CHORUS FOR FAIR

W. H. Boyer Plans Musical Festival.

MAKES PROPOSAL TO BOARD

If Plan is Accepted Chorus of 500 Singers Will Be Trained to Present the World's Greatest Musical Works.

A musical festival of from three to five days' duration, to cost from \$6500 to \$5000, and to take place at one of the buildings of the Lewis and Clark Exposition during the continuance of that attraction, is one of the possibilities of the mear future. William H. Boyer, the well-known choral conductor, wrote a letter yesterday to President H. W. Goode, of the Lewis and Clark Corporation, outlining a plan for the proposed musical festival. The chorus of singers will consist of 500 voices selected from singers in this city, Eugene, Salem, Albany and Corvallis.

It will be remembered that at one of

the recent meetings of the Willamette Valley Choral Association it was decided that the meeting of the association next year should be held in this city during the continuance of the Exposition. Mr. Boyer now suggests that a three or five society. It might be possible to afrange for an additional afternoon matinee con-

In estimating the cost of the concerts at figures ranging from \$4500 to \$5000, Mr. Boyer gives the cost of the work of preparation, such as training of choruses, renting of halls for rehearsals, accompanist, etc., at about \$1500; orchestra, \$1400 to \$1800, the latter depending on what arrangements the Exposition people make with local musicious and for Most musical people who have been told of the proposition agree that a charge of 50 cents for each concert added to the gate admission would make a profit for the Exposition management. It is argued that because of the members of the cho-rus coming from all parts of Oregon their relatives and townspeople would find an added attraction in the Exposition and that this would mean increased gate recelpts. The scope of the Willamette Val-Choral Association might even be lened to include singers from other Oregon towns, and also towns in Wash-ington. Mr. Boyer is an experienced horul conductor, and in this branch of the work he has been very successful in this city for years.

OBJECT TO STEEL STRIPS.

East Siders Do Not Wish to Walk In Straight and Narrow Path.

The floor plans of the new Morrison bridge provide that the space occupied by the double tracks of the City & Suburban Railway Company will be fenced off by steel strips six inches high placed along the rails of the outside track, and East Subers are now bloken. Siders are now kicking vigorously over this appropriation of the whole of the cen-ter of the bridge by the railway company. These steel strips will make it practically impossible for teams to pass from one side of the bridge to the other. The heavy rails are now being laid along the sills over the two completed spans. There is a sentiment that these steel strips should be eliminated and the public given right to use the whole of the bridge or. In case of a runaway or fire, when would be necessary for vehicles to pass from one side of the bridge to the other with those steel strips along the outside rails it could not be done. One of the men who was particularly active in getting the new bridge said yesterday morning that the surface of the new bridge ought to be made smooth, the same as that of the Burnside bridge. What can be done now to get rid of the

bstructions along the outside rails is hard to see. They were required by the street railway company before it would consent to give up its franchise and accept the new one. The company wanted high bar-ricades along its tracks, but a compro-mise was effected on the basis of the steel fenders. An agitation, however, is to be started to get rid of them.

LOOP IS COMPLETED.

O. W. P. & R. Company Issue New Schedule October 1.

The loop of the Oregon Water Power & Railway Company by way of Sellwood and Willsburg to Lents from the terminal grounds south of Hawthorns avenue is practically completed, and regular trains will run over this branch October 1. Some freight cars are now using it. The work of ballasting the new track is now going forward. All the Oregon City cars, and the freight and passenger cars for Estacada will use this line. The new line will reduce the time to Oregon City very ma-terially, the run being made over it in 45 Traffic for Sellwood and way points will continue to be taken care of by the Sellwood cars operated over the

present line on Milwaukie avenue.

A force of men yesterday completed a double crossing for a single track on East Water street across Hawthorne avenue.
This single track will be extended along
East Water street northward, and the
street will be filled up to grade. Partial fills have already been made on East Water street from East Clay to East Madison, wide enough to carry the single track. Through the terminal grounds a system of trackage has been finished on new embankments.

HOT TIME IN ST. JOHNS.

Two Toughs From Linnton Attack and Beat M. Breight.

St. Johns was the scene of considerable excitement Tuesday night, caused by two toughs who came across the Willamette River from Linnton to sir up the people and incidentally do up Marshai C. R. Organ. They did not find Organ, but they did find M. Breight, and they proceeded to pummel him. They were getting the best of Breight, when the latter drew his knife and commenced slashing right and knife and commenced slashing right and left, inflicting some slight wounds on his two assailants, when they desisted from their stracks

Mr. Breight does not know how badly he cut the fellows, but thinks he hurt one pretty severely. Breight was considerably beaten about the face

IS NEARLY ASPHYXIATED.

