

FISHERMEN GAIN VICTORY IN COURT

Judge Gantenbein Decides State Commission Cannot Close Streams.

OLD LAW HELD REPEALED

Secretary of Union in Test Case Found Not Guilty of Violating Law by Taking Salmon From Willamette and Clackamas.

OREGON CITY, Or., April 22.—(Special.)—Holding that the statute of 1905 repealed by implication the law of 1901 which authorized the State Board of Fish Commissioners to close the Willamette and Clackamas rivers...

Last January the State Board of Fish Commissioners issued an order closing the Willamette River north of the falls at Oregon City, and all of the Clackamas river north of the falls...

Judge Eakin's Opinion.

The Supreme Court said, in an opinion by Justice Eakin: "It is urged by the plaintiffs that this order of the board denies equal protection of the law to the plaintiffs in that the notice has the effect of closing portions of the stream, leaving other portions open to the public..."

Judge Gantenbein held today that the notices must be as to all streams or parts of streams intended to be closed by the board, for the reason that if it was sufficient as to some and insufficient as to the rest, then it would be a discrimination and class legislation.

Immediately after Judge Eakin's decision was handed down, Harry Aune, secretary of the local fishermen's union, attempted to make a test case of the law by going out on the Willamette River with his gear.

As soon as the case was opened and a jury secured Isham N. Smith, and George C. Bowers, representing the fishermen, interposed objections to the indictment upon the ground that it was insufficient, and arguing that the Legislature of 1905 had repealed the law of 1901.

The Legislature of 1905 amended section 45 of the laws of 1901, relating to salmon fishing, changing the date of the closed season.

Judge Gantenbein also held that where the notice was to the effect that the Willamette River and its tributaries and the Clackamas river and its tributaries should be closed, that it was necessary for the board to post on the Willamette River three notices in Clackamas County and three notices in Multnomah County and three notices on the Clackamas River, and that proof of posting of all such notices should be made.

While there are only seven days left of the closed season ordered by the board, it is the intention of the local fishermen to take advantage of their victory and fish in the Willamette and Clackamas.

NEWTON J. WALKER IS DEAD

Veteran of Mexican War Crossed Oregon Trail in Year 1851.

FOREST GROVE, Or., April 22.—(Special.)—Newton J. Walker died at his home here at an early hour this morning. He was one of the early Oregon pioneers and served in the Indian and Mexican wars.

He was born in Bond County, Illinois, February 14, 1830. When but 17 years old, in 1847, he enlisted in Company I, Third Regiment Illinois Volunteers.

Later Mr. Walker went to the mines in Jackson

PIONEER OF LANE DEAD

Mrs. Mary Jane Walker Passes at Her Home, Aged 71.

EUGENE, Or., April 22.—(Special.)—Mrs. Mary Jane Walker, wife of J. F. Walker, after whom Walker Station, three miles south of here, was named, died at her home there last night at 11 o'clock.

MACHINE-GUN PLATOON OF FIRST INFANTRY SETS WORLD RECORD.



MEN AND GUN MAKING RECORD ARE SHOWN HEREWITH.

leaves the following brothers: C. F. Peter G. and W. S. Chrisman.

TWO PIONEER WOMEN PASS

Mrs. Richter and Mrs. Harris Die at Dallas.

DALLAS, Or., April 22.—(Special.)—Dallas makes record of the death of two well-known pioneer women during the week, the first being Mrs. Catherine Richter and the other Mrs. Faithful Amanda Harris, both having a wide acquaintance in Polk and adjoining counties.

Mrs. Catherine Richter, mother of Deputy Sheriff John Richter and Mrs. Dan Stauffer, of this place, died on April 17, after a brief illness, aged 72 years and 9 months.

Mrs. Faithful Amanda Harris, another one of the old residents of Polk County, died at her home in Dallas, about 22 years after the death of her husband, near Ballston.

Mrs. Harris was born in Charlton, Mo., in 1822. She crossed the plains with her husband, James Harris, in 1850, settling near the site of Dallas.

Mrs. Harris was 87 years of age when she came to Dallas. Her husband died in 1891, since which time she has made her home here with relatives.

FRIENDS PAY LAST HONORS

J. O'B. Scooby Is Laid to Rest in Olympia Cemetery.

OLYMPIA, Wash., April 22.—(Special.)—Scores of his former fellow citizens assembled today to pay last honors to J. O'B. Scooby, of Portland, whose funeral took place here this afternoon.

At Masonic Cemetery interment was in accordance with the Masonic rites, of which order Mr. Scooby was a past master.

Death Claims Mrs. Mary J. Walker. COTTAGE GROVE, Or., April 22.—(Special.)—Mrs. Mary J. Walker, a pioneer of Lane County, died at her home at Walker last night.

