THE STATE BARRED

Must Seek New Source of Water Supply for Prison.

SUPREME COURT SO DECIDES

State Has Been Using Water to Which It Had No Right-Multaomah County Assessment Declared invalid.

The State of Oregon may divert from Mill Creek for use at the state institu tions only so much water as can be pumped through a two-inch pipe.

Property must be assessed to the owner if it be known or if his name can be learned by diligent inquiry; otherwise it must be assessed to "unknown owner." An assessment to "unknown own er and to all owners and claimans and claimants, known and unknown," is

SALEM, Or., Aug. Z.—(Special.)—The Supreme Court today handed down two mons as follows:

ouring Mills Company, respo dent, vs. William P. Lord, Governor and other state officers, appellants, from other state officers, appellants, from Marion County, R. P. Boise, Judge, mod-ified; opinion by Justice Wolverton. This sult was brought by the plaintiff to restrain defendants from an unlawful diversion of water from Mill Creek, where

that stream passes through the inclosure of the state penitentiary at Salem. The water was being taken to supply the water was being taken to supply the needs of the penitentiary, asylum and feir grounds. The Salem Flouring Mills Company is the successor to certain rights granted by the Legislature of 1856 to the Willamette Woolen Mills Company. These rights, in substance, were to bring water from the Santiam River through the channel of Mill Creek, to Salem, and to have the exclusive right to the hydraulic newers and urivileges created by the powers and privileges created by the winer which it takes from the Santiam River. Since 1857 the Woolen Mills Company and its successors have been convey-ing water as mentioned, and the water from the creek all the water that could be state has been pumping water through thus taken being indefinite, so far as the evidence disclosed.

The state officials set up four defenses: That the natural flow of water in Mill Creek was greater than the amount of taken by the state, and that the state has by its own expenditures for improvements to the creek increased the flow of water sufficient to entitle it to take as much as needed for the state institutions; that this is a suit against the that the water now being used to supply the state institutions is taken from a well supplied by underground springs, and that the state has been using the water adversely for more than 10 years prior to the commencement of this suit.

The lower court decided the case in favor of the plaintiff, holding that the mill company is the owner of the powers which drive their water from the natural flow of the waters of Mill Creek, and the waters of the Santiam River, and that the defendable should be enjoined from removing from said stream more water than can be pumped through a two-inch The Supreme Court modifies this in by striking out the finding that the plaintiff owns the powers which are ved from the natural flow of water

In their charge, or in the use of eny of the water of Mill Creek. But this does not exonerate them as individuals from Hability to the plaintiff. The record does not show that the state is an interested and indispensable party, without whose presence no relief can be granted, nor that the property has passed to or is within the exclusive possession of the slate, nor can it be accrtained without a Patrolling Panther Creek Valley. trial of the issues whether the officers are holding and acting as public functionaries or as individuals. In the latter oashow a warrant or authority from the state for their acts, then will they be exoperated. * * * If the state is absolutely without title, and the plaintiff can show that it has a good title, it is impossible that the state could rightfully or lawfully authorize the defendants to possess, control or utilize the property levelses. control or utilize the property involved, and their authority must therefore fail. The state, under the constitution, can no more exercise authority over property not its own except through some recognized the right of eminent process, such as

domain, than an individual.
"If it appear that the pinintiff's title is good, it must prevail against the defendents as individuals, since the state with-out title cannot authorize them to interjudgment can be pronounced against them, because it would, in effect, be a judgment against the state, and the court would be without jurisdiction in the

It is held that the mill company has a clear right to all the water of Mill Creek introduced from the Santiam River, but has only riparian rights as to the natural flow of water in Mill Creek. It is also held that the state has riparian rights to the natural flow of water, but that the rights do not authorize the state to take sufficient water to meet the necessities of irrigation, cooking, laundry, sanitation, etc., for such institutions as the peniten-tiary and asylum, where 1300 persons are confined, the latter institution being a quarter of a mile distant from the stream. the wells was mainly derived from the mill race, and that the use of water in excess of what could be drawn through a two-lnch pipe was not so open and notorious as to give the plaintiff notice that the state was using more than the quant-

ity prescribed in the grant.
Under the decree of the Supreme Court the state is enjoined from diverting from Mill Creek more water than can be pumped through a two-inch pipe.

