IDEAS VARY ON **NEW COURTHOUSE**

Webster Puts Cost at \$250,-000 or \$300,000; Lightner Says \$500,000.

JAIL AT TOP OR BOTTOM?

Webster Favors One, Lightner the Other-County Cannot Be Bonded Legally so Special Tax Might Be Tried.

That it would be unconstitutional to bond Multnomah County to obtain a new courthouse was the statement made yesterday morning by Judge Webster, when the subject came up at a meeting of the commissioners. The judge believes a sultable structure could be erected for \$300,000, five-stories high and fire-proof. Commis-sioner Lightner thinks a new building

of suitable proportions would cost about \$500,000. The Corbett building is pointed to as costing \$750,000.

"I regard the courthouse as a workshop not a palace," said Judge Webster. "I think it should be constructed without all this fillgree work. I would erect a five-story structure absolutely without all this filigree work. I would erect a five-story structure, absolutely fire-proof, to cover about a half block. I would have the jail in the top story. In constructing a new jail I would have a separate cell for every man. Then prisoners wouldn't get together and have the hilarlous times they do now. Neither would they have a kangareo court. I would have an arrange-ment whereby someone could march them around once or twice a day for exercise, and would not allow them to converse except in low tones. Then the prisoners would all be in jail. There wouldn't be any sunnings on the lawn nor any trips down town to make purchases.

Tin Stars Incite Conceit.

"You know there are very few men who can wear tin stars underneath their coats, without getting a little self-conceited. Then when you add to that some brass buttons and a blue suit they swell up and you hardly get a hat big enough to fit them. But of course in the case of the Sheriff this does not apply; he is an exception to

We go not need a jail nearly as We do not need a jail nearly as large as the one we have now. All that is necessary is to educate the people to see it; a jail half the size would do just as well. The best plan is to put the prisoners as fast as they come in to work in convict camps. I think it is a shame to put witnesses being held will reaso can come to tribl in fall. until cases can come to trial in jail. I would have a separate place for them, also one for the insane patients.
"We cannot obtain the \$250,000 or \$300,000 we will need for a new build-

ing by bonding the county, as this is unconstitutional. The best way will be to levy a tax for a couple of years sufficient to raise the necessary amount then proceed with the work."

East Side Might Get It.

"If we wait two years before we build, the East Side will get the courthouse," said Mr. Lightner. "I am in favor of putting the jail right where it is now. It need not be under ground, but it should be on the first floor. I do not think we will be able to put up a satisfactory building for less than \$500,000. I think we should figure out the floor space needed for all the courts including the justice courts, and all the county offices, then add another story, for the county is growing other story, for the county is growing

Commissioner Barnes was present at the meeting, but while he may have had his own ideas regarding a new courthouse, refrained from expressing

Mr. Lightner said be did not want to see a courthouse built while he was on the board. It is his belief that the demand for a new building should come from the general public, not from the commissioners. Further than this, he calls attention to the fact that the county is expending more money on road work at present than during the half year ending in June, and that the commissioners are cramped to keep expenses within the general fund. The law forbids the commissioners to go in debt for the county more than \$5000.

May Lose O. R. & N. Taxes.

Commissioner Barnes calls attention to the uncertainty of the county's ob-taining the \$229.756 taxes from the O. R. & N. Company, the levy having been made by the assessor on \$16.180.000 worth of money, notes and accounts. The commissioners say that a loss of this amount of taxes would make this amount of taxes would make a difference of \$50,000 in the general fund. The O. R. & N. Company made objection to this assessment before the County Board of Equalization, on the ground that the money was being used in construction work and that an assessment would mean double taxation. Testimony was also given to show that the accounts carried here are also upon the books of the Union Pacific Company. But the board declared that the pany. But the board declared that the tax should be paid and the railroad company appealed from the decision.

WATER SUPPLY INADEQUATE

Residents of Sellwood District Discuss Needs of Suburb.

