

THE TRAIL BY LAW

Concessionaires Present to the Court Their Side of the Case.

OFFICIALS ON THE STAND

Judge Fraser, at Request of Counsel, Promises to Decide Sunday Opening Problem at 4 o'clock.

This Afternoon.

The question of the right of the concessionaires on the Trail at the Exposition to keep open Sundays under their contracts was argued before Judge Fraser yesterday, and evidence was taken. Judge Fraser, after the case was submitted, said he would render a decision on Tuesday, but by urgent request of counsel promised to try to have his decision ready and announce it at 4 o'clock this afternoon. The plaintiffs are the Rolilar Amusement Company and the Davenport Farm, but all of the other attractions on the Trail are concerned in the matter.

The Trail people contend that under their contracts they are entitled to run on Sundays under suitable regulations, and also that the Exposition people are entitled to the world that the Exposition would be open Sundays. The result of the closing of the Trail, it was contended, drove people to patronize attractions of a low character on the outside, while those inside of the Exposition grounds were first-class, strictly moral, entertaining and instructive. "Gay Paree" was admitted to be a notable exception, and Judge Fraser was loath to decide in favor of the Sunday opening if "Gay Paree" is to be included.

Reed Gives Testimony.

Henry E. Reed, secretary of the Lewis and Clark corporation, testified regarding a resolution which was adopted by the executive board January 22, 1904, sanctioning Sunday opening, and which was approved in March following, unanimously by the general board of directors. The resolution is in the form of a report by H. W. Goode upon the subject. Mr. Reed read the resolution which contained many reasons why the Fair should be open on Sundays. Among the reasons given were that if the Exposition was closed on the first day of the week it would be the means of keeping travelers here over that day; that the period of the Fair was short, and it was held during the vacation period when it was desirable to be out of doors day and night, which Oregonians and working people took advantage of to the fullest extent; that the entertainments would be of an innocent and harmless character; that it would attract people from the immediate surroundings of Portland in large numbers and also that the financial question was to be considered, as it was important to the Fair's success. It was also urged that if the Fair was kept closed on Sundays attractions of an objectionable character outside of the Exposition would spring up like mushrooms, and receive large support, to the detriment of visitors and good morals of the community and visitors. These and many other reasons, and that the Exposition would be free from objectionable features were advanced in the resolution.

Mr. Reed testified that the resolution was made public all over the world as far as possible, through the Associated Press and press associations, and was published in full in The Oregonian. He will be before Congress for the opening of the Fair on Sundays was then pending, and it was intended to have influence for the passage of the measure.

Wakefield a Witness.

John A. Wakefield, director of concessions and admissions, testified that he did not remember that any representations were made when the Davenport Farm and Rolilar Amusement Company contracts were entered into, other than what the contracts contained. George L. Baker, representative of the Davenport Farm, remarked at the time that he did not think there would be any opening on the part of anybody to the operation of that concession on Sundays. The question of Sunday opening, the witness said, was one resting entirely with the Exposition managers. His attention was called to paragraph 3 in the contracts giving the Exposition managers the right to stop anything of no good moral tone, or for the best interest of the Exposition. He said no show or amusement or educational concessions on the Trail were open on Sunday. Vending concessions were open. He acted under the direction of President Goode in restricting the opening days to six days a week. Mr. Wakefield said he had not promulgated any formal rules to that effect, only mere verbal advice to the concessionaires. Until the management decided to allow Sunday opening it was his duty to keep the Trail closed. The concessionaires never attempted to open by physical force, but they expressed a desire to open, and the past few weeks they acted very energetically a desire to open. Mr. Wakefield, in conclusion, said: "I will not permit them to open on Sundays unless so directed by the management. It is not my personal judgment."

Effect of Sunday Closing.

Mr. Davenport explained that the effect of Sunday closing was to create the impression among the public that the Trail was objectionable, which was perfectly natural. He told of having been so informed by ladies who visited the Fair. "For that reason," said the great cartoonist and humorist, "the part we are concerned in is a failure since the opening. The Trail will practically close up if this order continues. Those under heavy expense, unless the Exposition takes them on their hands, will close down to a large extent. They are down to their last meal ticket and can see no money on the horizon. All the zoological exhibits in the gardens of the United States and the world consist of just what I have tried to gather, and Arabian horses. I have cut out the carnivorous animals, which are less instructive."