Plumber Overcome by Illuminating

Gas While Connecting Pipe. R. Morrasi, who was employed in help-R. Morrasi, who was employed in helping to make a gas connection in a room on the ground floor of the Malarkey building on East Burnside street and Union avenue, narrowly escaped losing his life yesterday by asphyxiation from the escaping gas. E. Blew, the foreman of the job, was partly overcome, but quickly recovered. Morrasi by unconscious for nearly half an hour before he was retired and ly half an hour before he was revived, and

entirely.

The gas main was tapped on the south-The gas main was tapped on the south-side of East Burnside street, and the pipe had been laid under the sidewalk in front of the Malarkey building. Morrasi went under the sidewalk, where he was at work with the pipe and where the gas was seep-ing out pretty strongly. He had worked but a short time when he suddenly dropped forward. Foreman Blew, knowing that there was danger, was watching him closely, and quickly went under the sideclosely, and quickly went under the side-walk and pulled Morrasi out into the pure-air. An effort was made to get a physi-cian, but none was found, and Morrasi was sent to the police station in the patrol wagon, where he was revived. Morrash lives on the corner of Second and Salmon

TIPPED OFF THE RAID. Spotters Warned the Poker Games of Sheriff's Coming.

"What, gambling here? See for yourself, Sure enough, there wasn't a poker game

running. But Sheriff Word, who started out on another raid last evening, knew well enough that poker had been played In a dozen places before he left the County Jail about 8:30. Keen-eyed "spotters" sauntering leisure ly through the Pisza blocks during the evening had seen the deputies assemble at the County Jail. They had waited a few

moments to make sure, had watched the posse sally forth to do the bidding of the law and the Sheriff upon the poker games. Then telephone bells had rung hurriedly. Like a flash the poker games north and south closed down. Tables were discounted and had been placed up as though mantled and chairs piled up as though "nothing doing" was to be the order for many months to come. The poker rooms were darkened, and in a few moments all was in readiness for the raid. The Sheriff came. Last Saturday night

Boyer now suggests that a three or five when he raided three big houses he had days musical festival be held here next year, at which some of the greatest works of the classic and modern schools will be rendered by a chorus of from 400 to 100 voices, the Exposition management to dawned upon the minds of the Sheriff and control the expenditure and receive all his deputies that the raid had been "piped profits, the direct management of the festival to be under the control of the music ty Jail laden down with greenback ball,

they returned empty-handed.

A complete tour of the sporty section of the city was made by Sheriff Word, accompanied by Deputies Downey, Cordano, Grussi, Moreland and Parrott. A saloon at Third and Taylor streets was the first establishment visited. No poker. Then the Maze Cafe, Third near Yambill. Still no poker. With a long swoop the puzzled posse bore down upon the North End. Burnside street teemed with men and echoed with the strains of North End what arrangements the Exposition peo-ple make with local musicians, and for sololits \$1200 to \$1600. The cost of adver-tising is not included in these figures. Most musical people who have been told of the proposition agree that a charge of the proposition agree that a charge of the proposition agree that a charge of the sheriff's orders as issued last Saturday night availed neight, for there were the darkened rooms, the covered tables and the stacked chairs. Back to the southern part of town

along First street and a few side streets went the minions of the law. As in the Burnside-street houses poker games had been in progress but a short time before But again did the disappointed eyes of the Sheriff meet closed doors, which when pened disclosed the similitude of a burch during the annual house-cleaning. So at 16 o'clock the posse returned boot-less. The "spotters," placed regularly in the Plaza blocks as soon as the surprise of the Saturday night raid was over, had earned their wages at last.

GOING TO KLAMATH COUNTY. Englishmen Sell Out Canadian Farms and Seek New Fields.

H. H. Seymour Glidden, an Englishman H. H. Seymour Glidden, an Englishman who has been ranching in the Canadian Northwest for nearly 19 years, passed through Portland yesterday on his way to the Klamath Lake region. At the hotel yesterday Mr. Glidden explained the reason why he hoped shortly to make a home in the land of the free.

"When first I went to the Northwest Territories," he said, "land was very cheap. For a few hundred dollars a man

cheap. For a few hundred dollars a man could buy a section of prairis. For a few housand he could buy a county, and further north he could rent an empire for a song for grazing purposes. Consequently that part of Canada became a dumping ground for young Britons whose families ild not wish to support them at home.