'Six thousand people in Sellwood with out sufficient water even for drinking purposes during sprinkling hours, and over \$2,000,000 worth of property with practically no fire protection," is the situ-ation which confronts the people of that suburb, according to annou meeting of citizens, held in Strahan's Tuesday night. W. H. Golding pre-

After discussion, it was decided to appoint two committees—one on water sup-ply and one on fire protection. W. H. Golding, J. W. Caldwell, D. A. Thompson, Golding, J. W. Caidwell, D. A. Thompson, J. W. Campbell, L. J. Hicks and William LaForce were appointed as the water committee, and J. E. Reinke, D. A. Thompson and J. C. Adams were appointed on improved fire protection. The water committee will confer with Mayor lane today, if arrangements can be made, and explain the situation to him.

A 10-inch main supplies all the territory south from Brooklyn, and whenever water is used for sprinkling yards, the supply runs short. There is a report that the Ladd farm, on the Milwauke road, is to be platted, and in that event a second main would be needed. The committee will look into this matter. According to the amendments to the city charter, confirmed by the Supreme Court, a large main into that territory will have to be Missouth the suprement the amendment of the committee.

proved fire protection, the committee will ask for a combination chemical engine. There is at present no water for fire protection in Sellwood, according to the report of the foreman of the hose company. He says: "We can do nothing at a fire but endeavor to save furniture. There is no pressure, and our apparatus is consequently useless."

BRIDGE NOT GOOD ENOUGH

Better Madison - Street Structure Than Bond Issue Provides.

While the decision Monday of the Su preme Court makes valid the \$450,000 bond saue for a new Madison-street bridge, I issue for a new Madison-street bridge, it requires merely that the present bridge shall be replaced with a steel one. Ex-City Engineer W. B. Chase was con-sulted when the \$450,000 bond issue was decided and considered that amount sufdecided and considered that amount sufficient to replace the present structure with a better one on the same site, but a few feet higher. Since then there has been agitation to erect a higher bridge, land on the West Side, on Jefferson street, and make the bridge 70 feet wide. This cannot be done under the provisions of the bond issue; the bridge will have to be rebuilt on the same site and will simply be a steel bridge. It was not expected the bond issue would be declared valid, when a better and higher bridge and a new location on the West Side was agitated, but now that the issue is legal, the question of increasing the \$450,000 issue, or of securing a new and larger bond issue is being discussed. It is believed that the bridge, when built, ought to be built high enough to permit ordinary steamers to pass under without opening the draw, and be 70 feet wide. Such a bridge would cost be 70 feet wide. Such a bridge would cost more than \$450,000. Again, the petition circulated by August

Again, the petition circulated by Angust Van Hommissen must be considered. It calls for the erection of a bridge three blocks south of the present Madison bridge on East Mill and Main streets, and contains enough signatures to get a vote on the proposition.

HORTON AND COFFER FREE

Unsupported Evidence of Alleged Accomplice Insufficient.

Testimony of an alleged accomplice, uncorroborated by other evidence, is not sufficient basis for holding suspects on charges of larceny, according to a decision yesterday forenoon by Municipal Judge Van Zante. The case was that of the state against Willis S. Horton and William Coffer, night clerk and dishwasher, respectively, at the Merchant hotel. The two are alleged to have robbed Patrick Joyce of \$79 some time ago. I. C. Ross a bellboy a the hotel, confessed to being implicated with Horton and Coffer. Ross gave details of the theft, openly accusing his two fellow employes of helping him sommit the crime

In order to effect the prosecution of Horton and Coffer, the District Attorney's office permitted the beliboy to turn state's evidence. District Attorney Cameron expressed some surprise at the outcome of the case and suggested that the two suspected men are not yet clear, as he intends having them called before the grand jury when it is con-vened later. The accused were repre-sented by John F. Logan and A. Walter Wolfe, while Mr. Cameron appeared for the state.

ELKS SEE REAL SCENERY

Views of Portland and an Invitation to Visit City Handed Out.