Leander Lewis, respondent, vs. J. E. Blackburn, from Multnomah County, M., C. George, Judge, affirmed; opinion by

This was a suit to recover possession This was a suit to recover possession of certain real property in Portland. The defendant held under a tax deed, by which it appeared that the property had been assessed to "unknown owner, and to all owners and claimants, known and unknown." The lower court and the Supreme Court hold that the deed was void.

such without inserting the name of any owner. The opinion holds that "if the name of the owner was known to the assessor, as the assessment would seem to indicate, the land should have been assessed to him. If, on the other hand, it was unaccopied, and the owner unknown, it should have been so assessed. But an assessment cannot legally be made in the alternative either to owners known or unknown. It must be made definitely to one or the other, and if not so made it is void.

Lousetta P. Beers, appellant, vs. C. A. Aylsworth, respondent, from Multnomah County, A. L. Frazer, judge, reversed; opinion by Chief Justice Moore.

opinion by Chief Justice Moore.

This was a proceeding against a garnishee who was alleged to have certain property belonging to Robert Hanlin, against whom the plaintiff had a judgment. The defense was that the property was transferred to Ayisworth for a valuordered because of two errors in the trial of the case. It is laid down as a rule of It is laid down as a rule of that "evidence of the declarations of verdor, made before the sale and in the absence of the vendee, are admissible to show the fraudulent intent of the vendor, but they are not binding upon the vender, unless it is proved that he had knowledge thereof."

John Kiernan, respondent, vs. V. Kratz, appellant, from Multnomah County, A. F. Searn, Jr., Judge, reversed and new trial ordered; opinion by Chief Justice Moore, This was an action to recover money. The principal rule of law laid down in the decision is that where a debtor assigns funds or securities, or transfers property to another, who, in consideration of the receipt thereof, orally promises to pay the debtor's obligations to a third person, the latter may maintain an action on such agreement, though not a party

case is reversed because the complaint stated a cause of action upo express guaranty, while the reply stated cause upon an implied guaranty, thus involving a departure for which the court shiuld have sustained the motion to strike out the reply. Other questions of minor importance are also passed upon.

Petitions for rehearing were dealed in the cases of State vs. Hall, Simmons vs. Oregon Railroad & Navigation Company, oregon Ranfoad & Navigation Company, and Oliver vs. Hutchinson. Motion for modification of decree was denied in the case of Oregon Land & Construction Company vs. the Allen Ditch Company.

POLICEMAN STABBED,

Attempted to Resene His Son, a Non-

Union Miner, From Strikers. ry and its successors have been conveywater as mentioned, and the water
water as mentioned, and the water
s been used in the operation of milis
Salem. In 1865, the state was granted
the mill company the right to take
im the creek all the water that could be
imped through a pipe two inches in
imeter. For many years, however, the
ite has been pumping water through
to four-inch pipes, the amount of water
to four-inch pipes, the amount of water
us taken being indefinite, so far as
to evidence disclosed,

a special policeman in the
service of the Lehigh Valley Coal Company, was assaulted and stabbed today
while attempting to rescue his son, William Sheuch, a nonunion workman, from a
mob of about 300 strikers on the outskirts
of Hazelton. The trouble occurred at
the company's No. 40 coiliery, where
young Sheuch worked, in an attempt on
the part of the strikers, who had gathered
from all parts of the Hazelton region to
frustrate the plans of the company for HAZELTON, Pa., Aug. 25. - August frustrate the plans of the company for

a partial resumption.

Two hundred and fifty nonunion mer had been secured. A majority of them were taken to the workings in a special were taken to the workings in a special train, with which the strikers did not at-tempt to interfere, but Sheuch, who lives in this city, walked from his home toward the colliery. He fell into the hands of He fell into the hands of the pickets, and most of his clothing was torn from his back in the struggle that followed. When Sheuch's father rushed to his aid followed, when sheuch's father rushed to his aid, the mob set upon the elder Sheuch, who was finally rescued by a mine foreman and removed to a hospital. Sheuch was stabbed in the breast and each hip, kicked in the abdomen and struck on the head with a stone. His in-juries are not very serious. The effort to prevent work at the mine was success-

The report of the resumption at the Cranberry coiliery of A. Pardee & Co. caused about 500 men to gather near the mine today, but no attempt was made to

Soldiers Becoming Popular.

of Mill Creek.

