

CITY NEWS IN BRIEF

THE OREGONIAN'S TELEPHONE. Counting Room... Main 687. Editor... Main 636. Sunday Editor... Main 635. City Editor... Main 635. Society Editor... Main 635. Composing Room... Main 635. Superintendent... Main 635. East Side Office... East 81.

AMUSEMENTS

MANQUAN GRAND THEATER. Overture at 8:15 and 8:30. Matinee at 2:15 and 4:15. Evening at 8:15. The Bar-Borrows. DELASCIO THEATER (14th and Washington). Matinee at 2:15 and evening at 8:15. "The Bar-Borrows." RECREATION PARK (24th and Vaughn). At 8:30, baseball, Portland vs. Oakland.

He will preach his last sermon before leaving for the East next Sunday. Several informal talks were made, including a speech by Dr. House, who has just returned from his vacation. Dr. Van Horn told of his trip through the West, and spoke of the Pacific Coast States in glowing terms. He had an invitation to fill one of the most important pulpits in England this summer, but accepted an invitation from Dr. House to come to Oregon in preference, and has not regretted his choice. He believes that the West is destined to become the greatest section of the country, but thinks that its development will be somewhat slower than people commonly believe, because of the vast extent of territory that must be settled.

MAKES A LIBERAL OFFER

Councilman Sharkey Will Give \$500 Toward Grand Avenue Fill. If the property-owners on Grand avenue between Stark and Oak streets, want to get a donation of \$500 toward filling up that street from Councilman John P. Sharkey, they can get it by starting a fill at once. "I'll give \$500 toward filling up Grand avenue," said Mr. Sharkey yesterday morning, as he surveyed the ruins caused by the fire, "although I don't own a foot of ground on that street where the embankment would come, but I have made up my mind to do it. I estimate that a dredge such as would be workable to make fill from the river would cost \$50,000, and could handle 10,000 cubic yards of earth a day. In expediting the heavy cost of the fill on East Washington street, Mr. Sharkey said that it was hoped to get that street filled for 25 cents a cubic yard, but there are a number of the property-owners said fill at any cost, so they paid 40 cents.

W. E. Spicer, who owns a corner on East First and Washington streets, said Mr. Sharkey, "has leased it for 60 months at \$60 a month, which will more than pay for all the fill in front of his property. Now this lease could not have been made without this fill. It shows that this pay well, no matter if they do cost heavily.

"The elevated roadways are a hard proposition," said Mr. Sharkey, "but we must meet the question and solve it somehow."

\$1 DOWN, \$1 A WEEK.

The Remaining New "Meyer" Pianos May Be Had at \$1 Weekly Today or Tonight.

In order to close out the remainder of two carloads of these "Meyer" pianos (see announcement, page 11, yesterday's issue), we have decided to not only close them out at the advertised sale prices, \$12, \$18 and \$25, but we are willing to sell them on terms of \$1 down and \$1 a week. That is really a great deal cheaper than renting a piano, and if you have no instrument at home, it will pay you to call at Eilers Piano House, 351 Washington street, at once, either today or tonight, and secure one of these really brand new, warranted pianos.

AT THE THEATERS

What the Press Agents Say. Two Performances Today.

A special matinee will be given this afternoon at the Marquam Grand Theater when the company will present the latest comedy drama, "The Bar-Borrows." This favorite comedy has an excellent company have made a good deal of money in the past, and it goes without saying that an artistic and musical production of this nature will be a success. The matinee will be given at 2:15, and the evening performance at 8:15. The matinee will be given at 2:15, and the evening performance at 8:15.

Matinee at the Baker Today. The last performance of the Fay Foster Burlesque company, which has been in capacity at the Baker all this week, will be given at the matinee this afternoon. There will be an evening performance tonight at the Baker, as the company leaves for San Francisco and has had many kind things said of him by the press.

COMING ATTRACTIONS. "The Pit" and "Tribby." Seats are now selling for Wilton Lockyer and his company of players, who come to the Marquam Grand Theater next week. Mr. Lockyer's latest production is "The Pit," which is the farce-comedy offering in two acts. Mr. Hayes is the leading spirit and the most popular actor in the company. There will be a special Labor day matinee.