J. A. Gorman, president of the Trail Association, testified along similar lines and said "our wives or families can visit any attraction on the Trail." He accepted the "Gay Paree" as of not such a high class.

and said the "Gay Paree" is not a member of the Trail Association. Judge Fraser asked if one immoral show did not do more harm than any question of Sunday opening, and proceeded to express an opinion that it was a disgrace and should be closed by the authorities. Mr. Gorman answered that some persons would patronize the "Gay Paree" show who would not be attracted to another. After some discussion on this point, John F. Logan, attorney, remarked:

"It is not the fault of the plaintiffs, but of the defendants."

Judge Fraser then proceeded to say that it was purely a question of the construction of the contracts and the law. The law permitted theaters to open on Sundays, and Mr. Logan contended that the Trail attractions were either theaters or educational exhibits of an entertaining character, and did not come under the law prohibiting Sunday amusements.

These, counsel said, comprised objectionable Sunday gardens, picnics, which the authorities could close.

Judge Fraser admitted that there seemed to be considerable sympathy on the part of people who desired the Fair closed on Sunday as to other worse forms of Sunday amusements, and said he would examine the law and contracts granted to the concessionaires.

Suit Over Maintenance.

Allegations that J. W. Warnick and R. Z. Warnick agreed to keep their sick brother, J. F. Warnick, as long as he lived, in consideration that they receive his life insurance money, are made in depositions filed in the State Circuit Court yesterday. The principal deposition is that of E. E. Eaton, of Gentry, Kan., who knew all the Warnicks. He said J. W. Warnick agreed to furnish a home for the sick brother in consideration of the \$2000 insurance, and R. Z. Warnick remarked that the agreement was a foolish one, because the invalid might outlive them both. J. F. Warnick moved around and finally went to Spokane, and R. Z. Warnick made a proposition to George R. Brett to the effect that if he would reimburse R. Z. and J. W. Warnick for keeping their brother, Brett could have the insurance money, and he accepted. Brett afterwards had to sue for the money, and the defendants won. The Supreme Court has granted a new trial, and Brett is trying to fortify his previous position.

Prosecutor for Juvenile Courts.

Robert Galloway, law librarian and attorney, at the request of Judge Fraser, has consented to act as prosecuting attorney in the juvenile court. The principal cases will be saloon-keepers and dealers in cigarettes who may be arrested for selling their wares to minors. Heretofore this work has been attended to by Judge Fraser and Assistant District Attorney Mosier.

The business of the juvenile court has increased so heavily in the last few weeks that, with the Circuit Court business on hand, Judge Fraser has found it impossible to give the time and attention desired. District Attorney Manning's office also has been rushed with business and he could not spare any of his assistants for the juvenile court. Mr. Galloway's services will cost the county nothing.

Shows Big Balance.

Martin Winch, executor of the will of Amanda W. Reed, deceased, filed his second semi-annual report in the County Court yesterday, showing \$6,274 previous balance on hand, \$7,323 receipts, making a total of \$13,597. The disbursements were \$6,371, leaving a balance of \$7,226. The disbursements include \$18,340 taxes. The inventoried value of the estate is \$1,370,000.

COLUMBIA RIVER STEAMER

Leaves This Morning 8:30 A. M.

and Sunday 9 A. M. for a Trip

"Up the Columbia."

This is a trip no visitor should miss.

The Regulator Line splendid steamer Ball, starts on its daily (except Monday) trip to Cascade Locks and return, passing enroute the finest scenery in all creation. On Sunday the Sherman Institute Band of California will play on the steamer. Get your tickets early. Leave Astor-street dock 8:30 A. M.; return 5:30 P. M. Meals on board. Round trip \$1.00. Phone Main 814.