Delegates from Portland to the grand lodge of Elka, in session at Dallas, Tex., yesterday distributed among the members copies of an illustrated book of Portland scenic views. The book is one of the handsomest yet produced, and, besides showing street scenes and pictures of the gardens, has a number of views made during the Rose Festival. A telegram received yesterday announces that when peived yesterday announces that when the books were distributed the delegates were most enthusiastic over the attention shown them and were lavish in their praise of the book. Inserted in the mid-dle of the books is a circular reading as

To all Elks, a Friendly Greeting—Portland, the most beautiful city in the world, invites you to the Factic Coast and guarantees a hospitable welcome. Portland is a city of Elks and the latch-string of their magnificent.

The indictment against the two Booths and Singleton was filed in the United States Court by Heney on April 8, 1905. The specific charge is an alleged consultant of their magnificent specific charge is an alleged consultant of the consultant Biss and the latch-string of their magnificent home awaits your coming. If the Grand Lodge of Eliks holds its next annual convention in Los Angeles, our brothers are invited to drop in upon us as they journey from California to the Seattle Exposition en route home. This modest little souvent booklet is a pictorial testimonial of our earnest desire to have you with us now or any old time. Come, brothers, come. John B. Coffey, Exalted Ruley, Clyde Rills, Secretary.

The insert also has a double page of views of the Elks building and interior.

FORBIDS CATTLE AT LARGE

Milwaukie Council Adopts Prohibitive Measures.

People who have livestock in Milwaukie must keep the animals from running at large in future. At the meeting of the Council Tuesday night a drastic ordinance was passed covering this matter. Here-tofore owners were only required to keep cattle continued at night. There was quite a fight over the ordinance. Mayor Shin-cier was opposed to it and there was some opposition on the outside, but it went

through.

The contract for completing the City Hall was let at this meeting. J. N. Snyder secured the carpentering and plastering for \$1045, and A. W. Walker secured the painting for \$17250. Work will be started at once.

Mayor Shindler filed his veto of the new variet franchise which was passed at the

water franchise which was passed at the meeting of the Council in June on the grounds that the ordinance did not compensate the city for the franchise. No attempt was made to pass the ordinance over the Mayor's head, as it was found that one Councillant who verted for the that one Councilman who voted for the franchise will now vote against it, should it come up again. The franchise had been pending for five years. It gives no concessions to the town, but the owners of the plant said they would extend the pipe lines to cover the entire place if the ordi-

ONE HOUR EARLIER

For the Potter's Saturday Trip to North Beach.

The steamer Potter will leave Portiand, Ash-street dock, at 1:00 P. M. on Saturday next, July 18, and on succeed-ing Saturdays throughout the season, instead of 2:00 P. M. as originally arinstead of 2:00 P. M. as originally arranged in the published schedules, thus giving passengers the benefit of the entire river trip by daylight, and landing them at the beach one hour earlier. Don't forget that baggage should reach the dock at least a half-hour before departure.

Rains Quench Forest Fires.

firmed by the Supreme Court, a large main into that territory will have to be built by district assessment, the same as a big sewer.

For immediate relief the committee will submit a propecition that irrigation in Sellwood be restricted, one half the people to use hose one day and the other half the next day. In the way of improved the submit a propection of the same of the people to use hose one day and the other half the next day. In the way of improved the submit a propection of the submit a propection of the submit a propection of the people to use hose one day and the other half the next day. In the way of improved the submit a propection of the submit a p

Booth Conspiracy Trial Opens This Afternoon.

TWO DEMURRERS DENIED

Judge Wolverton Overrules Motions of James Henry Booth and T. E. Singleton, Co-Defendant With

R. A. Booth.

tender being rejected, suit was then filed to compel the railroad to sell the land occording to the terms of its contract with the Government. In bringing these suits the applicants feel that they have estab lished the basis for a prior right to the purchase of the tract they have selected if the Government should be successful in its suit and the rallroad company be required to sell the lands included in the

grant.

Tracy C. Becker and B. D. Townsend. special assistants to the Attorney-General, who have been assigned to conduct the suit for the Government, are working faithfully on the bill of complaint. It is the intention of Mr. Becker to leave for the East about August 5, immediately following the Booth conspiracy trial, and it is expected the complaint will be completed by that time so that it may be presented to Attorney-General Bonaparie for his final approval. When that has been done, the suit will be filed in the United States Court in this city.