WHERE TO DINE. All the delicacies of the season at the Portland Restaurant, fine, private and semi-private dining room, all night, 305 Washington, near Fifth.

When in Seattle, "The Rathskeller," a high-class place to eat. See ad; Eastern meats. Large orchestra daily.

Genuine French dinner, with wine, 80c, at 815 Fifth street, near Stark.

Crawfish at The Empire, 292 1/2 street.

CLAREMONT TAVERN. Launch Fox leaves foot Morrison street, Merrill building, 2, 4, 6:30, 8:30 P. M.

ESCAPERONG WINE. The finest product of the escaperongs, the native North Carolina grape. A delicious, refreshing white wine. Moderate price—worth a lady's wine. W. J. Van Schuyver & Co., Inc., distributors.

Norwegian-Danish Conference. Dr. J. M. King, of Philadelphia, made two addresses at yesterday's session of the north-west conference of the Norwegian-Danish M. E. Church. Dr. King is secretary of the church-extension movement, and both of his speeches pertained to this work. Dr. N. Nelson, of California, and Bishop McDowell also spoke in the afternoon, the latter delivering the principal sermon. Dr. D. L. Rader, editor of the Christian Advocate, was the principal speaker at the morning meeting.

It was voted to hold the next annual conference at Everett, Wash. Invitations were also received from the congregations at Seattle and Astoria.

When you suffer from sick headache, dizziness, constipation, etc., remember Little's Liver Pills will relieve you. One pill is a dose.

File Incorporation Articles. Charles Francis Adams yesterday instituted suit in the State Circuit Court to have the Security Savings & Trust Company appointed trustee of certain blocks in Irvington Addition and adjoining property in place of C. H. Prescott, deceased. The widow, Georgiana Bryant Prescott is named as defendant. The suit is of a friendly character and all the facts are conceded on both sides.

Suit of Friendly Character. Charles Francis Adams yesterday instituted suit in the State Circuit Court to have the Security Savings & Trust Company appointed trustee of certain blocks in Irvington Addition and adjoining property in place of C. H. Prescott, deceased. The widow, Georgiana Bryant Prescott is named as defendant. The suit is of a friendly character and all the facts are conceded on both sides.

Free Admission to The Oaks. Every night Paint's \$2000 display of Manhattan Beach Fireworks. Tonight—Fine portrait of the most beautiful society lady in Portland. Grand reopening tonight—Gaiety Theater. Royal London Marionettes, and high-class vaudeville. 100 amusements in the park. Admission to the grounds 10 cents, children 5 cents. Reserved seats on sale at Skidmore's Drugstore, 151 Third street, and at the O. W. P. & Ry. Co.'s Ticket Office, First and Alder streets. No afternoon performance of this attraction.

RECEIPTION TO DR. VAN HORN. The Men's Club, of the First Congregational Church, gave a formal reception last night in the church parlors to Dr. Francis J. Van Horn, who has filled the pulpit at that church during the past three Sundays, in the absence of the pastor, Rev. E. E. House. Dr. Van Horn is pastor of the First Congregational Church of Worcester, Mass., the largest church of that denomination in New England.

SHARKEY'S PURE MALT. America's ORIGINAL MALT WHISKY Without a Rival Today. BLUMAUER & HOCH 108 and 110 Fourth Street. Sole Distributors for Oregon and Washington.

J. H. UPTON RESIGNS

Clerk of Judge Webster's Court Is Out.

REASONS FOR HIS ACTION

Sue to Recover on Judgment.

Declares That Stories Which Were Published Were Untrue, but Thinks It Best to Quit His Official Position.

Jay H. Upton, clerk for Judge Webster and bailiff of the County Court, yesterday tendered his resignation, which was accepted. His successor has not yet been named. Mr. Upton has been criticized in connection with the estate of Rudolph Jensen, and Henry Wilson, and was charged with assisting H. H. Riddell, attorney, in procuring a divorce from the city on a vacation during the hearing of the Jensen case. He returned yesterday and made a statement in which he declares that he has done nothing wrong, and has thrown a little legal business in the way of John P. Logan and Robert Galloway, attorneys, as well as Mr. Riddell, and it was done merely to protect his friendship and the transactions were fair and honest. Mr. Upton was very competent and efficient in his position, and Judge Webster, who thinks a great deal of him, is very sorry to lose him.

