

FRENCH FOUND GUILTY

CHARGE WAS SENDING OBSCENE LETTER THROUGH MAILS.

Judge Bellinger Grants Attorney for Defense Time in Which to File Motion for New Trial.

The jury in the case of Edgar L. French, a Mayville farmer, indicted for sending obscene matter through the mails, returned a verdict of guilty yesterday after less than one-half hour's consideration of the evidence. All the evidence was taken Thursday, and all that remained to be done was for the attorneys to make their closing addresses and the judge to deliver the charge. In his charge Judge Bellinger told the jury that the point for it to determine was whether the defendant had mailed the letter knowing that it was obscene. No comment on the evidence was made. The case was then submitted to the jury.

When the jury retired, Judge Bellinger called Assistant District Attorney Mays and Waldemar Seton, attorney for the defendant, to the bar and said that his mind was not exactly clear on certain rulings as to the admissibility of depositions which had been introduced. He had admitted them because he had not had sufficient time to examine the questions involved, and he had ruled as he did because the case could not proceed without the admission of the depositions, and the questions could be definitely and satisfactorily settled by the jury.

Subsequently, if it became necessary, it was inferred from this that in event of a verdict of guilty the attorneys should be given an opportunity on a motion for a new trial.

The jury returned a verdict of guilty shortly before noon, and Mr. Seton asked for 10 days in which to file a motion for a new trial. The motion was granted.

NOTE NOT COLLECTIBLE.

A. E. Sillski Denies He Signed One for Which He is Sued for \$318.

August E. Sillski, in answer to an attachment suit filed by the Merchants National Bank to recover \$318 on a suit, alleges that the note was executed to Bert O. Carl and L. W. McDaniel in a life insurance transaction, but is not collectible.

Sillski alleges that McDaniel and Carl are the agents of the Mutual Reserve Fund Life Association, of New York, and solicited him to apply for a policy for the sum of \$500. Sillski avers that he agreed to take the policy on condition that Carl and McDaniel would obtain a loan from him from the New York Life Insurance Company, and if the loan was not made, then the application of a policy of the Mutual Reserve Company was to be of no force or effect.

Sillski asserts further that McDaniel and Carl represented to him that in order that the Mutual Reserve Fund Life Association would consider his conditional application, it would be necessary for him to sign the note sued upon, and it was not intended to be binding on him (Sillski) in any manner, and the note was not to be delivered to the reserve association, nor to any one, unless the loan was procured from the New York Life Insurance Company.

Sillski alleges that he wrote his address on the back of the note at the request of Carl and McDaniel, but he denies that this can be considered as an endorsement, or had the effect of making the note a negotiable instrument. He also stated by Sillski that the Merchants National Bank has charge of the collections of the Mutual Reserve Association, and is familiar with the receipts given to persons who execute notes in payment of life insurance premiums, the terms of which are as follows:

"If a note is given in payment of any part of the premium, receipt of which is herein acknowledged, and if said note is not paid at its maturity, it is understood and agreed that the policy shall then be ipso facto null and void."

Sillski, in conclusion, states that the note was placed with the bank for collection, and the bank, upon inquiry, could have known that, and did know that the note was not a negotiable instrument, and was not intended to be a negotiable instrument, but was given on the conditions alleged. Sillski asks that the case be dismissed and his property released. Shepherd & Cellars appear as his attorneys.

WILL NOT APPOINT RECEIVER.

Judge Frazer Refuses to Grant Petition of Albin Floss.

Judge Frazer yesterday refused to appoint a receiver to take charge of a fishing business and fish-wheels at Corbett, in the suit of Albin Floss against Myrtle Reed. Floss, in his complaint, set forth that Mrs. Reed leased the fishing grounds, fish-wheels and appliances from him, and as compensation was to give him half of the profits realized from the fish sold. Floss alleged that she has been not accounting for a long time, although the profit from the fishing amounts to about \$2 per day.

Mrs. Reed filed an affidavit, reciting an entirely different state of facts. It is stated in the affidavit that Mrs. Reed owed the Bridal Veil Lumbering Company \$200, and obtained money to pay this indebtedness from Floss. Mrs. Reed also recites. Notes were executed in favor of Floss for these amounts, and secured by deeds to the fishing grounds, buildings, fish-wheels, etc. The equipment for the fishing was also secured by the property of the value of \$300, and the other property of the value of \$200. The affidavit further recites that the understanding of the lease was that the money received by Floss was to be credited on the notes held by him against Mrs. Reed, and that he has received \$308. It was admitted that Mrs. Reed still owes Floss \$92.