The opinion says it is conceded that General Gohin said that he does not see the state is not suable without its con-any signs of a settlement of the strike, sent, but holds that this is not a suit. In fact, he states that all indications against the state. The defendants aver that the state. The defendants aver that the state of the state (and they are so described in the complaint), and that the acts ascribed to them were done and performed in their official capacity, for and in behalf of the state, and he allows no opportunity to pass, capacity, for and in behalf of the state, and he allows no opportunity to pass, capacity, for and the there have no conference with operators, to make a convergative rise for the state. and not as individuals, and that they have make a conservative plea for the men of no personni interest in the property with. ning to display evidence of a willingness to end the strike if a method could be shown them how they could make concresions to the men without stultifying

TAMAQUA, Pa., Aug. 25.-Not since the nauguration of the anthracite coal min aries of as individuals. In the latter onpacity they are liable; but, if they can
show a warrant of authority from the
state for their acts, then will they be exoperated. * * * If the state is absolutely

guarded in an effort to persuade the nonunion men not to go to work. No new recruits were added to the working force, and quite a number were turned back. The extra vigilance was due to the ru-mor that it is the intention of the Lehigh Coal & Navigation Company to cut coal as soon as sufficient men can be se-cured. An official of the company admitted today that practical miners are hard to procure, and that none of the coal companies is able to operate any of the mines for this reason,

Alleged Shooter Arrested. fere with the plaintiff's property.

If the defendants can justify their acts by rightful authority from the state, then no colliery, was today placed under ton colliery, was today placed under the colliery. SCRANTON, Pa., Aug. 25.-Frank \$2000 bonds on the charge of shooting Foreman Connolly and Forest Crossman last Monday night. Up to the present time the belief has been that the shoot-ing was done by the strikers, and General Manager Thorne had offered \$1000 reward for the arrest of the perpetrator of the deed. The evidence which led to Decker's arrest came from Crossman, whose depo-sition was taken in the Cardondale Hospital.

Shot Into Crowd of Strikers.
POTTSVILLE, Pa., Aug. 2:-George
Wheatley, an outside foreman at the
Brookside Colliery of the Philadelphia & Reading Coal & Iron Company, is under \$1000 bail, charged with shooting George Searer, aged 15. Wheatley said he was followed through the streets by a crowd of strikers and sympathizers, who jeered and hooted him. Becoming enraged, he fired into the crowd, the bullet striking Wheatley was formerly a min

Shortage of Coke. SHARON, Pa., Aug. 25.—The coke sit-uation in this valley has been relieved to such an extent that it is not likely that any of the blast furnaces here or at Sharpaville will be obliged to close down for several days. A prominent furnace operator said today that the trouble is not with the railroads, but with the coke manufacturers, who are sending their product to the East to relieve the short age caused by the anthracite strike.

Habeas Corpus In Andrews Case. LANSING, Mich., Aug. 25.-The Michigan Supreme Court has granted a writt of habeas corpus in the case of Frank for the reason that the assessment was C. Andrews, recently convicted of misillegal. The statute requires the assessor to ascertain by diligent inquiry the
names of all persons liable to taxation in
his county, but unoccupied land, if the
will remain in Jall until then.

WHITMAN AND DOHERTY

TO STRUGGLE FOR TENNIS CHAM-PIONSHIP TODAY.

Records Broken at the Grand Circuit Harness Meet - National and American League Scores.

NEWPORT, R. I., Aug. 25.-The national tennis championship of 1962 has practically reached the final stage. Maicolm W. Whitman, of Boston, the champion of 1889, 1899 and 1900, will be the American contestant in the finals tomorrow, and his opponent will be one of the able consideration. The decision of the lower court was in favor of defendant. It has been the rule with these two for-This decision is reversed and a new trial eigners never to meet in important tour-English experts, R. F. or H. L. Doherty. eigners never to meet in important tournaments. They will have until II o'clock tomorrow to decide who shall meet Whit-

Tonight it seems to be the general opin ion that H. L. Doherty, the younger, will be found on the court when the time comes, but in any case the match tomorrow will undoubtedly be the finest and most keenly contested tennis event ever played in this country. The chances appear to favor the American slightly. His tremendous reach when playing at the net and his ability to pull out of difficult situations have made him a slight favor. Ite. Still, the younger Doherty played such a remarkably such a remarkably strong game this morning in his match with Ware, allow-ing the Boston player only 11 games out of 30 and scoring 108 points to Ware's 13. that many believe Whitman will have to play the game of his life to beat him. Furthermore, Whitman was given a long, hard match today by R. P. Hunt-lington, losing the first set and just winning the second, and, while he took the next two and the match, the contest exhausted him not a little. The elder of the Englishmen, R. F. Doberty, had no opponent today, as L. H. Waldner, of Chicago, defaulted his match Saturday afternoon. It is believed tonight that in case Whitman wins tomorrow, he will withdraw at once and allow Larned to retain his title as champion without the challenge match being played.

TOM TRACEY'S GREAT RECORD. One of the World's Famous Fighters Lives in Portland.

One of the greatest fighters of the age is living in Portland today, but the aporting public is slow to appreciate his mer-its. The fighter is no other than the Australian welter-weight, Tom Tracey. When it comes to prize-ring wonders, Tracey stands in the same class with the mighty Fitzsimmons, whose doings have astonished the sporting world for more than a decade.