GREAT MIDSUMMER SALE

Every department represented and included in our great price-cutting sale. New seasonable goods at almost half price. Fine shirt waists, muslin underwear, corsets, hosiery, fabric gloves, Summer parasols, silk waists and silk skirts, wash skirts and linen skirts, almost reduced to nothing. Thousands of people from all over the United States have thronged and crowded our store during the past three weeks. Today from 8:30 A. M. to 10 P. M. we will offer extraordinary values and bargain in ladies' bathing suits, fine cover jackets and skirts, linen dusters and traveling ulsters, percale wrappers and fine imported Japanese kimono. Silk coats, pongee wraps and silk skirts and petticoats. We quote the best values on earth for today's great sale. Ladies, don't miss it. McALLLEN & McDONNELL.

DAY BOAT FOR ASTORIA

Connections for Ocean Beaches.

Klisk Pee Salt chuck wawa. Ats Kopek Konaway Sun.

The above lines were sung by an Indian brave to his sweetheart long ago, and translated signify:

"What are the wild waves saying? Sister the whole day long."

It was the same old story. Tourists, travelers and lovers couples are you curious to know what old Ocean is saying? Take the steamer Lurline daily, except Sunday, at 7 A. M. from Taylor-street dock, enjoy the most delightful boat ride to sea, and if you are curious to know what old Ocean is saying, you are within easy reach of all the ocean beaches.

SPECIAL PANTS SALE.

At the Brownsville Woolen Mill Store

We have gone through our entire stock and have taken every odd pants out, which we have put on a separate table, and for a pants leader we will sell the pick of the lot for only \$2.50. They are made of the best material and are a chance to get a good pair of pants for a little money. Brownsville Woolen Mill Store, Third and Stark streets.

VANCOUVER TRIPS.

For an enjoyable short ride on the Columbia River to Vancouver, take steamer Undine at Taylor-street dock, leaving as follows: Leave Portland at 8 A. M. and 1:30 P. M. Leave Vancouver, 10 A. M. and 4:30 P. M. Fare, 15 cents each way.

MILWAUKIE COUNTRY CLUB

Eastern and Seattle races. Take Sellwood and Oregon City cars. First and Alder.

Any one can take Carter's Little Liver Pills, they are safe. No pain or griping after taking.

Pure blood is necessary to enjoy perfect health. Hood's Sarsaparilla cures both.

Willkommen Freunde in dem deutschen Geschäfte.

The Meier & Frank Store

STORE OPEN TONIGHT UNTIL 9:30

Principal Portland Agents for Butterick Patterns and Publications—Delineator \$1 a Year

We're Sole Portland Agents for "Peninsular" Stoves and Steel Ranges, the Best on Earth

Sole Agents for "Ostermoor" Patent Elastic Felt Mattresses—All Sizes—Lowest Prices

Our Saturday Specials in Men's Wear

Our weekly bargain budget in Men's Wear is given below—Plain statements of reasonable merchandise of quality at saving prices—You can't go wrong in taking advantage of them. Store remains open tonight until 9:30

Men's 50c Four-in-Hands, immense variety of new patterns, light and dark colorings; every Scarf regular 50c value; your choice today only at this low price, each. **25c**
Men's Walking or Street Gloves, in tans, red and brown; every pair guaranteed; the greatest Glove value ever offered at the low price of, pair. **\$1.00**
Men's Golf Shirts in plain and plaited bosom; the very latest patterns in light and dark colorings; all sizes; great assortment; best Shirt values in the city. **59c**
Men's and Boys' Sweaters for Coast wear, navy and maroon; all sizes; 75c value, on sale today for. **36c**
Boys' Golf Shirts, new patterns, two collars to match. **39c**
Boys' Overshirts, soft collars attached, Chambrays and Madras. **63c**

SALE OF MEN'S BELTS

Manufacturers' sample line men's Belts on sale today at extraordinary low prices. All new this season's styles in browns, blacks and black. All widths. Handsome buckles. The best belt bargains Portland men ever had the opportunity to share in. Today your choice of 50c, 75c, \$1 Belts. **39c**
\$1, \$1.50, \$2 Belts. **59c**