Later on the railroads began to induce American farmers from Minnesota, the Dakotas and all that country to come in and settle in Canada. The railroads wanted to settle up the country and owning immense tracts of land they could afford ost to give farms to the newcomers. Finally all the good land in Manitoba was gone and then the immigration lapped over into the Territories, as we call it. The good land there went next and then prices began to go up. Today a man with an improved wheat or cattle ranch can sell it for a good price, five or ten times what it was worth ten years ago. "Accordingly I sold my ranch, so did a few of my friends, and having read some-time ago of the undeveloped resources time ago of the undeveloped resource of the Klamath Lake country in Oregon I am going down there to see it for my-self before the snow comes. If it looks inviting my two friends and myself will buy land down there and wait for it to nake us rich. We have got to go somewhere.

WAR MAP AND ATLAS.

Japanese war map in colors, included in map of the world, showing each of the great nations and their possessions in separate colors; submarine cables—including the line recently opened across the Indian Ocean, from Africa to Australia. and the new American and British lines across the Pacific; the international date line, and the distances between great ports. Commercial maps of each of the grand divisions with railroads and other conditions. grand divisions, with railroads and prin-cipal cities emphasized. Map of the Philippine Islands, showing over 4000 mises of cables and tolegraph lines recently con-structed by the United States Govern-ment, Maps of Nicaragua and Panama Canals, and the islands about to be acquired from Denmark. Index with population according to latest official ent ation, embracing United States of 1900; Germany, 1900; Great Britain, 1901; India, 1901, etc. Send postpaid to any address for 12 cents in stamps. Publishing Company.

Unlucky at Ducks, Lucky at Trout. Very few ducks were secured by sports. Monday. The only man seen taking a string home yesterday morning one who had been shooting out at Moore's place in Columbia bottom. Most of those who went out shot none at all and some only two or three, while many have cut out duck hunting until after the rains be-rin. A few ployer or jack snipe were shot, but shooting generally has not begun. Few sportsmen, who went out for trout, have reported catching any. Two men who went up to the Clackamas at Estacada were the most fortunate heard from. One of them went down the stream and was made happy by catching I fine trout, each about 10 inches in length. He was feeling good when he got back to the train, but his pleasure was a little spolled when he net his chum, who had 53 fine trout. All f which he caught out of one pool which he reached by half a mile's walk, and by which he stayed till satisfied. Wonder being expressed that the trout were able to see it fly in the water on account of the smoke, it was learned that they could not and so were very hungry and bit ravenously at salmon roe. Using this bait may not be sportsmanlike but when the trout hunger for it they must be gratified.

BUSINESS ITEMS.

If Baby Is Cutting Tenth, Se sure and use that old and well-tried rem Mrs. Winslow's Soothing Syrup, for child teething. It soothes the child, softens the gu allays all pain, sures wind colle and-diarris

it was much longer before he recovered entirely. The gas main was tapped on the south-

The State Irrigation Code Is Completed.

WATER RIGHTS REGULATED

State Engineer and Board of Water Commissioners Are to Have Supervision Over the Waters of the State.

Some very radical changes in the irrigation laws of the State of Oregon are in the draft of a state irrigation code which the State Irrigation Commission, in collaboration with Morris Bein,

ated more water than they need. If they have it will be taken from them. Then all new appropriations must be made di-rect through the office of the State Engineer. If a man wants to irrigate his farm he must first notify the State Engineer of this fact, stating about how much water is absolutely necessary and all other particulars and pay the fees. The State Engineer then investigates the conditions and if satisfied grants a permit to this man to construct his ditch and appropriate so much water. But if the ditch is not constructed within a given time the right of appropriation is withdrawn and another farmer may step in, comply with the law and take the water. The new code also does away with the The new code also does away with the curtaining of water rights to a certain district, shutting out lands lying below it. Under the proposed law the man whose lands lie just below that of an irrigated district may compel the owners of the ditch to furnish him water provided he pays them what the State Engineer or courts shall determine to be a reasonable Hayes and Sargent are partners in the storage of conveyance fee for the water. storage or conveyance fee for the water used. All Government undertakings are protected to the exclusion of all others

Tax on Irrigated Lands.

There will be an extra tax placed on all frigated lands for the maintenance of the state system of irrigation officers, and this tax shall be collected as any of the United States Reclamation Service, and John T. Whistier, in charge of the state system of irrigation officers, and this tax shall be collected as any other tax. Whenever the State Engineer or his deputies may be called upon to inspect the construction of an irrigation ture at the coming session for adoption.

At the last meeting of the Legislature the State Irrigation Commission was created and the members were appointed by the schedule of fees, and when this

REPUBLICAN NOMI-NEE FOR GOVERNOR OF NEW YORK

Frank W. Higgins.