Like the wonderful Cornishman, Tracey

is always tackling some big huskey, twice his size, and is willing to try conclusions with anybody that comes along. His recent fight with Tom Reilly serves as an illustration of the customary disadvant-ages under which Tracey fights his battles. Rellly weighed about 100 pounds at the ringside, while the Australian welterweight tipped the beam at 142 Rellly trained down to 145, or even 150 pounds. Tracey would doubtless have hammered him to pieces in no time at all. The same disadvantage as to weight has characterized nine-tenths of the ring battles in which Tracey has been He never steps into the gaged. weighing more than 142 pounds, and there

are few men in the country who care to fight him at that figure.

Tracey is today white weiter-weight champion of the world, the only man who stands between him and the absolute championship being Joe Walcott, the "coon." Tracey is willing and anxious to meet Walcott and, as he has already fought a draw with him, another match would prove interesting. Tom says that he is getting too old to fight many more battles, but he is perfectly willing to take on Walcott at any time.

Tracey was born in Australia in 1870. His pugliistic career began when he was but 15 years old, his first fight being a bare-fisted affair with Tom Fian. for a SHENANDOAH, Pa., Aug. 25.—After purse of £40. It was a field fight and was soon spied by the police, who put an end to the affair and cautioned the lads never to fight again. In his first ring fight, which occurred in 1886, Tracey was beaten by Alex Rogers, the welter-weight champion of Australia. Rogers was the heavier by 15 pounds, but little Tom kept him guessing all the way through and prevented a knockout. After that Tracey stock begon to rise, and the clever lad won 10 consecutive victories, all from men who outweighed him. Before leav-ing Australia, Tracey won 47 victories, fought one draw, and suffered but two

Ambitions to see something of the world, the promising welter-weight set out for America, arriving at San Fran-cisco in January, 1892. His first victories in this country were over Tom Kavan-augh and Billy Gallagher. Then he journeyed on to New York City, where he met and whipped all the famous welter-weights of the once famous Bowery gang. Among those who went down to defeat were Jerry Barnett and Mike Harris. A fierce battle with Tommy Ryan was stopped by the police in the eighth round, with Ryan all but out. Tracey then crossed the Atlantic and landed in London don, where it took him just 35 seconds to put Tom Williams out of business. Ted White's turn came next, and he fared better, lasting four rounds to a knockout. This occurred in 1896. The popular young boxer then returned to America and fought a draw with Joe

Since that time Tracey has been a familiar figure in the American prize-ring. He has defeated Harry Fisher, George Green, Frank McConnel, Fred Muller, Jim Ryan, Rube Ferns, Tom Rellly and many others. Only a few have dared to meet Tracey at 142 pounds. While the Australian's offensive work is

good, his defensive qualities are far above the average. He is one of the cleverest dodgers that ever set foot in the ring, and his footwork is almost perfect. His long sult is in-fighting, at which Detroit he is unexcelled. It may truthfully be said that Tom Tracey is a Fitzsimmons of the lighter ring.

THE COMING FUTURITY.

Bitterly Contested Race Promised at Sheepshead Bay.

NEW YORK, Aug. 25.-When the bugle calls the horses to the post for the fourth race at Sheepshead Bay on Saturday, it will have been just 15 years since the late. Sam Bryant brought Proctor Knott, the long and lanky son of Luke Blackburn, out of the West and won the Fu-turity race, by far the richest turf event in America. That it has lost none of its popularity with horsemed is proved by the number of prospective starters this year, which is estimated at 30 head, near-ly twice the number of the field in the inaugural dash. Should 30 horses start, the race will be worth \$59,590. Of this amount \$44,440 goes to the winner. The remaining \$15,000 will be divided up be tween the owners of the second and third horses and the breeders of the three

The struggle for these prizes promises to be the most bitterly contested one since the day Proctor Knott won. In years past some colt or filly has demon-strated before the race his or her superi. ority over rivals and the result has been practically assured, barring an accident. This year that condition is missing. Every jockey in the East and some now in the West, who can ride at all well, will be pressed into service for the Futurity. has been stated that the Keene trainer may exact five 2-year-olds in this race, August Belmont three and other owners two each. It will be the first time in a number of years that the race will be Following is a list of 2-year-oids, most of which are considered likely to start: Invincible, Albemarie stable 11 Fire Eater, A. Belmont (Bullman). 12 Lord of the Vale, A. Belmont (Doggett). 11 River Pirate. J. E. Madden (Bedfera). 12 Africander, Demil & Dwyer (McCue). 11 Salvable, J. A. Drake (Kyne). 11 Hurstburne, J. Felschmann (J. Martin). 12 Sovereign, D. Gideon (L. Smith). 12 Teedry Mac, J. B. Haggin 11 Sir Voorbees, J. B. Haggin 11 Sir Voorbees, J. B. Haggin 11 Sir Voorbees, J. B. Keene (Brennan). 11 Dazziling, J. R. Keene (Brennan). 11 Hurst Park, J. R. and F. P. Keerle (Spen cer).