Men's Summer Underwear Sale

Men's mercerized lisle thread Underwear, shirts and drawers, in pink, blue and tan; fine finished underwear; every garment regular \$1.25 value, for. **89c**
Men's lisle thread Underwear; fine form-fitting garments; shirts and drawers made with satin waistband; full fashioned; \$1.25 value, for low price of. **93c**
Men's derby ribbed Underwear, in pretty shades of brown and blue; fine Summer Underwear; all sizes, in shirts and drawers; best 50c value, for the low price of. **39c**
Men's fine soft Summer Underwear; white and blue stripe; all sizes; shirts and drawers; our best \$1.25 underwear, for. **95c**

A Great Millinery Clearance Sale

Cleaning up our entire stock of Millinery—We have made price reductions on every hat that is bound to please you—Styles are the very best—All desirable shapes and trimmings—Second Floor

100 Duck Hats, desirable colors for light wash dresses, marvelous value for today only at the low price of, each. **69c**
100 Colored Duck Hats in good styles at, each. **19c**
100 Trimmed Hats, Chiffon and flowers, in black and colors; good assortment; Hats we have sold hundreds of at \$2.98 regularly; your choice today only at the wonderfully low price of. **98c**
75 Dress Hats, Turbans, large shapes, Maxine Elliotts, etc.; lace, ribbon, flowers and foliage trimmed; very attractive shapes; Hats worth up to \$7.50 each; your choice today only at the low price of. **\$2.98**
All our high-grade imported and domestic Hats, magnificent styles, worth up to \$30.00, all at greatly reduced prices.

Half-Price Sale of Children's Apparel

Phenomenal bargains in children's ready-to-wear apparel—Cleaning up stock in a thorough manner—Very decided reductions on our best garments—Every mother having a young lady to attire should investigate these special offerings

Children's Buster Brown Dresses, made in pink and blue, striped Galateas and Gingham, white linen collar, tie and belt; ages 4 to 14 years; regular \$6 values, for. **\$2.98**
Children's Dresses, made in striped Gingham and dotted Percales; fancy cape effects, tucked yoke, trimmed in white Sou-tache braid, all colors; ages 4 to 14 years; 75c value. **39c**
Children's Dresses, made in white Pique, Linen, Madras and Lawn materials; Buster Brown and French styles; tucks and embroidery trimmings; 1 to 4 yrs.; \$3.50 value. **\$1.78**
NOVELTY COATS AT 1/2-Price Choose from our entire stock of Children's high-grade Novelty Coats, made in light tans, blue, green, brown Broadcloths; blue and brown Cheviots; magnificent high-class garments for children of all ages; values from \$8.50 to \$30.00, at. **Half-Price**

HOT WEATHER TOILET ARTICLES

Fine hard milled Bath Soaps; popular brands; great special value today at per cake. **4c**
Toilet and Bath Soaps, suitable for guests' rooms, hotels and boarding-houses; extra special at, dozen cakes. **25c**
"Bathasweet" Powder, sweetened for use after the bath; toilet, etc.; regular 25c value for, box. **13c**
3-lb. bars of Barnardo Castle Soap; special at, per bar. **16c**
Chamois Skins, all sizes, for toilet, polishing, etc., each. **15c** to \$1.00
Bath Brushes, with detachable handles; special, each. **42c**
Eastman's Toilet Water; popular odors; large bottle. **30c**

RIBBON SALE

5-inch all pure silk Taffeta Ribbon, in all the leading shades: navy, new brown, Nile, black, blue, cream, emerald, white, old blue, cardinal, golden brown, pink, lavender; Best 25c value, on sale at, yard. **21c**
6-inch Taffeta and satin Taffeta Ribbon, in a full range of colors, same as the above line; regular 25c value, on sale for, yard. **15c**

Outing Suits Greatly Reduced

Selling every Outing Suit in stock at a price below manufacturing cost—All this season's best styles and materials from the leading manufacturers—Single, round-cut sacks, double-breasted sacks, fancy tweeds, fancy homespun, fancy chevrons, fancy flannels, and worsteds—Splendid assortment for your choosing—2d Fl.