His Letter of Resignation. The reasons for his resignation were detailed by Mr. Upton in a letter which follows:

"Hon. Lionel R. Webster, Judge, and P. C. Barnes and W. L. Lightner, Commissioners: Gentlemen—Owing to the sensational stories printed in the newspapers, which I assure you, gentlemen, are based almost entirely on untruths, but which I realize have placed me in a very unenviable light before the public, and have done much to injure my reputation, I have decided to resign my position as clerk of the court. I have had no opportunity to ascertain your position or feelings in the matter, having just returned to read the stories for the first time, but feel it would be selfish for me to retain my position in the midst of all this clamor. Yours very truly, JAY H. UPTON."

Statement to Press. Mr. Upton has also given out the following statement for publication:

There has been no graft at all. Not a single penny of anybody's money has been wrongfully taken, and not a cent of anyone's money came to me. It was a very unfair and unjust attack, and only a matter of truth for its foundation, out of which, from the eagerness of certain reporters, has been built a great story of a scandal. I have for three years been in the County Judge's office, where I have had the entire confidence of Mr. Webster and had considerable responsibility and a great deal of authority. In the position I held many people came to me to ask for some attorney to take charge of matters for them. Some of them I referred to Mr. Riddell, some I sent to Robert Galloway, some to John Logan and some to other attorneys. I have never had a very extensive practice, but there was no grafting or division of fees either with him or with the others. The Telegram printed a list of all the cases he had in the Probate Court, claiming I had turned them all in to him, through the influence of my position. That is not so. It is unjust to me and unfair to him to claim the only business he had in the Probate Court was referred to him by me. Riddell worked at the Courthouse for a couple of years himself, where he became familiar with the various methods of the different departments and got the great part of that business without my having any knowledge or connection with it. Because my name appears as notary public on petitions and other papers, it is claimed we had an understanding to control every business. Everyone (and there are a great many besides Mr. Riddell) knows that I have always been willing to do anything for a man who was willing to do anything for me. I have never had a cent for the same, and if all the papers and cases in which my name appears as a notary were listed it would make a list big enough to take your breath away. That is my only connection with those cases. Any statement that Riddell and I are partners is a falsehood. One person claimed I had advised him to occupy the board of partnership formed between Mr. Riddell and me to handle such business. That is not so. If Mr. Riddell got more cases from me than did some of the other lawyers, which I don't think he did, it was because he did because he was a friend of mine who needed the business, having just opened his office at that time for the practice of law. If that was wrong, I was wrong, and am willing to shoulder the responsibility. In regard to the Jensen case, I have nothing to do with it, and the statement in Thursday's Journal is a lie. I wrote two letters to Herman Jensen, one to the administrator. I have done the same thing for many other lawyers when for some reason they could not get to their offices. To have done otherwise would have shown a lack of accommodation, of which people have never accused me. In regard to the telegram sent notifying Jensen of his brother's death, this was sent after the Coroner had made an attempt to reach him unsuccessfully by telegraph, and it was only an act of Christian kindness, and in reference to the Jensen signature I have always been authorized to sign his name to all papers except, of course, orders of the court, and it was not necessary to bother him with such details. In all these matters there was no prearrangement. I acted entirely on my own responsibility, as I thought at the time seemed best. I acted entirely in all these matters without any knowledge on the part of Judge Webster, but with the knowledge, sometimes and once under the direction of Commissioner Lightner. There was nothing wrong with any of them. The record that has been made in the past three years in stopping grafting in estates and throwing out grafters should be sufficient to convince anyone that no grafting has been tolerated.

Attachment Suit Begun. J. W. Bell began an attachment suit in the State Circuit Court yesterday against George A. Williams to recover \$125,000, which he claims is due Ferdinand Westheimer & Sons, and \$225 to the Pacific Brewing Company.

Asks Divorce From Wife. Because of desertion beginning in August, 1904, at Lents, Newton Gulick yesterday instituted divorce proceedings against Ursula Gulick in the State Circuit Court. They were married in 1896.

Suit on Promissory Note. John Dickinson has sued A. S. Paulson and Josephine Paulson in the State Circuit Court to recover \$1000 on a note executed in favor of Samuel Swanson in August, 1894.

