NEW BOARD WINS

Port of Portland Bill of 1903 Held to Be Valid.

TITLE OF ACT IS SUFFICIENT

Supneme Court Says Error in Punc tuation or Uncertainties Which Can Be Removed Will Not Invalidate an Act.

Punctuation marks are no part of a statute and do not control in ascertaining the real meaning of an act. The title of an amendatory act it

sufficient if it indicates with reas able certainty the act to be amended. These are the principles laid down by the Supreme Court in affirming the validity of the act of 1903 appointing the new Port of Portland Commission. In an action for damages by a holder under the Washington stitute, where the logs subject to lien have been removed to Oregon and sawed into lumber, the right of action ac crued when the logs were removed and

Divorce will not be granted to a person who violates the marriage laws.

not when they were sawed.

SALEM, Or., July 6 .- (Special.)-The Supreme Court today handed down decisions in three appealed cases, among them the Port of Portland case, in which the decision of the Circuit Court is affirmed. This decision upholds the validity of the act of 1960, reorganizing the Port of Portland Commisis

Swigert vs. Bangeld.

State of Oregon, on relation of C. F. Swigert, John Driscoll, C. F. Adams, Archie Pease, E. W. Spencer, P. L. Willis and G. B. Thomas, respondents, va M. C. Banfield, Ellis G. Hughes, John Mc-Craken, Ben Selling and Alfred Tucker, appellants, from Multnomah County, udges Arthur L. Frazer, Alfred F. Sears, r., and John B. Cleiand, en banc; affirmed. Opinion by Justice Wolverton.

This was a proceeding to determine whether the relators or the defendants are entitled to exercise the power and authority vested in the Board of Com-missioners of the Port of Portland. The questions involved relate to the struction and sufficiency of the ti the act of 1908, which purports to invest the relators with such power and author-ity. Since it has been held valid, this act displaces the defendants, who con-stituted the board under the laws exist-ing prior to the session of the last Legis-

Two objections were made to the sufficiency of the act of 1903: That it was void because it was designed to be amendatory of the act of 1899, which had theretofore been repealed by the act of 1901, and that if designed to be amenda-tory in any respect of the act of 1901, it is void, because the latter act is not sufficlently described so as to indicate with reasonable certainty and definiteness that It is the act intended to be amended. Omitting much of the wording, the title of the act of 1968 is as follows:

An act to amend section 25 and section 28 of an act entitled an act to revise and amend an act entitled "An act to establish and incorporate the Port of Portland" . . . and approved February 18. 1899.

The trouble arose because, in drawing the act of 1903, the title of the act of 1901 was reproduced literally, quotation marks included, whereas the quotanarks should have been moved so as include all the words in the title of the act of 1961. The Supreme Court, af-ter quoting at more length the titles of the various acts, says:

"There is some confusion, caused, no doubt, by the inappropriate or inaccurate use of the quotation marks. If they had been so placed as to include the words, an act to revise and amend an act entitled,' at the beginning, and the words, 'and approved February 18, 1859,' at the conclusion of the title, there could have been no mistaking the purpose of the Legislature to amend the act of 1901." After showing that the wording of the act of 1903 indicates an intention to

1899, the opinion says: "Another feature rendering it impossible that reference could have been made to the act of 1899 is that it contains but eight sections corresponding in number to those stated by the bill; so that it is made absolutely certain that the present act was not intended to be amendatory of the act of 1899. Quotation marks are of punctuation and the punctuation of an act or its title is not controlling in construing it for the purpose of ascertaining its real meaning. The meaning is clear and we have only to readjust the quotation marks to re-

The second objection was based upon

nd the act of 1901 and not the act of

of any reference in the act of 1903 to the date of the passage or approval of the act of 1901 or any indica-tion of the place in any authorized publication of statutes where it could nd. The Supreme Court holds that reference to the law to be amended. or designation of it by which it can with reasonable certainty be determined what law is intended, is sufficient to meet the constitutional requirements. . . . Barring quotation marks, and perhaps some other punctuation, the title of the act of 1901 is exactly stated in the title of the on, so that there is no chance of mistaking the act designed to be amended. The public character of the lifferent acts relating to the Port of Portand will admit of the court taking judicial notice of their enactment (B. and

C. Comp., sec. 720). C. O. Bergman, respondent, vs. Inman Poulsen & Co., appellants, and Matti Makaranen, defendant, from Multnomati County, M. C. George, Judge; reversed. Opinion by Justice Bean.