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| \$ 7.50 Suits now \$ 5.89 | \$ 8.50 Suits now \$ 6.10 |
| \$10.00 Suits now \$ 7.55 | \$12.50 Suits now \$ 9.35 |
| \$13.50 Suits now \$10.15 | \$15.00 Suits now \$12.35 |
| \$16.50 Suits now \$13.45 | \$18.00 Suits now \$14.15 |
| \$20.00 Suits now \$15.40 | \$22.50 Suits now \$16.85 |

Men's fancy double-breasted Wash Vests, \$2.30, \$2.50 and \$3.00 values, for. **80c**
Men's white duck and flannel Trousers, \$1.00 to \$5.50 pair; all sizes. Complete stock of Men's linen and Mohair Dusters, \$1.00 up to, each. **\$1.00**

Specials in Boys' Apparel

Young men's Outing Suits, in newest and best styles of fancy Cheviots, fancy Homespun and Flannels; ages 14 to 20 years; great values at—

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| \$ 7.50 Outing Suits, each. \$ 6.10 | Boys' percale Waists and Blouses, in light and dark colorings; ages 4 to 13 years; great values at. 18c |
| \$10.00 Outing Suits, each. \$ 8.35 | "Mothers' Friend" Waists, in dark blue percale, detachable waistbands; ages 6 to 12 years; 50c values, for. 39c |
| \$12.50 Outing Suits, each. \$10.65 | Boys' all-wool Knee Pants, in serviceable materials, dark and light mixtures; extension waistbands, 75c values, pair. 59c |
| \$15.00 Outing Suits, each. \$12.65 | |
| \$17.50 Outing Suits, each. \$14.35 | |

Buy Your Picnic Supplies at The Meier & Frank Store

And save part of the expense of your outing—These prices are of great importance to economical buyers:—

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| 15c covered Lunch Baskets, each. 24c | 2 1-lb. cans Libby Corn Beef. 25c |
| Open Lunch Baskets, each. 30c | 2 cans A. Roone's Sardines. 25c |
| Wooden plates, dozen. 30c | 2 cans Los Heroes Sardines. 25c |
| Paper Plates, dozen. 30c | 2 cans Smoked Sardines. 25c |
| Tin Cups at, each. 30c | 2 1-lb. cans Poppy Oysters. 25c |
| Tin Sauce Pans, each. 12c | 14-lb. can Col. River Salmon. 19c |
| Tin Teapots, dozen. 12c | jar Jelly. 19c |
| Tin Table Spoons, dozen. 12c | Durkee's Salad Dressing. 19c |
| Iron handle Knives and Forks, great value at, set. 12c | Hire's Root Beer, bottle. 15c |
| 2 cans Ham and Veal Loaf. 25c | jar Maraschino Cherries. 25c |
| Champagne Wafers, per tin. 25c | 2 cans Sliced Pineapple. 15c |
| 2 O. Graham Wafers, pkg. 10c | 1 can Sliced Mackerel. 20c |
| 2 cans Van Camp's Soups. 25c | |
| 1 can Pet Cream. 5c | |
| 1 lb. Lunch Tongue. 20c | |
| 2 jars McIlaren's Cheese. 25c | |
| 2 pkgs. Saratoga Chips. 25c | |
| 1 pkg. Hunt Club Wafers. 19c | |
| 14-lb. jar Libby Sliced Beef. 25c | |
| 1-lb. jar Libby Sliced Beef. 25c | |
| 2 1-lb. cans Libby Chipped Beef. 25c | |

All Our Women's White Suits Are Greatly Reduced in Price

Women who have hot weather apparel to supply must be interested in the great reductions we have made on our entire stock of white suits in Eton and jacket styles, linen, Japanese silks, mulls and dotted Swiss, lace and embroidery trimmed, eyelet embroidered, plain tailored effects, etc.—Second Floor