THE DAY'S RACES.

ord-Breaking Carnival. PROVIDENCE, R. I., Aug. 25.—The track at Narragansett Park was lightning fast this afternoon, and the grand circuit opened with a carnival of record breaking. Hurst Fark, J. R. and F. P. Keenb (Spencer)

Sir Lancelot, J. R. and F. P. Keene (Rice). 119

Sir Lancelot, J. R. and F. P. Keene (Rice). 117

Dalesman, J. R. and F. P. Keene (Rean). 125

Whitechapei, J. R. and F. P. Keene (East). 125

Golden Maximum, J. P. Kramer. 119

Griando, T. P. Hayes. 117

Skillful, C. R. Ellison (Landry). 125

Merican, R. T. Wilson, Jr. 127

Irish Lad, Whitney & Duryea (N. Turner). 130

Aceful, Whitney & Duryea (N. Turner). 130

Aceful, Whitney & Duryea (O'Connor). 120

Merry Reel, J. E. Madden (Cochran). 114

Onatas, J. W. Schorr, 119

Payne, W. C. Whitney (T. Burns). 122

Blue Ribbon, S. S. Brown (Odom). 119

Eugene Bush, Mrs. L. Curtis. 123

Merry Acrobat, P. J. Deyer. 117

Mesmer, A. Featherstone. 117

Mamile Worth, Jacob Worth 116

The current race meeting at Saratoga will be brought to a close Thursday. Every heat-winner broke its record. To-morrow will be the great day for the Park Brewing stakes of \$19,000 for 2:10 pacers.

CHICAGO, Aug. 25.—Chicago defeated Boston today in a very loosely played 12-inning contest, in which every run. excepting one, resulted from errors and bases on balls. The work of both catchbases on balls. The work of both catchers and Kling's batting were the features. RHE RHE Chicago 5 10 5 Boston 4 8 3

Cincinnati, 3; Philadelphia, 2. CINCINNATI, Aug. 25.-Cincinnati de feated Philadelphia today in a close and interesting game. Both pitchers were in fine form and pitched good ball. Dooin's wild throw in the first inning gave the locals their first run. Attendance, 2009.

Batteries-Lundgren and Kling; Eason and Moran. Umpires-Cantilion and Lath-

NATIONAL LEAGUE

Chicago, 5; Boston, 4.

Cincinnati 3 8 2 Philadelphia .. 2 8 1 Batteries-Hahn and Bergen; White and Dooin. Umpires-O'Day and Brown.

Pittsburg, 8; Brooklyn, 6. PITTSBURG, Aug. 25.—Brooklyn put up a very poor battle and practically lost the game in the first inning with three errors, in addition to Pittsburg's six hits. Tannehill let up in the ninth and four hits were made off him, three of them three-baggers. / Attendance, 1900. RHE RHE RHE Batteries-Tannehill and Zimmer, Kitson and Latimer. Umptre-Irwin.

AMERICAN LEAGUE.

Washington, 8-10; Detroit, 6-7. WASHINGTON, Aug. 25.-Washington won two uninteresting games from De-troit today. Bunched hits won the first game in the first inning. Mullin was bat-ted hard in the second game, three singies, a double and a home run scoring the winning tallies. Attendance, 3911.

First game-RHE RHE Washington . 8 7 4 Detroit 6 13 3 Batteries-Carrick and Drill; Yeager and McGuire.

RHE RHE RHE Washington .10 16 5 Detroit 7 7 2 Batteries-Orth and Clarke; Mullins and

Baltimore, 21; Chicago, 6. BALTIMORE, Aug. 25.—The Baltimore American League club beat its own batting record this afternoon against the Chicago team by making 25 assorted hits. Griffiths gave way to Leitner in the fifth and stopped the fuelllade for a time. Attendance, 1752. Score:

RHE Baltimore 21 25 0 Chicago 6 14 2 Batteries-Wiltse, Smith and Griffiths; Leitner and E. McFarland.

Boston, S: St. Louis, 0.