This was an action to recover damages under a statute of the State of Washington. By the provisions of that statute every person performing labor upon saw-logs has a lien thereon, and any person who shall destroy, . . . render diffi-cult of identification, etc., shall be liable to the lien-holder for damages. The logs in question were cut in 1892 and the liens were filed October 1 of that year. The liens were later foreclosed and a decree red in March, 1893. While the lie sult was pending defendant purchased a part of the logs and removed them to Oregon, where they were sawed into lumber. On January 26, 1886, this action was brought against defendant to recover the damages alleged to have been sustained by reason of defendant's violation of the statutes of Washington, and the verdict

On appeal defendant assigns error of the lower court in refusing to instruct the jury that the statute of limitations is a har to recovery for all logs removed to this state prior to January 27, 1893. The Supreme court holds that the plaintiff's right of action accrued when the logs were removed from the jurisdiction of Washington courts, and not when they were sawed into lumber, and that plaintiff is therefore barred from recovering for logs taken from the State of Washington more than six years prior to the commencement of this action. Other er-

rors were alleged, but not sustained. The

Graham vs. Merchant.

R. A. Graham, respondent, vs. C. H. Merchant, appellant, from Coos County, J. W. Hamilton, Judge; affirshed on con-dition. Opinion by Chief Justice Moore. This was an action to recover mone; paid by plaintiff on a contract which he sought by this action to rescind in con-nequence of defendant's alleged abandon-ment thereof. The jury in the court be-low found for plaintiff in the sum of \$5,700.55. After a detailed review of the pleadings the Supreme Court arrives at the conclusion that this is \$2342.17 in exthe conclusion that this is \$2342.17 in ex-cess of the sum due plaintiff, according to his theory of the case, and it is or-dered that unless plaintiff remits that much of the judgment within ten days the case shall be reversed and remanded

Earle vs. Earle. Lou L. Earle, appellant, va Sylvester Z. Earle, respondent, from Coos County, J. W. Hamilton, Judge; affirmed. Opinion

for new trial.

per curlam. This was a suit for divorce. The defend ant did not appear, but the court below re fused a divorce because the evidence pro luced by the District Attorney discloses that ever since defendant deserted her plaintiff has been a keeper of a house of . The Supreme Court affirms this "for the obvious reason that the law forbids redress to the plaintiff who is in equal default with the defendant and helps those who obey it and not those who violate it."

Motion to dismiss the appeal in the case of Backhaus vs. Buell was overruled, Justice Wolverton laying down the rule that appellant is required to bring to the Supreme Court only so much of the record as will present the errors upon which he relies for reversal. If respondent wishes to present other questions upon his part in defense of the appeal, he must supply the record.

CANNOT GARNISH OFFICIALS.

Judge Burnett Knocks Out Kny Lav

Repealing Exemption Clause. SALEM, Or., July 6 .- (Special.) - Circu Judge George H. Burnett today rendered a decision holding that public officers are not liable to be made parties to garnishment proceedings. This decision is based upon the rule that affirmative legislation cannot be effected by the repeal of a negative statute. The Legislature therefore failed in its purpose when it tried to make money in the hands of public officials subject to garnishment for debts due from public employes.

The decision was rendered in the cas

of Strayer vs. Hayden. The defendant is of Strayer vs. Hayden. The defendant is an employe at the penitentiary, and has \$150 due him. Strayer obtained a judg-ment against Hayden for 145, and then tried to attach a state warrant by serving garnishment papers upon Secretary of State Dunbar. The Attorney-General appeared for Mr. Dunbar and moved to dismiss the proceedings. In allowing the motion, Judge Burnett held that at com-mon law public officials are not subject to garnishment proceedings, and if they made liable, it must be by expre statutory enactment. Prior to 1908 put lic officials had been expressly exempted from liability to garnishment, and the re-peal of the exemption does not make them

The legislature of 1903 passed an act expressly making public officials liable to garnishment, but Governor Chamber-lain vetoed the bill, on the ground that it was in contravention to public policy. The bill could not be passed over the veto, but the second act, known as the Kay bill, repealing the exemption, was passed in its stead. The Governor filed the act without his signature, saying at the time that he did not believe it to be valid. Had he believed it to be operative. as intended, he would probably have vetoed it, as he did the first measure.

REPUBLIC WITH ENDURE.

Governor Morrison Delivers Oration at Payette Celebration. PAYETTE, Idaho, July 6.-(Special.)Governor Morrison was the principal
speaker at the Fourth of July celebration
here yesterday. In the course of his speech he said:

"We are a Nation of home-builders, There is scarcely a home in this broad land erected and cared for by a nativeborn American that has not its related home or homes in the East, the West, the are working out the perfection of re-publicanism. There is a silent, but very potent, force working in the homes throughout this broad land, unrecognized in the letter of the Constitution, yet a power which holds this great Nation in place and which is gradually growing and broadening in influence, lifting and elevating our citizenship to higher planes of usefulness and silently yet surely solving the problem of government. It is no new force. It was present at the first organization of society and has been the power behind the throne among all nations and people. The American citizen ought to be a thorough student of politics, f. e., the science of the state and citizenship. It is not all of citizenship simply to live in and enjoy the benefits of the country. There must be an in-telligent study of all the questions that affect the people and the disposition to act honestly on convictions produced by such study. A slight analysis of Ame ican citizenship will render apparent an evil that obtains in this respect. We are becoming a nation of political sine-cures. Current discussion, political methods, social customs and private individual acts prove the assertion. is not peculiar to party. It is not sec-tional. It is an abuse of citizenship. Rome was a mighty empire, but it was prostrated largely by the abuse of citizenship, Citizenship with us to a great extent means political emoluments or private indifference. Our Government may not endure, but I believe it will. Our plan of government has gone through the fiery furnace of foreign and civil war and come out purified and made stronger. Poharmful legislation have been arrayed against our plan, yet the government has been preserved and today stands the greatest monument civilization has erect ed. Let the political pessimists who criti cise our Government as a failure stand aside. They have turned state's evidence, confessed their own guilt and accused us of causing a failure, for, know ye, fellow