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| \$16.50 values. \$12.65 | \$24.00 values. \$18.75 |
| \$18.00 values. \$13.45 | \$26.00 values. \$19.85 |
| \$20.00 and \$21.00 values. \$15.25 | \$30.00 and \$32.00 values. \$22.65 |
| \$22.50 and \$24.00 values. \$16.95 | \$34.00 and \$36.00 values. \$26.85 |
| \$42.00 values. \$31.45 | \$38.00 and \$40.00 values. \$28.65 |
| \$48.00 values. \$37.65 | \$58.00 values. \$46.25 |
| \$15.00 values. \$11.85 | |
| \$26.00 and \$27.00 values. \$19.85 | |

Silk Suit Specials

Our entire high-grade stock of Silk Shirtwaist Suits at very special prices for this week; jacket or suspender styles, fancy gimp trimming or plain tailored effects; flounce, plaited or full skirts; plain Silks, Changeable Silks and fancy Silks; black, brown, green, mahogany checks and stripes; great variety for your choosing and grand values at these extremely low prices:

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| \$16.00 Silk Suits at. \$11.45 | \$34-\$38 Silk Suits at. \$22.45 |
| \$18.00 Silk Suits at. \$13.25 | \$28-\$32 Silk Suits at. \$19.85 |
| \$21-\$22.50 Suit Silks. \$14.25 | \$42-\$45 Silk Suits at. \$27.65 |

Women's Shoe Sale

\$3.50 Oxfords \$2.45 Pair
Women's welt Oxfords and Blucher Oxfords, patent leather and vici kid, all sizes and widths; this season's leading models; \$3.50 value, for. **\$2.45**
Women's vici kid, patent tip and patent leather Oxfords, light and heavy soles; also chocolate Blucher Oxfords, all sizes and widths; every pair Johnson Bros.' best \$3 values, choice during July sale. **\$1.89**
\$4 Button Shoes \$2.10 Pr.
J. & T. Cousins' \$3.50 and \$4 button Shoes for Women, patent leathers and vici kid, kid and patent tip, turns and welt soles; all sizes; great special values for this sale at. **\$2.10**
Cousins' \$4.00 Shoes \$2.25
J. & T. Cousins' famous Shoes for Women, vici kid with kid or patent tip, hand-turned lace Shoes; \$3.50 and \$4 values, at. **\$2.25**
Women's Low Shoes, patent leather, vici kid and box calf, very best lasts; \$2.50 and \$3 values, on sale for the low price of. **\$1.15**
\$3 to \$5 Oxfords \$1.95 Pr.
Women's Low Shoes, broken lines of patent leathers and vici kid Oxfords, light and heavy soles; Cuban, French and Military heels; nearly all sizes; regular \$3, \$3.50, \$4 and \$5 values, for, pair. **\$1.95**

Sale of Women's Fancy Hosiery

Broken line of Women's Hosiery, values up to \$1.75 a pair, on sale today at 43c a pair; immense variety of desirable styles, lace lisle allover lace, and lace boot, fancy plaids, plain colors, dropstitch effects, etc.; the remaining lots from three big special sales we have held of late; all sizes and styles that will please the most fastidious; values up to \$1.75 a pair; buy all you want at this low price; great majority are the famous "Onyx" brand, which give such splendid satisfaction; this sale only, per pair. **43c**
Misses' black lisle Hose, lace ankle or boot effects, sizes 6 to 9, 35c values, pair. **23c**
Children's black Cotton Hose, pair. **18c**

Big Bargains in Women's Neckwear

White Silk Automobile Ties; large and small polka dots, in all colors, with Persian ends; 65c-75c values. **49c**
Venise and Net Top Lace Turnovers, black, white, cream and ecrú, in points and square divided effects; regular 25c and 35c values, for. **17c**
Surah Silk Windsor Ties; white, black, cardinal, garnet, royal and navy; plain colored grounds with the Lewis and Clark flag embroidered on pointed ends; great special value at. **19c**
Allover Embroidery and blind embroidered Lawn Shirtwaist Cuff and Turnover Sets; large variety of patterns; regular 35c values, for. **24c**
White Butcher Linen Stole Stocks, embroidered in sky-blue and white; fancy eyelet designs; also cuff and collar sets of same material; great value. **41c**