STAFFORD MUST STAND TRIAL

Timber Locator Is Bound Over With J. C. Burke.

Robert A. Booth, ex-State Senator; James Henry Booth, ex-Receiver of the Roseburg Land Office, and T. E. Singleton, their brother-in-law, will be placed on trial in the United States Court at 2 land application affidavit, yesterday

SECRETARY OF ASHLAND COMMERCIAL CLUB IS MARRIED.





F. M. DU BOIS AND HIS BRIDE, FORMERLY MISS EVA E. SHOREY. ASHLAND, Or., July 15 .- (Special.) -F. M. DuBois, a prominent you ness man of this city and secretary of the Ashland Commercial Club, and Miss Eva E. Shorey, daughter of one of the oldest families of this city, were married at the home of the bride's parents here today. The bride is one of Ashland's

most popular young women. Mr. DuBols is interested in the mercantile business in this city, but for the last two years has served as secretary of the Ashland Commercial Club, which is doing a great real of valuable work exploiting this section of the state. He has always taken an active interest in matters of public interest here and the success of the recent Fourth of July celebration was largely due to his efforts. Mr. and Mrs. DuBois will make their home in Ash-

United States Judge Wolverton yes-United States Judge Wolverton yes-terday overruled the two separate de-murrers to the indictment filed by the defendeants. James Henry Booth and Singleton and they will plead to the charge at 2 o'clock this afternoon. The third defendant. Robert A. Booth, re-fused to join in the demurrer, having en-tered a plea of not guilty in 1905, short-ly after the indictment was returned by ly after the indictment was returned by Francis J. Heney.

Opposing Counsel in Trial.

In the trial of the case the defendants In the trial of the case the defendants will be represented by Dan J. Malarkey and County Judge L. R. Webster, of this city, and A. C. Woodcock, of Eugene. The prosecution will be conducted by Tracy C. Becker, special assistant to the Attorney-General, assisted by United States Attorney McCourt and Thomas B. Neuhausen, representing the Interior Deserting the Court and Thomas B.

spiracy on the part of the defendants to defraud the United States out of the fille to a tract of 160 acres of public land in Lane County through the use of false affidavits and proofs of homestead en try procured to be made by I. Thomas Agee. The fraud charged in the indict-ment was perpetrated prior to and dur-ing the year, 1902.

Case of the Government. The Government expects to prove that

Agee, early in the year 1902, had a home-stead which was located within the Cas-cade Forest Reserve and in Douglas County; that he was induced by the de-County; that he was induced by the de-fendants to relinquish the same and to select in lieu thereof an equal acreage of valuable timber land in Lane County. The prosecution expects to show that the exchange of the land was expedited by reason of the fact that James Henry Booth at the time was Receiver of the Roseburg Land Office where the transac-tion was conducted. Witnesses and evidence will also be submitted by the Gov ernment to show that within a si time after Agec flually received the p ent to the Lane County timber land

ent to the Lane County timber land he disposed of the land to the Booth-Keily Lumber Company, of which the defendant. Robert A. Booth, was president and manager, for a consideration of \$100.

Between 25 and 30 witnesses will be called by the prosecution and undoubtedly a great mass of documentary evidence will be offered in support of the charge. In this respect the suit promises to be fully as long and tiresome as other preceding land-fraud trials. It is admitted by the Government that two weeks will be required to try the case and the probability is that fully three weeks will be necessary.

Practically all of the Government's witnesses are in the city and a large num-

nesses are in the city and a large num-ber of the venire from which the trial jury will be selected arrived yesterday.

MANY AFTER RAILROAD LAND Individuals Expect to Benefit if Gov-

ernment Wins Suit.