pable of governing ourselves. Oh, ye kings! listen to a truth which ye can Oh, ye never hear too often and which sophists pretend to doubt: There is no liberty without virtue, and no virtue without the The exercises were attended by a large audience, A. B. Moss being president and Peter Pence marshal. The city band gave a concert on the schoolhouse grounds, the

citizens, that we are the government, are all kings, and if our Government is a

failure, then are we failures and inca-

choral society sang patriotic songs, and Miss Mabel Ireton read the Declaration of Independence, An 800-yard horserace of Independence, An 800-yard horserace was won by W. A. Ayers' horse and a ball game was won by the Huntington team by 14 to 12. Company I of the National Guard had a sham battle in imita tion of the battle of San Juan hill.

ROBBED OF CASH AND BUGGY. Highwaymen Force Couple to Walk Instead of Riding.

HOQUIAM, Wasif, July 6.—(Special.)— Two masked highwaymen held up a couple driving to Aberdeen on the Aberdeen-Hoquiam road this morning and se-cured \$0. They made the occupants get out of the buggy, and then drove it back to Aberdeen, where they left it on a side street. The persons robbed would not give their names.

Have you friends coming from the East? If so, send their names to the Denver & Rio Grande office, 12s Third street, Port-land, Or.

GAMBLING IS THE ISSUE

CIVIC LEAGUE OF BOISE INDORSES HAWLEY FOR MAYOR.

Democratic Candidate Has Declared Himself, but Pinney, Republican, Has Not.

BOISE, Idaho, July 6.—(Special.)—Today the Civic League indorsed J. H. Hawley for the Mayoralty. Mr. Hawley is the Democratic and Labor candidate, his Re-publican opponent being James A. Pinney. The league, after having the matter in the hands of a committee several days, found that the moral interests for which it stands will be safer in the hands of Mr. Hawley than in those of his oppo-nent. The particular issue is that of maintaining suppression of gambling. It is claimed that Mr. Pinney has pledged, directly or indirectly, to permit the gam-blers to operate. That element took a us part in his nomination and unanimously working for his election Mr. Hawley has given a pledge to the league to keep vice in suppression, and has published a card to the same effect Mr. Pinney has likewise issued a card through the papers in which he pledges himself to enforce all laws, but does not name the specific statute which it is spe-

daily desired shall be enforced.

The league indorsed five of the 12 Republican candidates for Aldermen, two Union Labor candidates, one Union Labor indorsed by the Democrats and two straight Democrats. No choice was exed on Treasurer.

HAD FORGOTTEN FIRST WIFE. Viola Simon Admits Her Supposed New Bid for State Institutions Show

Husband Is Insane. SAN FRANCISCO, July 6.-Pretty Viola Simon returned sorrowing yesterday from her honeymoon. On June 12 in this city she married Lieutenant William K. Mc-Cue, of the First Infantry, United States Army, after an acquaintance of six days, and less than two weeks later, on her wedding tour in Chicago, she found him to be a bigamist. She had given her hand and heart to a madman with a nania for forgetting.

It was a month ago yesterday that sh met the dashing officer with the clear eyes and ringing laugh that gave no trace of the fever that burned within his brain, and in these 30 days she had lived a woman's lifetime. In one week she had her romance, in the second her honeymoon, in the third her time of trial, and yesterday she came home carrying her soldier's sword in her hand, with his medal won in Samar pinned to her breast, and with her eyes filled with tears.

"Take my sword and my medal with you," had been almost the last words of the officer. "No matter what they say, you are my wife. I am not mad, I am not married; it is all a lie."