Frank W. Higgins, nominated for Governor of New York by the

Republicans, has been Lieutenant Governor for two years. He was a member of the State Senate from 1803 to 1902, and was chairman of the finance committee of that body. He is wealthy, owning a string of general stores in New York and Pennsylvania, besides mining and timber lands in Michigan, Wisconsin and Minnesota. His home is at Olean, Cattaraugus County. He was born at Rushford, Allegany County, N. Y., in 1856, and was graduated from the Riverview Military Academy, at Poughkeepsle, in 1873, later taking a business course. He began his business career at Stanton, Mich., where he opened a general store in 1876. He was married at Sparta, Wis., in 1878, to Miss Kate C. Noble

by Governor Chamberlain, their first money is not paid upon demand it may duty being to draft a code on irrigation be recovered by action in court of law, to be adopted by the Legislature at the and the judgment will take precedence next session. The commission has been of all mortgages or any other liens upon working on the matter all Summer and the land. Every ditch must be fitted with has now completed its draft.

.............

working on the matter and the solution of the state itself and creates the office of the state itself and creates the office of the state itself and creates the Board of the state itself and creates the state itself and crea gineer shall be president. All right and title to the use of water by appropriation or other method in the irrigable divisions must be obtained from the state through the office of the State Engineer. The use of water is restricted, appropriations are fixed at not to exceed one cubic foot of water per second for each 70 acres to be irrigated. The sum of \$49,000 is approlaw and for the maintenance of the varl ous offices created by the law, the main one being that of State Engineer, who shall receive a salary of \$3000 per annum and all expenses.

State Engineer's Powers.

According to the irrigation code the State Engineer shall be appointed by the Governor and confirmed by the Senate. He shall hold office for the term of six years He must be a "technically qualified and experienced hydraulic engineer," and will have general supervision of the waters of the state and of the measurement and appropriation of the same. As soon as the bill becomes a law it will be the duty of the State Engineer to make a personal nvestigation of all the irrigation under-takings in operation and in course of onstruction, of all streams and water supplies within the state, and to take the actual measurement of all water in all streams of the state, the amount appropriated and the amount remaining unap-propriated, then, after having mapped, listed and recorded all this information ne shall instruct the Attorney-General o commence action in the name of the state to obtain ownership of all unappro printed waters within the borders.

The State Engineer will have plenty of work to keep him busy. He must main-tain a public office in the State Capital, keep all the records of irrigation mat-ters, inspect all proposed irrigation undertakings and issue a permit before they can be commenced, give his attention to the distribution of the waters and attend all the meetings of the Board of Water Commissioners after he has made his reg-ular reports to the Governor. For this he receives a salary of \$3000 per annum and all "necessary traveling expenses." He may appoint a deputy to serve at a salary of \$1800 per annum, and he iso have the additional sum of \$2000 for incidentals. He must also keep track of his fees, a schedule of which this code provides for the filing, issuing of permits,

Board of Water Commissioners. The Board of Water Commissioners is chosen by the voters. The new code does not specify the number of divisions nor their boundaries, but leaves that to the Legislature. It does provide that each Commissioner shall serve for a term of four years, shall receive pay from the State Treasurer at the rate of \$10 per day for every day actually devoted to the auties of the office, but the Commission

they work overime they get no pay for it. Each Water Commissioner shall, according to the new code, have immediate urisdiction over the irrigation laws and their application in the division from which he was elected. In cases of disagreement the State Engineer shall decide, and from his decision the defendant may appeal to the State Commission, which is composed of all the Water Commis sioners. Then if that decision fails to satisfy him he can appeal to the Circuit Court, provided he does so within

days.

Each water division of the state shall be divided into water districts and a watermaster appointed for each water district. The duties of the watermaster district. will be to see to it that each man gets his just share and no more of the water used for irrigation purposes, the water-masters to be paid a salary of \$4 a day from the county funds.

Code Is Explicit.

The code as relates to the use of the vater is very explicit. It intends to do away with litigation over the use of where a prior right takes more than is needed for actual irrigation to the detriment and perhaps exclu sion of others who would like to use the water. The State Engineer will first inspect all the existing systems and deter-mine whether or not they have appropri-the collection of a hall fund.

of Water Commissioners, divides the state into water divisions and provides for the election of one Water Commissioner from each division, the number of such men elected to comprise the Board of Water Commissioners, of which the State English of the United States Reclamation Service, of Washington, D. C., and Hon. John T. Whistier, in charge of the reclamation work in Oregon. Copies of the Commissioners, of which the State Englisher shall be president. All right and title to the use of water by appropriation or other method in the irrigable divisions themselves fully with the text of the law

TAXES ILLEGALLY CANCELED. printed from the State Treasury for the prosecution of the plans outlined in the Fisher, Thorsen & Co.