BOSTON, Aug. 25.-Freeman's home run practically defeated St. Louis in the first inning today, although Donahue was not batted freely until the eighth. St. Louis' batting was weak. Score:

R H E: ... 8 8 1 St. Louis ... Batteries-Dineen and Criger; Donahue

Philadelphia, 7; Cleveland, 3. PHILADELPHIA, Aug. 25.—The home team defeated Cleveland today by good hitting. Mitchell pitched a fine game and his support was faultless. Attendance, 7300. Score:

RHE RHE Cleveland 3 9 2 Philadelphia .7 11 8 Batteries-Joss and Bemis; Mitchell and

Western League Scores. At Peorla-Peorla, 0; Milwaukee, 10. At Des Moines-Des Moines-Denver game postponed. Rain. At St. Joseph-Kansas City, 8; St. Jo. At Omaha-Omaha-Colorado Springs

game postponed. Rain. STANDING OF THE CLUBS.

National League. Brooklyn Beston



Twelve-Mile Swim.

NEW YORK, Aug. M.-Herman Deutz has succeeded in swimming from the Battery to Coney Island, a distance of 12 miles, in 7½ hours. He was so completely exhausted when he reached the pler that he dropped unconscious on the beach. Restoratives were administered and he revived sufficiently to start for home after a few hours' rest. Deuts was one of seven members of the volunteer

run over the full six furiongs, at which clai,)-The Spokane league baseball team played the local team here today and won the game—score, 6 to 4. The league play-ers were whitewashed in six of the in-nings, and the locals in seven of them. The visitors played but little better than did the local team, which is one of the best in the state. best in the state.

Grand Circuit Meet Opens With Rec-

morrow will be the great day for the Park Stewing stakes of \$19,000 for \$2,10 pacers. Summary:

2:20 class pace, purse \$2500—Gold Brick won the first, third and fifth heats in \$1,2554, \$2,10, \$2,1104; Dandy Chimes won the second and fourth heats in \$2,974, \$2,1084. Albert, King Charles, Dick Wilson, Free Advice, Deacon, Green Line, Fusey and Sister Hattie also started.

2:25 class, trotting, purse \$2500—Baron de Shay won three straight heats in \$2,124, \$2,1004, \$2,0584. Patchen Maid, Maxine, Zephyr, Katerinka G., Invadér, Betsy Tell, Oxford Chimes, The Quaker, Nanita and Alfred Starr also started.

2:36 class, pace, two in three, purse \$1000—Nathan Strauss won two straight heats in \$2,054, \$2,

Fair Association:
2:20 pacers, best three in five heats—
Sam Bowers won in three straight heats; best time, 2:15%. Daniel J. second.
2:20 trotters, best three in five heats—
Commonwealth won in three straight heats; best time, 2:18%. Mac Mac second.
Five furlongs, for non-winners—Quiz H won, Tourist second. Silver Cruz third:

May F D Shelton, Golden, Dellar holden, A G Hartholomew, do a depaid, was W F Siaughter, St N F Kimbail, Weiser R H Knox, St Helens May H McCartney, fow Mrs W H Fowell, do Mg H McCartney, fow Mrs W H Powell, do Mg H McCartney, fow Mrs W H Powell, do Mrs M J Bellinger, Council Mrs W M Barnett, Bluffa, Ia Wasco
J G Schneider, Osh-Rosh, Wis Lotta V Jones, Wash
Lotta V Jones, Wash

time, 1:02.

won, Tourist second, Silver Cruz third:
time, 1-02.
Six furlongs, for non-winners—Gypsy
Boy won, Quibo second, Irate third; time,
1:10.
Seven furlongs, weight for age—Recin
won, Merengo second, William F. third;
time, 1:294.
Following are the entries for tomorrow's races:
2:10 pacers, one mile heats, three in five
—Martha Whips, Kittitas, Ranger
Pathmark, Fannie Putnam, Buford,
Debut stake for 2-year-old pacers, best
two in three—San Toy or Lettle B., Red
Lon or Lea Bird, Jack Stewart, Del
Norte, Bessie L.
Six furiongs, for 3-year-olds — Phyz.
Escarola, J. H. Bennett, Iras, Lady
Myrtle.
Mile and an eighth — La Borgia, Dr.
Marks, Dance Along, Royalty, Platonius,
Bernadilla, Forest King, Sallor, Gibraitar,
Seven furiongs, for non-winners—Ulm
Junot, Spindle, Louweise, Mr. Heppner,
Winnie, Idaho Chief, Alado Knocking,
Granger, Irate, Reciprocity, Ella Depoy,
Morengo.

Races at Butte.