Public interest in the impending suit of the United States against the Oregon California Railroad Company to require California Railroad Company to require an enforcement of the conditions of the grant by which this corporation acquired title to about \$.000,000 acres of valuable lands in this state, is shown from the fact that \$3 individual equity suits have been filed in the United States Court in this city by persons desiring to purchase a quarter section of land each from the lands involved in the controversy. Since the Government has taken steps to carry such a suit into the courts, scarcely a day passes that some home-seeker does not file suit to force the railroad company to sell 160 acres of the land included in the grant at \$2.50 an acre, the price stipulated in the original grant by which these lands were transferred to the railroad.

o'clock this afternoon on an indictment charging them with conspiracy to defraud the Government of its public lands. It will take probably two weeks to conclude the trial. and was held to the Federal grand Jury under \$1990 bonds. Following an examination before Commissioner An-derson M. Cannon Tuesday, Burke, Stafford's alleged confederate, was held to the grand jury under bonds fixed at \$2090.

\$2000.

In both of these cases, Assistant United States Attorney Evans, who appeared for the Government, is resolved, if possible, to secure convictions that the general public may be protected against the operations of crooked timberland locators, who have plied their vocation in this state profitably for several years. An instance has been reported to the Federal authorities from Jackson County in which one locator succeeded in locating 13 different entrymen on the same quarter section of land, collecting from each entryman a fee ranging from \$200 to \$400 for his services. In most cases of this kind a fee ranging from \$200 to \$400 for his services. In most cases of this kind the victim has been some hard-working laborer or poor widow, who was desirous of acquiring with their meager savings a small tract of public land for a permanent home.

WILL ON TO CUITORY FAIR WILL BU IN CHERNY FAIR

SEVENTY COMMECIAL CLUB MEMBERS HAVE SIGNED.

Balloon Ascension, Mardi Gras, Baseball and Carnival Feature. for Portland Day.

When the members of the Commercial Club sat down to lunch yesterday, they found before them invitations to join in an excursion to Salem Saturday. The casion celebrates Portland day at the Cherry Fair, and when the tunch hour was over about 70 people had signed the list of those who intend to make the trip. Both the Southern Pacific and Oregon Electric offer special rates for the round-trip, good to return Monday. The pro-gramme, printed on lace-paper napkins, which were embellished with pictures of cherries and the words: "Greetings from the Cherry City," is as follows:

the Cherry City," is as follows:

Saturday Portland Day, July 18, 1968; 9:30

A. M., bailoon ascension; 10 A. M., basebail,
Willamette Field; 11 A. M., arrival Portland
delegation; 11:30 A. M., reception, Cherry Pavillion, Courthouse Square; lunch; 1:30 P. M.,
high-wire act; 2 P. M., speaking at payllion,
high-ection cherry exhibit; 1 P. M., carnival attractions; 3:30 P. M., and trip to orchards;
dinner; 7:30 P. M., battle of confett; 9

P. M., carnival attractions.

F. W. Powers and Judge J. H. Scott, of
Salem, were in the city yesterday attend-

Salem, were in the city yesterday attending to details of the proposed excursion, and before leaving had secured the prom-ise of the following, among others, to at-

Soi Biumauer,
H. J. Ottenheimer
J. S. Michael,
R. Riemen.
W. B. Glaffe,
L. C. Sanford,
A. L. Murphy,
A. C. Jackson,
J. D. Abbett,
J. G. W. Stapleton,
J. D. Abbett,
J. H. Thatcher,
L. Gerlinger,
H. M. Patton,
W. J. Frost,
J. E. McCrea,
F. J. Catterlin,
William Mead,
J. D. Leonard,
E. W. Brown,
W. C. Morris,
John F. Shorey,
A. L. Pinley,
E. H. McCraken,
T. H. McAllis,

Salem Cherry Fair Night Trains to Portland via Oregon Electric Ry.

The widely-advertised Cherry Fair takes place at Salem on Thursday, Fri-day and Saturday of this week, and the Oregon Electric Railway has arranged for a special night train to leave Salein at 10:30 P. M. on each of these days, running through to Portland and stop-ping at all between-stations. Reduced-rate tickets will be good on these for a special night train to leave Salem

Judge Morrow Reminded of a Former Case.

FINDS NARRATIVE ANNOYING

Tells "Dr." D. A. Sanburn His Story of Cut Rates in Suggested Divorce Suit Is a Downright Falsehood.

