Mountains and in Canada will make buyers wary, and it is reasonable to expect this to act favorably for Pacific Coast-grown apples.

HENRY B. DOSCH, Secretary State Board of Horticulture. Letting Things Alone. Saturday Evening Post. The joy of letting things alone is not widely appreciated by human beings. They are apt to put their hands on things, and, indeed, to "humanize" Nature in her every aspect. This interference is bad even when we waste our woods, fowl our rivers, and spoil our fish. It is most lamentable when it takes the form of a love for bloodshed. Hunting is held as one of the manliest and most improving of exercises and recreations. So well-grounded is the

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The Consul at Bordeaux, France, Mr. Alphonse W. Tourge, who writes at great length, makes some very interesting remarks in part: "The season has been unusually favorable to most kinds of fruits, having no late frosts, a dry time at blossoming, frequent and abundant market for apples. In the south of France are never good, but the pear crop promises well—to be exceedingly large and will certainly be of fine flavor. The regulation is very strict, and is noted for their quality. They are, of course, affected by the same plague of worms as the apples, an evil that seems to have no remedy, and is imported from America dried fruits in Germany this year."

The yield of prunes promises well, both in quantity and quality, and I think that this year are not only good, but on the competition of an unusually large and unusually good prune crop from this Consular district; scarcely anything can be done to reduce the quantity, and the weather is not likely to impair the quality. However, the almost universal destruction of all sorts of birds in this part of France in my opinion will soon reduce the production of good fruit well-nigh impossible."

Mr. A. M. Thackeray, Consul at Havre, says among other matters: "I have been invited by one of the largest importers of American fruits that apples are not selling here for future delivery at a price one-third of that asked this time last year. He is of the opinion that there will be no supply of apples imported this year, or at least, very few. There may be a small business done in prunes in the larger sizes."

Summing up all the data obtainable, I find that there is a very large crop of fruit this year throughout the world to compete with, yet I feel that there is a market, and a fair market for absolutely first-class apples, large-sized pr