BUTTE, Mont, Aug, E.—Results:
Selling, 6ve furiongs—Yankee Lass won,
Lady Ordnance second, Belle of Natchez
third; time, 1:029.
Purse, seven furiongs — Kohnwreath
won, February second, Katle Walcott

J. F. Samnei, Dayton, Mr. Stern, Mingo, Dayton, dayton, day Mr. Stern, Mingo, Mr. Stern, Mingo, Dayton, day Periode, do
Mr. B. C. Murdock, do
Mr. B. Churded, do
Mr. B. Churded, do
Mr. A. Writer, Frain, Mr. B. W. Harming, Paditaton, day
Mr. W. Y. Sunne, U. W. J. Hemingway, Vige of
Mr. B. W. W. W. J. Hemingway, Vige of
Mr. S. M. W. W. J. Hemingway, Vige of
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Mr. S. W. W. W. J. Hemingw Purse, seven furlongs - Kohnwreath won, February second, Katle Walcott third; time, 1:28,

· Purse, mile and 40 yards — Virgie d'Or won, Frank Woods second, Kenova third; tlme, 1:43 %. Selling, six furlongs—Florinel II won, Cora Goetz second. The Scot third; time,

THE ST. CHARLES.

Jesse Garner, Lyle
Jay Dawson, Chinook
F W Baller, Neb
A Stubbe, Clatskande
D B Gaurt, McMinny
R Haifpopp, Dalles
B Hubbard, Oak Pointi
Geo F Christianson,
Ritsville
D Norton, The Dalles
L Radick & w. Asto
W Hurnford, Toledo
D L Barth Salem
Win Meacham,
G G B Cornell, Vancev
F H Tilley, Downing
H Smith,
G B Body, city
W White,
G W W White,
G Albert Wilson,
G B Hudband,
G B G G B Cornell, Vancev
F H Tilley, Downing
H Smith,
G B B Cornell, Vancev
G B Cornell, Vancev
G C Maller & w.
Win Creviston,
G J Houser, Pendleton
M R Potta, Seaside
J Gerber,
G W Luce,
G W Luce,
G W Luce,
G J Johnson, Astoria
H Williamson & fam,
B Roomfield, Ia
D L Burchett & w, do Lester Sprague, Kelso
C Hunter, Westport One mile-Agnicia won, July Gyp second, Homestake third; time, 1:43½. Selling, three furlongs - Populist won (equalling world's record), Abba L. sec-ond, Tommy Tucker third; time 6:34.

SARATOGA, N. Y., Aug. 25 .- Summary: Selling, stx furlongs — Sadduccee won, Sen Howard second, Setauket third; RHE time, 1:13 4-5.

Selling, steeplechase, about two miles-Victor won. Zyno second, Gallahad, third; time, 4:24. Kentucky stakes, 5½ furlongs — Lady Albercraft won, Wild Thyme second, Stamping Ground third; time, 1:96 1-5. Selling, one mile - Clonmell won, The mazon second, Huntressa third; time,

Maidens, 54 furlongs - Forward won, Virgin Soil second, Oegood third; time, Handicap, mile and a furlong—Cunard won, Baron Pepper second, Red Path third; time, 1:52 1-5.

Ruces at Hawthorne. CHICAGO, Aug. 25.-Hawthorne Sum-

Mile and 70 yards-Allene Abbot won. Reseda second, Filibuster third; time, Five and a half furlongs-Linguist won. Aurevoir second, Adios third; time, 1:08%. Steeplechase, short course — Ada S. G. won, Meddler second, Mazo third; time,

The Iroquole handicap, one mile-Bor Mot won, Wain A. Moinen second, Har-sis third; time, 1/39%. Seven furlongs, handleap — Rose Tree won, Alard second, Constellator third; won, Alard second, Constellator third; time, 1:271/2. Mile and 70 yards—Frank M. won, The Caxton second, Kylo third; time, 1:46%.

Races at Kinloch Park.

ST. LOUIS, Aug. 26.-Kinloch Park reauits: Selling, six furlongs - Likeness won, Terraline second, Blue Blaze third; time,

Selling, five furlongs Kings Lady won, Agnes Mack second, Marchiness third; time, 1:00%. Seiling, mile and an eighth - Nettie Regent won, Blue Mint second, Josie F. third; time 1:54%. The Lemp handicap, purse \$1000, six furlongs-Brigadier won, Maber ond, Bummer third; time, 1:13.

> AT THE HOTELS. THE PORTLAND.

beach. Hestoratives were administered and he revived sufficiently to start for home after a few hours rest. Deuts was one of seven members of the volunteer life-saving corps who entered in a swimming contest from the Battery to Coney Island. Several harbor tugs and launches accompanied the swimmers.

When off Bath Beach, Deutz asked for a stimulant. While he drank it he supported himself on the boat. For this reason a protest was made by the other contestants.