R. G. Morrow, Circuit Judge-elect, characterized as a downright falsehood statement extremely personal to him, made on the witness stand yesterday morning in Judge Bronaugh's depart-ment of the Circuit Court. The remarks ment of the Circuit Court. The remarks of the witness were entirely irrelevant to a question Judge Morrow had asked, and were not a little annoying to him. "Dr." D. A. Sanburn was being questioned regarding his payment of \$300 on an 11-acre tract on Columbia boulevard, Sanburn was in San Francisco in 1906 and said he learned through a letter written his son that the O. R. & N. would cut across the property. He believed that the amount received for the right-of-way would gay a balance due on ight-of-way would pay a balance due on

right-of-way would hay a balance due on the place.

"You were attorney for me then," re-marked the witness. "You wanted to get a divorce for me for \$75 and I wouldn't do it."

At this Judge Morrow shook his head.

"Why yes, you remember. When I re-

At this Judge Morrow shook his head,
"Why yes, you remember. When I refused to pay you \$75 you dropped to \$50."
"That's a downright falsehood. I never
did anything of the kind." replied the judge. "Before Almighty God, you did," fin-

Before Almighty God, you did," finished Sanburn,
Sanburn is suing his wife, his fatherin-law and his mother-in-law to obtain a
title to the tract, which, he says, was
purchased with his money. He said
yesterday that the reason he went to
San Francisco in 1905, just before the
alleged cut in divorce rates, was because
things became too tropical about home.
Attorney Cleeton, Sanburn's counsel,
offered to show the court that R. J.
Watkins was hired by Mrs. Sanburn,
about April 1, to trump up a criminal
charge against Sanburn and land him
in jail or drive him from the state on
account of the lawsuit. Judge Bromaugh
ruled out this character of testimony as
irrelevant to the case, and Watkins, who
was on the witness stand, did not say was on the witness stand, did not say whether he was so employed or not.

HERE'S PROBLEM IN MODESTY

On Its Solution Depends Which Castel Shall Get Divorce.

That she is a woman of modest and amiable disposition, who greatly enjoys the society of her friends, is the state-ment made by Alfie Castel, in a suit for ment made by Alfie Castel, in a suit for divorce from Antone Castel, filed in the Circuit Court. She was formerly Alfie Engle. That his wife is amiable, Castel, who is the owner of a brewery at Klamath Falls, does not deny, but he says she is decidedly immodest. To support his contention he says she brought home numerous photographs of herself, taken in scant attire. When she followed up the pictures with numerous letters written by "other lovers," Castel began to think he had good ground to obtain the divorce instead of his wife, and has filed an answer to her complaint.

filed an answer to her complaint.

The couple married at Klamath Falls,
May 1, 1894, and have a boy 13 years old.

Mrs. Castel was overtaken by the wanderlust in 1992, according to her husderiust in 1962, according to her hus-band, and began to rove about from city to city at his expense. Although he was not financially able to bear the expense, he says that like an indulgent husband he humored her, even giving her money with which to go East. He says her traveling expenses, a part of which are being used for the divorce proceedings, amounted to \$888. Among other cities, Mrs. Castel visited San Francisco, Red Bluff. Chico. Sacramento and Pertland. Bluff, Chico, Sacramento and Portland. The husband was last deserted, he says, in February, 1907. Mrs. Castel says her husband owns

brewery and other property, and is worth more than \$19,000. He denies this, saying the brewery has ceased opera-tions. He admits owning Klamath Falls tions. He admits owning Klamath Falls property, however, but says the local court has no jurisdiction over that.

Mrs. Castel charges her husband with refusing to permit her to go out evenings, injuring her sensitive nature, and says that once when she came home from the hospital where she had undergone an operation for appendicits, he locked the door, and ordered her to go to a place far from frigid, as he wanted to marry another woman. All these to marry another w

DOES NOT REGAIN HER CHILD

Lucila McMahon Dickinson Not Displeased at Denouement.