> Suit against Fisher, Thorsen & Co. to cover \$523 taxes on personal property for the year 1807 was begun in the State Cirit yesterday through District Attorney Manning and Carey & Mays, attorneys.
>
> The complaint recites that in 1901, W.
> G. Stimson, who was then a deputy in the County Clerk's office, colluding and con-spiring with other persons, whose names are unknown, with intent to defraud Multnomah County, falsely represented to Fisher, Thorsen & Co, that he had authorty to compromise the tax. It is averred that Stimson in pursuance of such fraudulent design, offered to compromise the tax for \$250, and that Fisher, Thorsen & Co. paid \$250 to Stimson and his co-conspira-

caused to be interpolated in one of the public records of the county, under the date of May 22, 1900, the following fictitious, fraudulent entry: "At this time it is ordered by the board meaning County Commissioners) that the usessment of Fisher, Thorsen & Co. for

1897 be canceled." It is further alleged that the money re celved by Stimson and his co-conspirators

was never delivered or accounted for to the county or paid to the County Treas-urer, and on December 30, 1903, the County Court made an order setting aside th Fisher, Thorsen & Co. paid the money Stimson at their office, and say the

authority to compromise the tax. Good Fishing on the Trask.

Despite unfavorable weather fisherm may still find good sport if they only seek it in the right place. Dr. C. E. Stolte has just returned from an eight days' fishing trip to the Trask River, Tillamobk, which he considers one of the great out-ings of his life. He experienced some trouble in reaching his destination, but when this was accomplished he had "got there" with both feet. In going over the mountains the road was found to be blockaded near the summit by a tree six feet in diameter which had fallen across it, and the coach had to come to a halt, A saw was produced and an effort made to open a passage through the log, but before this was accomplished the saw got pinched and the jig was up. It was then secided to unhitch the team and start down the mountain to the Trask House, the passengers to take turns at riding. By the time they were reading to start it was as dark as a stack of black cats. As the road was steep and rough, the pleasures of the trip and the conditi the travelers when they reached the hotel, with their livers joited out of place, may be imagined. They found good fishing for the first day Dr. Stolte caught 16 pounds of Jack trout (young Chinook salmon three to four pounds in weight), the most delicious fish known. Equally good sport was enjoyed during the rest of their stay, but just what amount of fish was caught none of the party can figure up. Trout fishermen may keep up their courage, for there is still good sport in Ore-

Milwaukie Grange Fair. Milwaukie Grange, Patrons of Hus-bandry, will hold its annual fair Fri-day and Saturday, November 4 and 5. Blue and red ribbon, denoting first and second prizes, will be awarded all articles on exhibit. The baby show which exhibit. The buby show, which will be held on Friday, will be made a special feature. The prizes will be awarded Saturday afternoon, November 5, and that evening there will be an entertainment and dance. Regarding the incorporation of the Grange, preparatory to erection of a building the articles have been tion of a building, the articles have been prepared, and will be read the first Sat-urday and adopted the third Saturday. After this adoption the Grange will push the collection of a half fixed or

SUES HIS TWO PARTNERS

J. F. SHOREY, OF HASTY MESSEN. GER COMPANY, WANTS \$1700.

Attorney for Jeff W. Hayes Tries to Prove Attempt of Shorey to Freeze Out Haves.

In the hearing before Judge John B. and H. K. Sargent, a local attorney. Hayes and Sargent are partners in the Hasty Messenger Service, and Shorey's complaint cites 40 distinct causes for action, wherein by these 40 causes he hopes to recover something like \$1700 from Mr. Hayes and Attorney Sargent, who have a \$600 investment in the messenger busi-Aside from Shorey's own testimony

which went to show that while he was manager of the messenger service he busi-ness grew and prospered under his guid-ance, the bulk of the testimony, in a measure, was in favor of the answer to Shorey's compiaint, made by Hayes' at-torneys. What Attorney Dan Murphy hopes to prove is that Shorey, under guise of friendship for Hayes and a pretext of helping him establish the measurger service on a firm financial basis, was really working to freeze Hayes out. From the witnesses examined by Attorney Murphy during the afternoon, it was brought out that Shorey had repeatedly explained, not only to Attorney Sargent, Hayes' business partner, but to Hayes' friends, that he, Shorey, was assisting Hayes without compensation. Yet one of the 40 causes for action calls for \$1000, which Shorey alleges is due him for services performed and \$2000 which he declares he invested in the company.