But the girl knows better, and her heart is widowed because the burning sun and the lonely vigils in the Philippines scorched the brain spot where lived the memory of William K. McCue. Viola Simon is only 18 years, and is as brave as she is pretty. When she told her story she tried desperately to hide the sorrow in her life, but the laugh will grow hysterical and the dark eyes will fill with tears when she speaks of the man who is held a prisoner at Sher-

"Ida Westcott is his wife," she said, "and there can be no doubt about that; but he cared for me and was insane and had forgotten that he ever married her. Three days after we arrived in Chicago he invited Lieutenant Beecham, who had mpanied him to Cuba and knew his wife, who was with him there, to dine with us. "It will be a nice surprise for Beecham," he said. "He don't know that his old chum has a wife."
"On this one subject he is insane be-

rond a doubt, but on all others he is perfectly rational. He was more than kind to me, and is a gentleman of the finest type. I became the victim through his type. I became the victim through his misfortune, and nothing else. If he had been sane this thing would never happened. At the hos Wednesday when I left he be have pital came quite violent and kept calling aloud

was excited.
"As far as I am concerned, there will for bigamy, and I be no prosecution for bigamy, and I think that his wife will not trouble him. The matter now rests entirely with the Army authorities.'

TROOPS FOR VANCOUVER.

Two Battallons of Mineteenth Com-

ing Instead of Tenth Infantry. VANCOUVER BARRACKS, Wash., July 6.—(Special.)—The Tenth Infantry will not be stationed at Vancouver Barracks upon its return from the Philippines in October, as was at first ordered, late orders having been received from the War Department assigning the entire Nineteenth Infantry to the Department of the Columbia, with two battallons, headquarters and band to be stationed at Vancouver Barracks. Only the first battalion is at present at the barracks, the second now being encamped at the Presidio, California, and the third is divided between Fort Wright and Fort Lawton. Preparations are now being made for the change of station of the Second Battallon, which is expected to reach Vancouver Barracks by July 18. Contract Surgeon C. O. Wood, who has just returned from a long tour of serv-ice in the Philippines, arrived from the Presidio last week, having been assigned to duty at Vancouver Barracks. Contract Surgeon Jerrold arrived at Vancouver Barracks from Fort Gibbon, Alaska, and, having reported to the Chief was granted a two months'

BOYS WRECK TRAIN. Neglected by Their Father, They Be-

come Young Desperadoes. PENDLETON, Or., July 6,—Sheriff Tell Taylor has in his custody at the County Jall Wallace and Olace, two small boys, aged 8 and 11, who are charged with attempted train-wrecking. The boys have been living in the coun try near Wallula with their father, their mother having died several years ago. The boye have had no training at all and a good part of the time have been left entirely alone for days at a time while the father was away at work. Lately the boys have been amusing themselves putting spikes, railroad boits and nuts on the track to see the engine "buck." They say it was great fun and didn't know it was wrong.

The company superintendent has been wondering for some time what caused the trouble at this point, and at last set a man to watch, with the result that the boys were detected, and have been put in the care of Sheriff Taylor until some dis position can be made of them. They will probably be sent to the Boys' and Giris' Aid Society or the Reform School. They were quite a sight before they were taken to the barber and given a bath and hair-cut, as they looked more like animals than children.

HIS CANOE IS SWAMPED. Roscoe Cassell Drowned While

Crossing the Nehalem River, ASTORIA, Or., July 6.—Roscoe Cassell, 25 years of age, a clerk in the First National Bank, and one of the most popular young men in Astoria, was drowned in the Nebalem River at Jewell last evening. Returning from a day's fishing, he was crossing the river in an old cance, which swamped, throwing Cassell and a companion, Guy Prescott, into the river. Prescott reached shore, but Cassell, who

was unable to swim, was drowned. His body was recovered and brought to this city this morning. His father is in the Roseburg Soldiers' Home, and he was the sole support of his mother.

FATAL BLAZE AT OAKLAND.

Iwo Hotels Destroyed, Firemer Burned to Death and Two Injured. OAKLAND, July 6.—Steps have already been taken to raise a relief fund for the benefit of the firemen injured during the big fire here yesterday. A number of citizens held an informal meeting yesterday and a committee was given power to proceed in the matter of raising funds.

The fire was one of the fiercest that the local fire department has had to do battle with in many months. The total damage is estimated roughly at \$75,000. and that there was not a great loss of life

is little less than miraculous.

The Arcata House, a three-story frame structure, formerly the old Mission House on San Pablo avenue, was totally de-stroyed. The big-four-story brick directly back of the Arcata and occupied as the Waldorf Hotel was completely rulned, and in each instance the stores on the ground floors were almost completely de-Frank Parker, extraman of Engine

Company No. 3, while working at the fire, was burned to death, and A. A. Licotte, foreman of the same company, and D. J. Barr, also an extraman, are temporarily insane from injuries and the shock attending their heroic attempt to rescue their comrade. Parker.

also feared that Mr. and Mrs. W Winner, who were lodgers at the cata, have fallen victims to the flames. Mrs. W. R. Mietz, a sister of Winner, reports that she has searched for her brother and sister-in-law, but has failed to

SAVE MONEY ON LIGHTING,

Great Reduction. SALEM, Or., July 6.—(Special.)—The State Board of Capitol Building Commissioners opened bids today for electric lighting for the state institutions located here—the Statehouse, prison, asylum, and blind school. Only one bid was presented, that of the Salem Light & Traction Company, which holds the presented. Traction Company, which holds the pres-ent contract. The proposals were for either meter or flat-rate payments for all or part of the institutions, and for four or ten years, so that the terms offered are not easily stated, but members of the