Divorce Summons Published. Notice of publication of summons in the divorce case of C. G. Gardner vs. Lillie Gardner, was filed yesterday. The defendant is in Tacoma.

WITH SERENADE CONCERT. Wagner's Band, of Seattle, Complements The Oregonian.

The Oregonian was favored last night through the kindness of a committee representing the women of Seattle at the Exposition by a concert from Wagner's band, of Seattle, and the music was enjoyed by a large crowd that liberally applauded its favorite numbers. The programme consisted of classical and popular compositions, rendered in first-class style. Bandmaster Wagner and his band under excellent control, and it was interesting to watch the quick musical understanding existing between the musicians and himself. The band numbered 25 pieces, and the tone and expression were all that could be desired. The band is undoubtedly among the first rank of Pacific coast bands, and the first cornet soloist does artistic work in execution of tone and mastery of his chosen instrument. The Seattle musicians made a hit in a medley of popular airs, concluding with a stirring rendition of "America." Another favorite selection was Weber's "Invitation to the Waltz," in which the woodwind section excelled in delicate coloring.

GREAT SLASHES IN PRICES

25 AND 50 CENTS TO SEE PAINT'S GORGEOUS \$100,000 SPECTACLE OF "POMPEII" At The Oaks

DREW THOUSANDS TO THE BIG SPECTACLE LAST NIGHT. REMEMBER THERE ARE 2000 seats at 25 cents, 2000 seats at 50 cents, 3000 beautiful carpeted seats at 75 cents. The 50 and 75-cent seats include

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FREE TESTS. THE MASSACON For relief of deafness. THE ACOUSTICON. Enables the deaf to hear. HUTCHISON ACOUSTIC CO., general agent for Northwest, M. I. Wightman, Northwest representative, 127 Seventh street, Portland, Or.

TEETH. A BRUSH FULL SET GUARANTEED FOR \$100. Evening, Monday and Thursday, until 8 P. M. 2nd Floor, B. B. & 4th Street, Bldg.

Schwab Printing Co. BEST WORK. REASONABLE PRICES. 247 1/2 STARK STREET

AMERICA'S ORIGINAL MALT WHISKY Without a Rival Today. BLUMAUER & HOCH 108 and 110 Fourth Street. Sole Distributors for Oregon and Washington.

Campbell filed articles of incorporation of the Kisuwauke Land Company in the County Clerk's office yesterday; capital stock \$50,000. Articles of incorporation of Seelig Portland Auto Livery Company, were filed yesterday in the office of the County Clerk by John B. Kelly, W. F. Estes and Ed L. Estes; capital stock \$1000. The objects announced are to run automobiles, etc.

Incorporation articles of the Portland & Suburban Express Company were filed yesterday by George W. Simmons, Frank Fenwick and E. E. Mallory; capital stock \$25,000.

Eva M. Roach, George H. Roach and Grace A. Roach, who sued their uncle James Humphreys for an accounting as executor and trustee under the will of their mother Carrie H. Roach, and obtained a judgment against him for \$22,344, yesterday begun suit in the State Circuit Court to collect the amount of the judgment. Humphreys is named as defendant, also his sureties on his bond as executor Norris Humphreys, Emily Hovey and A. C. Hovey, H. C. Humphreys, deceased, was also a bondman and Betty Humphreys, administratrix of his estate is made a defendant. Other defendants are Blaine H. Hovey and Carrie May Burdick. H. H. Riddell appears as attorney in the case.

In the suit for an accounting it was contended that Humphreys' final account did not faithfully report all transactions, and that he mismanaged matters.

Wants Divorce for Desertion. Mattie Johnson has sued Edward G. Johnson, a restaurant keeper of 143 Seventh street for a divorce because of desertion. She alleges that he derives \$300 to \$350 profit from his business and she asks for \$15 a month alimony, and \$75 attorneys' fees. Johnson has been ordered to appear before Judge Frazer on September 8 to show cause why he should not pay the amounts. In her complaint Mrs. Johnson sets forth that they have an invalid son who is unable to work, and that she is in poor health and cannot earn sufficient money to support herself and child. She avers that the father does not provide for them. The litigants were married in Nebraska in 1885.