Ethel McMahon, I7 years old, will remain at the home of Mrs. E. Cole, in Willsburg, near Sellwood, according to the order of Judge O Day yesterday afternoon. She will also remain under the guardianship of the Boys' and Girls' Ald Society. Her mother, Luella McMahon Dickinson, endeavored by a writ of habeas corpus to obtain the custody of her child, saying she now had a good home for her. At the suggestion of counsel, Judge O'Day took the child into his chambers and questioned her. Upon his return he said she was perfectly satisfied to remain with Mrs. Cole. The mother will be per mitted to visit the child at seasonable

The mother placed her child in the care of the Boys' and Girls' Aid Society more than six years ago, when she obtained a divorce from McMahon. At that time she said she did not have a proper place to care for her. She is said to be satisfied with the order of the Court, however, now that she has learned of her daugater's whereabouts.

Build on Wrong Lot.

That Ben Peterson and Mary Peterson bought a lot in the Terwilliger Home-stear Addition before the streets were stear Addition before the streets were laid out and built their home upon the wrong piece of land, is the statement made by the Terwilliger Land Company in answer to the Petersons' suit. The case spending in the Circuit Court. The land in question, lot 1, block 10, was purchased in October, 1965. Peterson and his wife settled on lot 3. Then the Oregon Electric Rallway Company brought a condemnation suit against lot 1, upon which the Court assessed \$150\$ damages. The railroad company paid it. The The railroad company paid it. The Terwilliger company asserts that it offered to trade land with Poterson, and let him remain on lot 2, but that he refused. It is asserted, therefore, that he is not entitled to damages.

Obtains Right to Fills.

The two suits over the ownership of dirt in Franklin street, between East Twenty-ninth and Thirty-third streets, came up again before Judge O'Day yesterday. The demurrer of city, M. J. Connelley, W. Scott and T. McDougail to the

complaint of the John P. Sharkey com-pany was overruled, it being held by the court that the complaint states facts suf-ficient for a suit, and that the city is the proper party to it. The temporary injunc-tion, restraining the contractors from dumping the earth elsewhere than on Sharkey's property, still holds good.

Say O. R. & N. Ruined Landing.

Asserting that in shifting its track the O. R. & N. Company has destroyed the road leading to a boat landing on the Columbia River near Corbett, W. J. Ellis lumbla River near Corbett, W. J. Ellis and others asked the County Court yesterday for relief. The residents of that vicinity said the cost of shipping cattle by rall as too expensive and that with no landing, the boats will not stop. The court settled the matter temporarily by promising to set the sulfrond officials. promising to ask the railroad officials to furnish as good a road as existed before.

County Court Notes.

The estate of C. R. Andritschke has

The estate of C. R. Andritschke has been appraised at \$4835. The report of the appraisers, H. C. Bohiman, C. A. Kalus and G. Castendieck, was filed in the County Court yesterday.

The final account in the estate of Aurelia Isabella Magill was approved in the County Court yesterday. Whe report of Harriet B. Weldler, the executrix, shows that \$4155.05 is left for distribution among the balts. distribution among the heirs.

COUNTY HAS HALF MILLION

SEMI-ANNUAL REPORT OF AUDI-TOR SHOWS RESOURCES.

Sum of \$160,000 to Be Pald State October 1 on Tax Account-Growing Expense for Roads.

to \$451.819.37, according to the semi-annual report of County Auditor Brandes, just completed. This sum will be seriously depleted, however, when the \$160,-000 due the state is paid, besides the ex-600 due the state is paid, besides the expenditures from the general fund and the road fund. The law provides that the state tax may be paid from the county funds in two payments. One of these has already been made in Multinomah County, and the second payment will be due October 1.

During the last six months the amount expended from the general fund was \$288.442.78 and from the road fund \$85.