30 per cent less than the state has bee The different plans proposed will be submitted to the State Engineer, C. C. Lewis, who will advise the board which plan of lighting is most advantageous to the state. The state owns a 150-horsepower water right at the penitentiary, which can be used for about half the lighting if found advisable. Under the new con-tract the state will save some \$4000 a year.

board say that the rates offered are about

CONVICTED ON FALSE EVIDENCE. Governor McBride Promises Pardon

to Convict from Seattle. OLYMPIA, Wash., July 6 .- (Special.)-Governor McBride this afternoon gave a hearing to applicants for the pardon of George Emanuel, who was sentenced to the state penitentiary February 3, 1903, in King County for eight years for burgary. Emanuel was convicted of burglar on an information sworn out by Mrs. R. E. Norton, whose residence in Madrona Park, Seattle, was entered. Emanuel was sent to the penitentiary from Pierce County February 12, 1899, under the name of George Monroe. He was up for burg-lary for five years, and with good time secured his discharge September 12, 1902, Statements are on file with the Gov-ernor signed by the entire jury which convicted the man, and also by the trial Judge, William E. Bell, to the effect that if testimony unknown to exist had been brought out in the trial the man would never have been convicted. The parties appearing for Emanuel were assured by the Governor that the pardon would be granted.

PICKPOCKET CAUGHT IN ACT. Equipped With Blade Concealed in

Ring, She Cuts Pockets. home or homes in the East, the West, the North or the South. Ties of kindred and affection unite the hearth from the Atlantic to the Pacific. In these homes I lantic to the Pacific. In these homes I had. The doctors made me leave had. The doctors made me leave he ever had. The doctors made me leave the corner of Second and Washington of this hour, the hid-THE DALLES, Or., July 6 .- (Special.)hand was a broad, thick ring, in which was set a small knife blade, sharp as a razor, with which she could slit a pocket or garment with little difficulty. Three persons had notified the city offi-

cials of cut clothing or purses.

When arrested the woman gave her name as Mrs. Karrick, of New York City, and further than that declined to talk.

A search of her room at a local hotel disclosed nothing to arouse suspicion, except a large collection of silver spoons of different marks and manufacture,

NO SITE FOR RESERVOIR. Difficulties of Water Storage

La Grande Forest Reserve. WALLA WALLA Wash. July 6-(Spe cial.)—W. H. B. Kent, Government Forest Reserve Inspector, is here tonight after viewing the Washington portion of the La Grande forest reserve. His search for a possible reservoir site was unsuccessful, and he will have to return Narrow gorges prevent suitable sites. Mr. Kent found reforestation taking place rapidly, and says the reserve, if properly cared for by the Government, would soon be retimbered. He reports having found the people of Asotin, Columbia and Garfield Countles pretty unani-mous in favor of the reserve, while those of Wallowa County, in Oregon, he found

against it. Flaw in Law Saves Criminals. OLYMPIA, Wash., July 6.-A flaw has been discovered which will probably render of no effect a portion of the act re-lating to habitual criminals passed by the last Washington Legislature. The law in question is known as the cumulative sentence act, and was designed to give the courts authority to add extra pu ishment to criminals who were found guilty of grand larceny or petit larceny when proof of previous conviction could be produced by the Prosecuting Attorney. The court was given liberty to double or even triple the punishment. to state in the title of the bill that mismeanors were included under its The defect has been called to the attention of a number of competent law-yers, who agree that it is serious enough to render part of the statute without effect. That part which is defective is really the most important, as it was intended to clear the state of criminals who constantly repeat petty offenses in order to get the counties to care for them when the Winter comes on. The law was odeled after the California law on the same subject, and similar laws in many

Scotch Capital in Irrigation, NORTH YAKIMA, Wash., July 6.-It big water appropriation last week out of the lakes at the head of the Yakime River was for a very strong Scottish syndicate working in harmony with the Northern Pacific Rallway Company. This canal is to furnish water for the Kittitas Valley, the Moxee country near this place and the section near Priest's Rap-ids, on the Columbia. It is understood the combination will have unlimited capital, and will be able to build the canal without a hitch once it is started.

Those unhappy persons who suffer from nervousness and dyspensia should use Car-tor's Little Norve Pills, made expressly for this class,

DUEL TO THE DEATH

BULLETS FLY WITH EFFECT IN FIGHT AT MITCHELL,

Resistance to Arrest Causes Fusillade-Both Combatants Are Slain and Town Murshal Is Wounded.

ARLINGTON, Or., July 6-(Special.)— A shooting affray occurred on the street in Mitchell today which resulted in the death of two men and a serious wound to a third.