After Shorey had testified, Attorney Murphy examined a long list of witnesses, most of them being business men who at one time or another had bills either against Hayes personally or against the Hasty Messenger Service. In the course of the examination of these witnesses it was brought out that Shorey has made a canvass of these creditors, paid the amounts due and become the assignee. From none of the witnesses examined, however, could Attorney Murphy get an admission that Shorey, when he bought up these unpaid bills, had stated to any of the creditors that he was paying the bills for himself instead as agent of the company. After a great deal of ques-tioning, Attorney Murphy drew from Attorney Sargent a partial admission that he and Shorey had discussed what might be termed an agreement. Mr. Sargent stated that owing to the fact that he was friendly to both parties in the suit. he was anxious to escape connection with the suit. He said that while he owned a third interest in the business, he had ever received a cent on his investment, and that on several occasions, while Shorey was acting in the capacity as manager, he had attempted to get some sort of a financial statement from Shorey, but was unable to do so. Mr. Murphy sprung his surprise on Sargent when he asked him if it was not the fact that Shorey had agreed to take up his note of \$600, the amount of his investment in the company, and thereby release him from any cost, in case there should be a ver-dict for Shorey. Sargent admitted that he had held such a conversation with Shorey but that after Shorey had consulted his attorney, Shorey had stated it would not be necessary to have an agreement, but that he, Shorey, would take up the note,

which, it seems, Shorey did. Late in the afternoon Hayes was led to the stand, and at the time of adjournent had not finished his direct testimony. Mr. Hayes recited the history of his dealings with Shorey. It was while trying to sell a half interest in the com-Hayes as a possible partner. lated how Shorey was admitted into his confidence and his business and stated that until Shorey brought action against him and closed him out he did not know he owed Shorey more than \$150, which was a personal loan Shorey had made to him. Hayes explained to the jury that him. when he became suspicious that Shorey was plunging the company in debt, he peatedly called upon him for a statement, but could never get him to make one. Being blind, he said that he could not examine the books himself and was dependent upon what Shorey told him about the condition of his business. He also told the jury of employing an expert accountant and swore that Shorey blocked the progress of the accountant at every turn. When the statement of at every turn. he expert was finally made, Hayes testiled that it showed the company's debi amounted to a little over \$300. Hayes also said that he never had a chance to examine the books of the company, and that when Shorey left the service he carried the books with him. These books were offered as evidence by A. F. Flegel, attorney for Shorey.

DAMAGE SUIT ON TRIAL.

Conflicting Testimony Which Is for and Against Alvin Knapp.

Conflicting testimony was given yesterday in the suit of Alvin Knapp against the Oregon Water Power & Rallway Company. Albert Harrington, Gus Lesh and other witnesses testifying for Knapp said the conductor shoved him forcibly off the car, and that they did not hear Knapp using profane language.

J. Kavanaugh and other witnesses for the defense testified that the conductor did not use any force in putting Knapp off the car. B. C. Jackaway testified that Knapp was assisted on the car by another man, who signified his intention of taking him to his home at Oregon City. Both were decidedly under the influence of intoxicants. Knapp more than his compan-ion. Knapp did not want to go to Oregon City, and argued the matter with mpanion, Conrad Howallett, in a loud ione of voice, using considerable profane language. The witness said he was so much annoyed that he went from the rear platform to the front platform. were women in the car. The trial will b concluded today.

DEEDS PROPERTY TO TRUSTEE John R. Fisher Settles Suit Brought Against Him by His Father.

John R. Fisher, whose father, Peter Fisher, 84 years old, sued him to have a deed to two lots and a house in Sellwood canceled, has made an amicable settlement of the case. Yesterday he executed a deed in trust to Jay Upton, clerk in Judge Webster's office. Mr. Upton is to hold the property for the benefit of Peter

In his suit against his son Fisher alleged that he had been promised a home for himself and his wife during their old age on condition that they bequeath the two lots to their son in their will. The consideration was \$900, but no part of it had been paid. Their son presented for their signatures what they supposed to be a will, but which was really a deed, and as neither could read any other language than German, they signed it. They went to live with their son and his wife, but as life was made disagreeable for them they returned to their old home. They asked that their son be compelled to return the property to them.

George W. Allen, attorney for John R.

Fisher, says that the deed to the two lots was based on a note for \$000, the consideration named in the deed. The son had paid \$550 on the note, and his wife had He has sued her for a divorce on the

HOTEL PERKINS

Fifth and Washington Streets

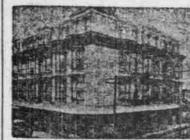
PORTLAND, OREGON

EUROPEAN PLAN

Rooms, \$1.00 to \$5.00 Per Day First-Cines Check Restaut Asserting to Legation, Connected With Hotel.