Says Husband Drinks to Excess. Mary A. Meach avers that her husband, Henry M. Meach, a carpenter, has threatened to kill her, and yesterday she commenced suit against him for a divorce. Charles F. Lord, attorney for Mrs. Meach, procured an order from Judge Frazer restraining Meach from molesting or interfering with his wife in any manner. The plaintiff in her complaint charges the defendant with drinking intoxicating liquors to excess, and squandering his earnings. She asks for \$35 a month alimony. They have four children aged 17, 14, 10 and 6 years respectively.

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Fall and Winter 1905-1906. Set Your Suit Today. Everybody interested in good clothes knows the sterling reputation of garments bearing this label—A. B. Steinbach & Co. PORTLAND. Look for it. It is your guarantee. For style and fit they are equalled only by the very high-priced custom work. We call your attention to the extra long coats, single and double breasted, in gunmetal grays, olives, green mixtures and browns. Overcoats and Cravenettes in overwhelming quantities. Padlocks, Newmarkets and Belted Coats. Plain colors and fancy mixtures in smooth and rough cloths. SUITS \$10 to \$35. OVERCOATS \$10 to \$55. CRAVENETTES \$10.00 to \$35.00. A. B. Steinbach & Co. The Greatest Clothing House in the Northwest. We welcome strangers in the city to our store. "Make yourself at home" while in Portland. Free Telephone.

COLUMBIA Gold Moulded Cylinder RECORDS 25c. The best records made for use on the Edison Phonograph or the Columbia Graphophone. Send us your name so that you will receive regularly our monthly supplement of new records. Catalogue on application.

GIBSON CO. 245 Washington St. Portland, Or. NEW OIL FIELDS. Have recently been discovered on government land in the desert of Utah, subject to location; parties desiring to locate on them can find out all details by writing or calling at the

UTAH OIL, COAL & DEVELOPING CO. 268 1/2 Morrison St., City. Grand Opening GRAVES' MUSIC STORE. Saturday, September 2, 1905.

Dr. W. A. Wise. WISE BROS., Dentists. Falling Building, cor. Third and Wash. St. Open evenings till 9 o'clock. Sundays from 9 to 12. Or Main 2029.

DeKoven Hall. Prepares for West Point and other Eastern Colleges. A home boarding school for boys, giving excellent military training and thorough scholastic work. Pupils are given each pupil with the aim to inspire lofty ideals of scholarship, sound judgment and in every way to prepare boys for business and professional life. Located on Lake Steilacoom, 8 miles south of Tacoma. For circular and full information address D. B. Fulton, P. O. Box 100, Tacoma, Wash. R. F. D. No. 1.

Dr. Lyon's PERFECT TOOTH POWDER. Cleanses and beautifies the teeth and purifies the breath. Used by people of refinement for over a quarter of a century. Very convenient for tourists. PREPARED BY S. W. Lyon, D.D.S.

HAND SAPOLIO FOR TOILET AND BATH. It makes the toilet something to be enjoyed. It removes all stains and roughness, prevents prickly heat and chafing, and leaves the skin, white, soft, healthy. In the bath it brings a glow and exhilaration which no common soap can equal, imparting the vigor and life sensation of a mild Turkish bath. All Grocers and Druggists.

San Francisco. The Seaside House. In new open to guests. First-Class Service in Every Way. Beautiful Walks and Drives on the Premises. With Boating and Fishing Unsurpassed. Free bus meets all trains.

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Painting Made Easy. Prepared paints, ready-to-put-on, as we offer them to the public solve the paint problem for the housekeeper. Open the can (that's easy, too), apply and let dry and there you are. All colors and shades here. Save time, trouble and expense by making your paint purchases of us. FISHER, THORSEN & CO. Front and Morrison.

We Are Headquarters for all the latest optical novelties as well as the oldest and most reliable purveyors of clear vision in the Northwest. WALTER REED THE OPTICIAN. 133 SIXTH STREET, Oregonian Building.

Free! Free! Free! THURSDAY FRIDAY AND SATURDAY ONLY. Messrs. Graves & Co. have recently leased the Arcade Theater in the rear of their store, which they have thoroughly renovated, remodeled and handsomely decorated at an enormous expense, transforming it into exhibition parlors that will be difficult to equal in the United States. Come and hear Melba, Caruso, Sembrich, Gadski and many others. M. J. Brandenstein & Co.

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