Baseball at.Chehalis.

CHEHALIS, Wash., Aug. 25.—Chehalis won the baseball game yesterday from the Eighth Battery team; score, El to 6.

LaFlombols pitched for Chehalis and Connard for the Battery. The latter weakened in the eighth linning and allowed a three-bagger a two-base hit and four singles, which netted seven runs. The soldiers won from Centralia Saturday, Il to 4. The Chehalis team is to play in Aberdeen the last four days of this week.

Wail Defeats Ten Eyek.

BALTIMORE, Aug. 25.—Harry Vail, of Cambridge, Mass., defeated James A. Ten Eyek, of Worcester, today in their two-mile single sculi race on the Patapsco for a purse of 1900 and a side bet. Vail won easily by two lengths. No time was taken.

Spokane Team at Eliensburg.

ELLENSBURG, Wash., Aug. 25.—(8pe-

S H Gowdy, Detroit | Louis Kuysfer, N Y W A Prny, N Y A Borg, N Y Mrs Prny & maid, do H J Gregory & w, Det J H Carr, Altoona, Pa Annis Myers, Tivoli P G Drunmichfi, Minn Mrs W H Henry & C T Goodrich & w, N Y daughter, Duluth Mrs H Simons, Brwns G C Goodrich, N Y H M Carruthers, N Y A B Gardner, wife and w H Seott, N T H C Williamson, Davr B Werner | W C D Ribbins, Spokane Mrs Davisson, Chicago F E Sellers, Chicago Mrs Davisson, Chicago F E Sellers, Chol Hills P B Clopton, Pendletn W Bottons, do Mrn Clopton & c, do C E De Camp, Los A F P Kendall & w, S F J E Boil, U S A G K Wentworth, Chap Miss E Stebbins, do THE PERKINS. PIANOS TO BE PROUD OF

THE PERKINS.

THE IMPERIAL

THE ST. CHARLES.

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ou. It is facts that we all want. It is facts that make us or it is facts that make us proud of our anos-the same facts, too, that in turn ake OUR PATRONS proud of THEIR

pianos.

The indisputable fact about our celebrated Chickering, of Boston, is that it is made by the oidest established piano factory in the United States. It has always stood for the best in piano construction, and consequently for over three-quarters of a century it has been acknowledged the leading plano of the world

panes.

We are just as proud of it.

For over 30 years its makers have tolled, planned, invented, almost slaved, to make this great piano superiative from the standpoint of tone. They made a brilliant, a most notable

generally admit that from the that pure, rich, sympathetic quality tone, the Weber unquestionably stands one. And the Weber wears; it is practically indestructible

Naturally we are proud of it. Another of our leaders is the now fa-mous Kimball, of Chicago. We are proud of it because, of the many hundreds of planes exhibited at the World's Fair at Chicago, it took highest honors. And again the gold medal was awarded it at

In and possible to produce a more it is not possible to produce a more serfect instrument than the Kimball. Art-science and music find their perfect com-

science and music find their perfect com-bination in this great plano.
Naturally, again, we are proud of it.
Any one of these great pinnos would grace your home. It would be a thing of beauty and a continual joy—an instru-ment that you could exhibit to your friends with just pride.
In addition to these great planos we have about 25 other leading American makes, comprising from 209 to 350 instruments—by far the largest stock of any plano house in the West.
It is possible for us to suit every taste,

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Adena
Aden Mrs R W Bryan, Pas- E Baruno, Astoria

Hotel Brunswick, Seattle.

Tacoma Hotel, Tac American plan. Rates, \$3 and up, Hotel Donnelly, Tacoma.

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There is a certain cure for these dis-cases without resorting to those unpleas-ant and painful methods still used by many, which aggravate, rather than give relief. With the same certainty us that of a perfect diagnosis, I adapt my special French treatment to the radical cure of Stricture, Prostatis, Inflammation of the Bladder,

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EXAMINATIONS FREE

THE DISEASE.—An enlargement of the veins surrounding the spermatic cord, a twisted, knotted, wormy-like or swollen appearance of the scrotum. The CAUSE—Sometimes self-pollution, but often blows, falls, strains, excessive horseback or bicycle-riding.

THE EFFECT—At times a dull, heavy, dragging pain in small of back, attending down through loins into the parts, low spirits, weakness of body and brain, nervous debility, partial or complete loss of sexual power and often tailure of general health.

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I also cure to stay cured forever, Stricture, Syphilitic Biood Polson, Im-

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If you cannot call at my office, write me your symptoms fully. My home treatment by correspondence is always successful. My counsel is free and sacredly confidential, and I give each patient a legal contract in writing to hold for my promise. Address

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