Martin Puett, son of the ex-Marshal of

the town, had got drunk and was creating a great disturbance about 5:30 this after-noon. The Marshal, whose name could not be learned here, was about to arrest him when Milt Dehaven, a young man who had a rifle with him, volunteered to quiet Puett. Puett resented Dehaven's interference, and, drawing a revolver, sho Dehaven, inflicting a fatal wound. Puet stepped back a few paces, but Dehaven instantly took aim with the rifle and shot him with such sure aim that Puett died in five minutes. Dehaven also died three-quarters of an ho A wild bullet fired by one of the mer struck the Marchal in the leg, breaking

SEVEN-HEADED WHEAT PAYS. Milton Farmer's Experiment Proves Highly Successful.

PENDLETON, Or., July 6.—(Special.)— Eighty acres of seven-headed wheat planted at Milton by J. M. Freeman show good prospects of a crop of 55 to 79 bush-els this year. Mr. Freeman obtained the wheat from a German two years ago and last year had five acres of it, selling the product to the Peacock Mill for the same price as bluestem. The flour made there-from was nearly equal in quality to the best grades of bluestem, and, as the yield was greatly in excess, the venture ap-pears profitable. This is the second year of the experiment and so far the

HELD UP ON THE HIGHWAY, wo Aberdeen Citizens Robbed an One of Them Clubbed.

wheat has been tried only on hill land.

ABERDEEN, July 6.—(Special.)—L. P. bemeree and Joe Markson were held up on the Hoguiam road last night by thre masked men and relieved of \$15 and a \$60 dlamond. Demerce was shot at, but knocked his assailant down with his fist. For this he was struck on the head with a billy, which stunned him. This is the second hold-up this week,

KILLS BROTHER BY ACCIDENT, Sad Result of Scuffle Between Boys for Old Rifle.

NEW WESTMINSTER, B. C., July 6. (Special.)-A sad shooting affair occurred at Otter, B. C., today, when the Weldon were visiting their uncle, got into a suffle over an old 22-caliber Winchester rifle. The weapon went off, shooting the older lad in the head, causing instant death.

NORTHWEST DEAD.

Miss Elizabeth Clyde, of Axford. HOQUIAM, Wash., July 6.-(Special.) Mrs. Elizabeth Clyde, wife of Joseph Clyde, of Axford, died today at the fam-lly home. The Clyde family is one of the pioneer families of the Humptulips country, having lived there during the past 19 years. Her death was very sudden and unexpected. Besides the husband, she eaves a family of six children, mostly These are: Mrs. Schneider, of grown. Olympia; Thomas, Robert, Joseph, George and Tilly. The children are all at home, except the married daughter, Mrs. Schnei-

B. Ferguson, of Adams, PENDLETON, Or., July 6.—(Special.)-3. Ferguson, for 26 years a resident of Adams, was buried there today, his death from paralysis having occurred Saturday. He was unmarried, but left a brother, J. H. Ferguson, and a sister, Mrs. C. S. Ferguson, residing in Adams, and a brother, J. M. Ferguson, who lives in this

city.

Celebration at Ilwaco. ILWACO, Wash., July 6.—(Special.)— The Fourth of July celebration and sports drew a great crowd here. The sports opened with a ball game between Fort Stevens and Ilwaco, which was won by the home team by a score of 2 to 1. The free-for-all sprit-sail fishing-boat race was won by Frank Graham's crew, with a lead of only a few feet. Will Sumoula won the gillnet boat race with a short lead, and Roy Whitcomb was captain of the boat that won the sprit race. He also won the pond race.

At the Independence day celebration

Miss Rebecca Markham presided as god-dess of liberty, attended by two little girls. On the stage were girls to represent each state of the Union, who sang the "Red, White and Blue," and were followed by prayer by Rev. Mr. Harris, paster of the Methodist Episcopal Church. "The Star-Spangled Banner" was sung by Mrs. J. T. Rosa of Astoria, John H. Shively was the orator of the day. Chinook band furnished the music. first horserace for a \$50 purse was won by Will Hawkins' horse, and the pony race by Rube Hawkins' pony. An extra race between Jesse Moore's sorrel horse and Gill Lacy's bay was won by Moore The 100-vard footrace was won by Percy Colbert over Corporal Cravens, of Fort Canby. In the baseball game Ilwaco walked off with Nahcotta's nine by a ore of 13 to 3. In the evening a ball was given in the

Must Not Change Parties to Suit. OLYMPIA, Wash., July 6.—(Special.)-A new point was passed on by the Supreme Court today in denying a motion to substitute parties plaintiff in an approsecution of the appeal after the orig-inal plaintiffs and defendants had agreed to withdraw from the appeal. A tax uestion was involved, and it was maintained that public interest demanded the prosecution of the appeal and that this was ground for substitution of other plaintiffs and appellants or for allowing them to intervene. The court denied the motion in both particulars. The case came up from King County and was entitled A. W. Hight, in his own behalf and in behalf of other citizens and tax-

payers of the city of Ballard, respondent and plaintiff, vs. William Batley et al., defendants and appellants. The motion substitute was made by Robert and to substitute v

Alaska Lawsuit Decided. SAN FRANCISCO, July 6.-The United States Circuit Court of Appeals today banded down a decision sustaining the decision in the case of the Alaska & Chicago Commercial Company vs. N. B. Sol-ner, appellee, appealed from the second division known as the District Court of Alaska. This was a suit in equity to set aside and cancel certain conveyances of real estate situated in Nome, Alaska, which conveyances were executed William J. Bauerle to Solner, and to re cover damages for \$15,000. The convey-ances were declared valid by the Alaskan Court and the judgment was sustained, with costs, by the Circuit Court of Ap-

Rain Ruins Cherry Crop.