St. Charles Hotel

PRONT AND MORRISON STREETS PORTLAND, ORBGON European Plan-Rooms 50c to \$1.50 First-Class Restaurant in Connection



ESMOND HOTEL

PORTLAND - OREGON FREE BUSTO AND FROM ALL TRAINS Rates-European plan, 80c, 75c, \$1.60, \$1.50 \$2.90 per day. Sample rooms in connection.

been paid out, not counting small sums also that she has threatened to take his which the son had paid out and of which he had kept no account. Mr. Allen said the son was perfectly willing to redeed the property to the old people, but as for himself, as an attorney, he did not wish an unpostration title clear. The county with an unpostration of the clear that the clear that she has threatened to take his life. They were married in Butteville in 1888.

Acts as Her Own Attorney. wish an unrestrained title given. The son was perfectly willing to take the old people back and keep them for the rest

of their lives without pay.

Mr. Allen's protest against an unrestrained title set Judge Webster to thinking, and it developed that there were some relatives who would have liked to get possession of the two lots. Both Mr. Allen and Judge Webster were agreeable to the appointment of a trustee, and they selected Mr. Upton as the man best fitted for the place.

Judge Webster interested himself in the matter because Peter Fisher applied to the County Court for assistance, and said his son had taken his property away from him and would not provide for his wants.

CHINESE GAMBLERS ACQUITTED Jury Disregards Instructions of Cir-

cuit Judge Frazer. Notwithstanding the instructions of udge Frazer in a gambling case tried before him, in which four Chinese were the defendants, the jury returned a verdict of not gullty. Judge Frazer told the members of the jury the statute makes it the especial duty of the Sheriff to arrest persons who violate the gambling laws, and that the juryer should not let their outer. that the jurors should not let their opin ions as to whether gambling was right or wrong influence their verdict, but should rely solely upon the evidence. | The men were accused of playing chuck-a-luck, a dice game. The jury by its verdict evi-dently meant that it does not consider the evidence sufficient. This makes out of five persons tried only one conviction.

HIS GOOD NAME INJURED.

Lee Foo, a Chinese, Sues G. Wood for \$2500 Damages.

Lee Foo, a Chinese, who says G. Wood, an expressman, wrongfully sued him in Justice Reid's court in July last to recover money, yesterday through his attorney. Charles F. Lord, filed suit in the State Circuit Court against Wood for \$2500 dam ages. The complaint recites that the action in the Justice Court was brought maliciously and for the sole purpose ing and annoying Lee Foo, and to injure his good name and credit. The case was dismissed in the lower court but Lee For

Rules Out Chinese Testimony. Because United States Commissione McKee will not admit as evidence the firs arrest for being illegally in the country Dong Sam was yesterday morning dis-charged from custody. He had been arrented by Chinese Inspector Barbour, to whom he stated that he was a Chinese-born laborer and had been landed after dark at Astoria by another Chinese, Leong Yip, to whom he paid \$50 for the pa om a steamer to the wharf and forged ertificates which would entitle him to remain here. Commissioner McKee ruled against the statement made following ar rest being introduced as evidence, though Inspector Barbour declared Dong Sam had

Denles Laundry Is a Nuisance.

Wing Chung, who operates a laundry on Sixth street, between Main and Madi-ion, which Charles E. Runyon is seeking to have removed through the aid of the ourts, yesterday filed an answer to Runon's suit in which he denies that the laundry is a nulsance. He says there are no unnecessary, unhealthy or noxious odors emanating from it, and no more smoke and steam than required. Wing Chung also alleges that he has to make a livelihood running the laundry, which was there before Runyon purchased the adjoining property and built his row of flats

Wants Names and Place.

Henry S. Green, whose wife, Frances F. in a suit for divorce has con fained that he has faisely accused her of eing untrue to him in the presence of neighbors and friends, has filed a motion by his attorney, J. C. Moreland, asking that she make her complaint more definite and certain, and give the names of the persons before whom he made these remarks. Mrs. Green says her husband is jealous of her. They were married in Portland in June, 1903.

Voters Register.

There were nine new registrations in the County Clerk's office yesterday, and seven changes of residence of electors. Following the direct primary law, the political party to which each applicant belongs is noted on the registration card. The work resterday showed 10 Republicans, Democrats, two Socialists and one Probibitlonist.

Taxes Soon Delinquent.

Taxes for 1903 will be delinquent on Ocber 3, and after that time a penalty will attach and the property will be ad-vrtised and sold. Delinquent taxes will bear 12 per cent interest, dating back to the first Monday in April. There is still considerable money due on the roll.

Estate of H. A. Smith.

W. N. Jones and A. F. Flegel, execu-tors of the estate of H. A. Smith, deceased, filed a report in the County Court yesterday showing \$31,651 receipts, principally from the sale of timber lands, and \$27,376 disbursed. Claims amounting to \$255 were disallowed, and there are \$1555 claims still to pay.

Likes Another Man Better.