\$288,442.78, and from the road fund, \$85,-905.25. Mr. Brandes points out that this will be more during the next six months, as more road work is being done. The county's total resources are \$458.-017.61, while the outstanding warrants amount to \$6198.24. A summary of the Auditor's report follows:

Statement showing financial condition of Mulinomah County at the close of business, June 30, 1908: Resources. Cash available for re-demption of general fund warrant-In county treasury. \$510.139.41 In hands of Sherit. \$.102.92 County Clerk's hands. 217.94

in county treasury.... 189,041 89 in hands of Sheriff... 515.45

Total \$139,557.84 \$139,557.34 Total resources General fund war-rants outstanding on January 1, 1998. \$ 12,502.62 General fund war-rants drawn since January 1, 1998 . . . 228,442.78

Total \$391,243.40 leduct general fund warrants redeemed since January 1, 1998 296,760.45 Total general fund
warrants outstanding \$ 4.484.94 \$ 4.484.94

Road fund warrants
outstanding January
1, 1908 2,916.95

Road fund warrants
drawn since January
1, 1908 65,905.25

Total road fund warrants outstand-ing 1,713.30 & 1,713.30 Total liabilities \$ 6,198,24

HOAGLIN FORFEITS BAIL

District Attorney Cameron Criticises Clerk Milner for Reducing Bond.

As predicted by District Attorney Cam-

ron, Don Hoaglin, accused with a serous crime by two young women, failed to appear in the Police Court when his case was called yesterday morning and forfeited his ball of \$100 to the city foaglin's bail was originally set by Dis trict Attorney Cameron at \$1000 and lowered to \$100 at the instigation of John Milner, who, under Judge Van Zante, is clerk of the Municipal Courts Accord-ing to the District Attorney, Milner went beyond his authority in reducing the ball and, through his lack of good judgment, and, through his lack of good judgment, allowed a man who was wanted by the police for nearly a year to escape after he had been captured under trying circumstances. Hoaglin jumped his bonds once before and it was in hope of his being compelled to remain in jail until the law could take its course that prompted the District Attorney to set the heat at a sum outside of the means. oail at a sum outside of the means of

the prisoner.

In speaking of the case yesterday afti-

Excursion

SALEM

Southern Pacific

TO CELEBRATE

PORTLAND DAY

CHERRY FAIR Saturday

Leave Union Depot 8:15 A. M.

Comfortable Seats in

SPECIAL CHAIR CARS eserved for Portland Business Men, Their Families and Friends.

The Salem Band and Committee of Reception will meet the Portland Delegation at the Southern Pacific Depot at 11 o'clock and escort it to the Pavilion. Then will follow the programme of entertainment arranged by the citizens of Salem. 11:30 A. M.... Reception Cherry Pavilion Courthouse Square

LUNCH

3:30 P. M..... Auto Trip to Orchards DINNER

ROUND TRIP RATE FROM PORTLAND

Tickets good for return Saturday, Sunday

or Monday. Purchase tickets at city ticket office. Third and Washington streets, or at Union Depot. WM, McMURRAY GENERAL PASSENGER AGENT, Portland, Oregon.

HAND

Is especially valuable during the nmer season, when outdoor occupations and sports are most in order. GRASS STAINS, MUD STAINS AND CALLOUS SPOTS

yield to it, and it is particularly agreeable when used in the bath after violent exercise.

All Grecers and Druggists,

It is plain that there is some body in the office of the Municipal Court who is usurping the powers of his position to further his own ends. Why Miner should take things into his own hands the way he has, is surprising. His position as clerk of the court is to wait on persons who are compelled to do business with the office and not to act as a dictator. His 'powers' are very limited, if he only knew it, and he has no more authority, then are configurate of the court is the court of the court in the court of the court in the court of the court in the court of the body in the office of the Municipal Court more authority than any ordinary office clerk."

Cherry-Picker Makes Record.

EUGENE, Or., July 15 .- (Special.) -- Miss In speaking of the case yesterday afternoon, District Attorney Cameron said:
"Why Hoaglin was released is a mystery to me. Judge Van Zante, to my knowledge, was never consulted in regard to reducing the ball which I had set at

The first consideration in the matter of food is nutrition; the next, facility of digestion and assimilation. The grains, like wheat, should be preferred, which are well supplied with the constituents of brain and nerve, cooked in a palatable manner.

DR. PRICE'S



is prepared from the whole wheat berry, so as to render it the best of foods for growing children, invalids, the aged, the brain and muscle working classes.