OREGON CITY, Or., July 6 -(Special.) The continued rains of the last few days -The continued rains of the last few days have practically ruined the cherry crop. The Royal Anne variety, of which there was an abundant crop, has been rendered unmarketable. The fruit has cracked badly and is now fermenting on the trees. If the rain does not cease soon, extensive damage will result to hay grain throughout the county. With a change to favorable weather, Clackamas County will this year yet harvest one the most bountiful crops that was ever

Yacht Race and Ball Game,

SOUTH BEND, Wash., July 6 .- (Spe cial.)—In spite of a disagreeable mist the celebration of the Fourth here was a grand success, and was witnessed by the largest crowd ever here. The yacht race was won by the Ocean Wave, owned by William Mills, of Bay Center. Hon. H. S. Eiliott gave the adress of the day. The ball game in the afternoon between the South Bend and Chehalls nines was won by the latter by a score of 5 to 2. Today the same nines played again, the score standing South Bend 12, Chehalis 6.

"Nigger-Chaser" Sets Boy on Fire. HOQUIAM, Wash., July 6.—(Special.)-Arnold, the 8-year-old son of Mr. and Mrs Alex Poison, had a narrow escape from being burned to death today. The lad had a "nigger-chaser" in his blouse, and, while he was shooting a Roman candle, a spark fell, igniting the chaser and setting his blouse afire. He tried to put it out with his hands, but failed. Having pres ence of mind, he rolled in the wet grass extinguishing the fire. He was badly burned about the shoulder, breast and

Certificates Granted Teachers, SALEM, Or., July 6 .- (Special.)-The State Board of Education today granted certificates and diplomas as follows: State certificates—Nellie Kemp, Woodburn; Annie Overholtzer, Tigardville. Life diplomas-Laura D. Myers, F land; Letitia Masterson, Independence; Mae S. Mulit, Lebanon; Lucie B. New-land, Cottage Grove; Ida Shanahan, Ver-

nonia; W. P. Matthews, Salem. Day Escapes Prosecution Again. PENDLETON, Or., July 6.—(Special.)— The prosecution of Harry Day, arrested in Pocatello on the charge of swindling a merchant here by representing himself to be an advance agent for Sells & Fore-paugh's circus, has been abandoned and the prisoner released. About ten days ago Day was arrested in Astoria, but was set free on payment of the sum he had

fraudulently obtained.

Parole for Reform School Boys. SALEM. Or., July 6 .- (Special.) - Super intendent Bickers, of the Reform School, has recommended the parole of Leo Jacks, Dave Johnson, Tracy Sproul, Ernest Mil ler, Willie Miller, John West, Farnsworth Bock, Clifford Moore, Ed Osborn, C. Martin, Owen Dean, and Eurl Lewis, who have earned the necessary grades and otherwise conducted themselves in the manner required.

Lamed by Mowing Machine, EUGENE, Or., July 5.—(Special.)—A little boy 10 years old, son of F. M. Smith, who resides on the road to Co-

burg, two miles north of Eugene, was seriously injured this afternoon. In some manner he got in front of the sickle of a mowing machine and received a terrible cut just above the right ankle, which severed an important tendon. More Insane Patients in June.

SALEM, Or., July 6.—(Special.)—The monthly report of the Superintendent of the State Insane Asylum for June shows an increase in the number of patients from 1302 to 1324 during the month. The per capita cost of maintenance was \$10.43 per month, or 34 cents a day. The general health of the patients has been good.

Volume Supreme Court Reports. SALEM, Or., July 6. - (Special.)-Su-preme Court Reporter R. G. Morrow was in Salem today working on material for volume 42 of the Supreme Court reports. He says that the new volume will be out about September 1, and will contain the

Across Continent in an Auto. SAN FRANCISCO, July 6.-E. I. Ham-mond and L. L. Whitman, both of Pasadena, began today from in front of the City Hall an auto trip across the tinent. They bear a message from Mayor Schmidt to Mayor Low, of New York, and expect to deliver it in about 60 days.