Fred W. Scheurer avers that his wife. Anna Scheurer, has persisted in telling him that she likes another man better than she does him, and calls him names.

paid \$780 more. Actually \$2500 in cash had ground of cruel treatment. He alleges

Isabella Rowley, who acts as her own attorney, yesterday filed suit in the State Circuit Court against the United States Mining Securities & Trust Company to recover \$1947. She maya A. Rowley advanced this amount of money to the corporation at divers these which poration at divers times, which was used to pay for goods and labor, and which has not been repaid.

Articles of Incorporation.

Incorporation articles of D. B. McBrids & Co. were filed in the County Clerk's office yesterday by D. B. McBrids, Charles B. Turlay and R. G. Morrow; capital stock, \$25,000. The objects are to buy and sell goods.

C. C. Matiock, a merchant of Eugene, yesterday filed a petition in bankruptcy in the United States District Court. His liabilities are shown by the schedule to be \$11,150 and his assets, \$4819.

Petition in Bankruptcy.

Court Notes. Josie Brinkerhoff has sued Multnomah County to quiet title to certain lots in block 151, Couch Addition, against which

the county has a tax claim. Walter G. Holcombe, who alleges that his wife, Emily Holcombe, deserted him more than a year ago, has commenced suit against her in the State Circuit Court for a divorce. They were married at St. Paul in 1899, and have one child, who is with its

Conveying Memorial to Roosevelt. LONDON, Sept. 21.-E. D. Morel, sec-retary of the Congo Reform Association, sailed for New York from Liverpool to-day on the White Star steamer Baltic, / with the double purpose of presenting a memorial to President Roosevelt, urging him to join in an international move-ment for bringing about a change in the conditions of the Congo Independent State, and to participate in the discus-sion of this question at the Beston peace

Montreal Fire Causes \$530,000.

MONTREAL, Sept. 21.-The buildings of the Canada Hardware Company, the cen-tral agency which is the Canadian branch of the London Thread Trust at Chaputfils & Co., one of the largest wholesale grocery and liquor houses in Canada, were burned today. Loss \$630,000, partly cov-

DAILY METEOROLOGICAL REPORT.

PORTLAND, Sept. 21.-Maximum temperature, 63 deg.; minimum, 59. River reading at 11 A. M., 2.2 feet; change in past 24 hours, rise 0.2 foot. Total precipitation, 5 P. M. to 5 P. M., .06 inch; total since September I. 1904, .06 inch; normal, 1.02; deficiency Total sunshine September 20, 1904, 4 hours and 12 minutes; possible, 12 hours and 18 minutes, Barometer (reduced to sea level), at 5 P. M., 20.80.

PACIFIC COAST WEATHER.

Wind. Direct Velocit ecipitat east 12 i 100 laker City 72 0.00 * NE | Cloudy 00 0.00 12 SE | Clear T0-9.01 6 5W 88 9.00 16 8E 50 T 18 8E 65 0.06 4 8E 65 0.06 4 8 80 T 10 8E 64 0.09 8 N 74 0.00 12 SW 78 0.00 6 8 Patocoh Island ... Walla Walls ...

The pressure has fallen generally in the Rocky Mountain and the Pacific Coast States during the last 24 hours, and a disturbance of noderate energy is now central over Wester British Columbia. This storm center marks the advent of the rainy season in the Pacific Northwest. Light showers have occurred today in the Willamette Valley and in scattered por tions of Washington, but elsewhere no rain of consequence is reported. It is cloudy this even-ing in this district, and showers are indicated in Oregon, -Washington and Idaho Thursday, with but little change in temperature. Southeast storm warnings were ordered dis-

2:30 this afternoon, and extended to seaport along the Strait of Juan de Fuca, at 5 P. M WEATHER FORECASTS. Forecasts made at Portland at 8 P. M. for 28 urs ending at midnight, September 22:

played at the mouth of the Columbia River at

Portland and vicinity-Showers; brisk south west winds. Western Oregon-Showers: brisk southerly inds, probably becoming high along coast. Western Washington-Showers: brisk southly winds, becoming high along coest and on Strait of Purs. Eastern Oregon, Eastern Washington and

orthern Idaho-Showers. Southern Idahe-Showers and cooler.
A. B. WOLLARDR,
Acting District Forecaste

NEW TODAY.

FOR SALE OR EXCHANGE FOR DAIRY or stock ranch, good fuel business, city. I 49. Oregonian.

CHOICE RESIDENCE PROPERTY. The modern T-room house, No. 738 Irving at, can be bought at a reasonable price; part cash, ball at 6 per cent. Is in the best esidence district, convenient to both car lnes. For prices and terms see Geo. M. Strong, 103 Second at.

LOUIS H. BOLL