B. C. Wright argued the case as attorney for Floss, and V. K. Strode and Oglebay Young appeared for the defendant. Judge Frazer did not deem it proper to appoint a receiver, and it was understood that the parties will get together and settle the case out of court.

BOHLANDER WINS HIS CASE.

Recovers \$4210 and Interest on Insurance Policies He Purchased.

The case of Louis Bohlender against Andrew Salling and others, for the recovery of two insurance policies on the life of Henry M. Bohlender, was tried before Judge Bellinger, sitting in the United States Circuit Court, yesterday. The plaintiff alleged that the two policies had been issued in 1897, and that the parties were married at Salem in April, 1891. Mrs. Bohlender testified that her husband left her and their two children on January 10, 1901, and since refused to support them.

Divorce for Mrs. Winnie Doty.

Winnie Doty was granted a divorce from Charles Doty, a street-car conductor, on account of desertion. The parties were married at Salem in April, 1891. Mrs. Doty testified that her husband left her and their two children on January 10, 1901, and since refused to support them.

Articles of Incorporation.

Articles of Incorporation of the Oregon Camera Club were filed yesterday in the office of the County Clerk by S. A. Thrall, president; A. Anderson, vice-president; S. E. Catching, secretary; C. H. Hoeg, treasurer.

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R. W. MITCHELL.

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Trip to Oregon City and Banquet by Local Journalists.

The visiting excursionists of the Utah Press Association spent a delightful day yesterday, going to Oregon City in the morning, and enjoying a reception and banquet at Parsons Hall late in the afternoon. The trip to Oregon City was accomplished through the courtesy of President W. H. Hubbard, of the Portland City & Oregon Railway. An special car was placed at the disposal of the guests, who left the city at 11:30 o'clock, accompanied by a delegation from the Portland Press Club. The trolley ride was a pleasant one, and upon arriving at Oregon City the excursionists were met by a delegation of citizens, headed by Colonel R. A. Miller, L. P. Porter and H. E. Cross, who escorted them about the city to the points of interest. The return trip was made by boat, Portland being reached at 3 o'clock.

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At the banquet, served in the dining-room of Parsons Hall, E. L. E. White presided, and after a few remarks, introduced Judge George H. Williams, Mayor-elect of Portland. Judge Williams spoke, in the absence of Mayor Rowe, welcoming the guests to the city, and commenting upon the remarkable spirit of progress and development which characterized the early Mormon settlements in the region of Great Salt Lake. Judge Williams was personally acquainted with Brigham Young and numerous other Mormon leaders. On behalf of the Portland City & Oregon Railway, D. P. Felt responded to the welcoming remarks of Judge Williams.

City Attorney Long spoke briefly on the Lewis and Clark Centennial, after which W. E. Boulton, of Oklahoma, was called upon. Mr. Boulton is a well-known newspaper man, and is a delegate to the supreme lodge, A. O. U. W., now in session in this city. The banquet was tendered by the American Type Foundry Company, through J. S. Pinney, and the floral decorations in the hall were donated by George Otten.

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GREAT FOURTH IS SURE.

Sufficient Money Pledged and Plans Being Perfected.

The Fourth of July celebration committee held an enthusiastic meeting in the office of Secretary Melrose, in the Chamber of Commerce, last night. It was announced that subscriptions aggregating \$898 1/2 have been pledged, which is sufficient to insure going ahead with the programme as outlined at the last meeting.

The committee on fireworks reported that the contract had been closed with W. H. Wilson, of Los Angeles, who has promised to give Portland something radically new and unique in the pyrotechnical line at a cost of \$1000. The display will be given on somewhat different lines this year, the plan being to illuminate the hills and also have fireworks on the hillsides.

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General Sumners appointed the following auditing committee: I. N. Fleischner, J. L. Meier and H. H. Newhall.

The following parade committee was named: Captain J. P. Shaw, Howard Matthews, D. Mann, Geo. Selling and Thomas Duffy.

The following are appointed to arrange for literary exercises to be held on the afternoon of the Fourth: Alfred Bowen, Wynn Johnson and J. E. Courtney.

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Sold Back 1,025.00

Total \$4,098.75

The O. R. & N. Co. has agreed to make a special rate of 1-1/2 fare from points within 30 miles to Portland and return on July 3 and 4, good to return up to and including July 5. The company further offers to hang the committee's advertising posters in its stations.

All bands in the city and state are invited to submit bids for both the parade and concert, the proposals to be sent to Secretary Melrose before June 20.

The Chinese Native Sons reported that their company would turn out in the parade on bicycles gaily decorated for the occasion.

The committee adjourned to meet next Monday.

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