Given All the Law Allows EUGENE, Or., July &-(Special.)-J. H. Martin was tried before the Recorder today on a charge of insulting little girls, and was sentenced to 27 days in jail and to pay a fine of \$54. No state law was found to cover his case, so he

Profits on Salem Carnival, SALEM, Or., July 6.-(Special.)-A cough estimate of the financial results of the Salem Street Carnival indicates that, when all expenses have been paid, the managing committee will have between

\$100 and \$200 left. Sent to Insane Asylum. OREGON CITY, Or., July 6.-(Special.) -Mrs. Sophia Dickelman, of this city, was today committed to the insane asylum. The patient, while partially help-less, threatens to kill herself. She was taken to Salem tonight by Sheriff Shaver.

German physicians refuse to telephone prescriptions to druggists for fear of mistakes.

She stoops to Conquer when she uses Pearline and stoops to a painful struggle with dirt when she uses old fashioned methods and cheap Washing Powders

More Convenient than Soap
I prefer Pearline and use no other. Find it more
convenient than soap for washing and especially so for
housecleaning and dishwashing. Mes. Rev. C.C.B.,

Experience With Various Soap Powders Creates
Preference for Pearline
Have used—and—but prefer Pearline
my housecleaning affords me an excellent opportunity
of testing it, and I am highly pleased. Mas. Fix CB.S.

The women who are the most particular about their housework are the ones who are the most enthusiastic about



Family cares and duties do not weigh down the well woman, and the cibldren are never in her way. But when the womanly health fails, and there is a constant struggle with weakness and pain, household duties are a burden almost past bearing, and children are a ceaseless annoyance and worry.

Weak women are made strong and sick women are made well by the use of Dr. Pierce's Favorite Prescription. It ertablishes' regularity. Aries disagreeable drains, heals inflammation and ulcera-tion and cures female weakness. Sick women are invited to consult Dr.

Pierce by letter free. All correspond-ence strictly private and sacredly confidential. Address Dr. R. V. Pierce, Buffalo, N. Y.

Buffalo, N. Y.

"I had been alling some time, troubled with female weakness," writes Mrs. William H. Johnson, of Avondale, Chester County, Pennsylvania. "Every month! I would have to lie on my back. I tried many different medicines and nothing gav me relief until I began Dr. Pierce's medicines, using two bottles of "Favorite Prescription" and two of "Golden Medical Discovery. These medicines have cured me. When I began your treatment I was not able to do very much, but now I do the work for my family of nine, and feel bettgr today than I have for a year. I thank you, doctor, from the bottom of my heart, for well do I know that you are the one who cured me."

"Favorite Prescription" has the testinony of thousands of women to its com-plete cure of womanly diseases. Do not cept an unknown and unproved sub-

titute in its place.
Dr. Pierce's Pleasant Pellets are the best laxative for family use

DYSENTERY, DIARRHOF4. CHOLERA MORBUS

Internally—A half to a teaspoonful of Rad-way's Ready Relief in a half-tumbler of water, repeated as often as the discharge continues, and a fiannel eaturated with Ready Relief placed over the stomach and bowels, will af-ford immediate relief, and soon effect a cure. A half to a teaspoonful in half a tumbler of water will, in a few moments, cure Cramps, Spasms, Sour Stomach, Nausea, Vemiting, Heartburn, Nervoustess, Sleeplessness, Sick Headache, Flatulency and all internal pains,



RADWAY & CO., 55 Elm St., N. Y.

WORTH A THOUGHT

This Statement Will Interest Scores of Portland Readers.

The facts given below are worth a perusal by all who are anxious about their physical condition or are similarly situnted to the resident of Portland. It is a local occurrence and can be thoroughly investigated:

Mrs. J. Jenkins, residing at 316 East Sixth street, wife of J. Jenkins, retired, says: "An itching and irritated spot on one of my ears annoyed me for some time. It spread, grew tender and I became uneasy about it, for it resisted all my efforts to check it, although I used more than one saive and ointment. My husband brought home a box of Doan's Ointment, which he got at the Laue-Davis Drug Company's store and urged me to try it. One application soothed and after a few more the itching and inflammation disappeared entirely. Doan's Ointment is the best remedy for the purposes for which its use is advised that I ever knew

For sale by all dealers. Price 50 cents Foster-Mulburn Company, Buffalo, N. Y., sole agents for the United States, Remember the name-Doan-and take

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is called great be-cause his wonderful cures are so well known throughout the United States, and because so many people are thankful to him for saving their lives from **OPERATIONS**

his treats any and all diseases with powerful Chinese nerbs, roots, buds, bark and vegetables, that are entirely unknown to medical science in this country, and through the use of these harmings remedies. This famous doctor knows the action of over 500 different remedies that he has successfully used in different diseases. He guarantees to cure catarrh, diseases. He guarantees to cure catarrh, asthma, hung troubles, rheumatism, nerwousness, stomach, liver, kidneys, female vousness, stomach, liver, kidneys, female trouble and all private diseases. Hundreds of testimoniais. Charges moderate. Call and see him.

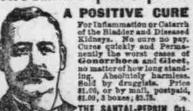
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