Corvallis Club to Build. CORVALLIS, Or., April 22.—(Special.)—The Commercial Club of this city, decided at a meeting last night to buy ground and build itself a home.

GUN RECORDS SET

Troops at Vancouver Barracks Hold Field Meet.

COMMANDER PRAISES MEN

Machine Gun Platoon Runs 100 Yards, Unloads, Assembles Gun, and Fires, All Within 38 4-5 Seconds—Other Events.

VANCOUVER BARRACKS, Wash., April 22.—(Special.)—The world's record for a machine gun platoon, running 100 yards, unloading, assembling gun, and firing shot was broken at the annual Spring field meet held here today, when the second section of the machine-gun platoon of the First Infantry made a new record of 38 4-5 seconds.

The field meet was participated in by every organization in the post and great honors were won by F. Corps of Engineers, with 19 points.

Colonel McGunagle, commanding officer, said he had never seen a better piece in all of his years of service in the Army. The weather was ideal, warm enough for fast work, but cool enough so that the men did not suffer from the heat and were full of life and vim.

The list of events, contestant winning, and record follows: Squad drill—First, Battery B, Second Second Field Artillery; second, Company D; third, Company G.

Shelter tent pitching—First, Company G; Privates Younger and Duval, 1 minute 35 seconds; second, Private Murphy; third, Company A; Private Hill, 2 minutes 15 seconds.

Machine gun platoon contest won by second section of machine gun platoon of the First Infantry, 38 4-5 seconds, world's record established.

Bayonet fencing—Company H, Private Jackson. 20-yard sticks—Company I, Musician Kellemeier.

Mountain battery race, 50 yards—Battery A, Second Field Artillery, 38 4-5 seconds. Time as made by machine gun platoon, 100 yards.

Conical wall-tent pitching contest—First, Battery B, second, Company H; third, Company G.

100-yard dash—First, Company F, Engineers; Corp. Dougherty, 10 1-2 seconds; second, Company E, Private Murphy; third, Company A, Private Hill, 11 1-2 seconds.

15-pound shot-put—First, Company L, Sergeant Spry, 32 1-2 feet; second, Company A, Private Palmer; third, Company I, Sergeant Spear.

200-yard dash—First, Company F, Private Murphy, 23 seconds; second, F. Corps, Engineers, Private Dougherty; third, Company L, Private Frost.

120-yard high hurdles—First, F. Corps, Engineers, Private Butler, 19 seconds; second, Company G, Private Hill; third, Company L, Private Jacobs.

16-pound hammer-throw—First, Company L, Small, 5 1/2 feet; second, Company M, Helms; third, Company E, Private Hill.

Standing broad jump—First, Company B, Stanley, 9 1/2 feet; second, Company M, Smith; third, Company A, White.

Relay race, one-half mile—First, F. Corps, Engineers, 58 seconds; second, Second Field Artillery.

On account of having broken a record, the ship was highly jubilated, and some of the celebration will be announced.

Lieutenant Roy P. Waring, First Infantry, has had the second section of the machine-gun platoon under his training.

WILLAMETTE'S TEAM LOSES

Salem High School Wins First of Seven-Game Series.

WILLAMETTE UNIVERSITY, Salem, Or., April 22.—(Special.)—The first baseball game of the season between the "varsity" and Salem High School this afternoon resulted in victory for the High School by a score of 5 to 0.

The University boys have had but a few practices, and the field was heavy. The High School made its score in the sixth and seventh innings and entirely on errors.

The girls' game was the first of a series of seven between the two institutions, a game to be played each Wednesday until the seven have been played.

GIRLS JOIN TRAINING TABLE Co-Eds at O. A. C. Who Play Basketball Eschew Sweets.

ORGON AGRICULTURAL COLLEGE, Corvallis, April 22.—(Special.)—A training-table for the co-ed basketball players is being maintained at the girls' dormitory. Four teams, representing each of the classes, have places at the table.

Portland's Largest Homefurnishers Tull & Gibbs, Inc. MORRISON AT SEVENTH

Our Window Shades Are Correctly Made and Hung. Best Material and Lowest Prices. Upholstering and Repairing of Furniture Is Best Done Here and at Most Reasonable Cost.

Last Day--Unusual Opportunity in Women's Misses' and Juniors' Tailored Suits

Women's and Misses' \$25.00, \$30.00, \$35.00, \$37.50, \$40.00 Suits Juniors' \$17.50 to \$25 Tailored Suits at \$10



A Sale of the Hodges Fiber Carpets

The 80c Grade, Sewed, Laid and Lined for 60c Yard The 60c Grade, Sewed, Laid and Lined for 45c Yard

An opportunity to secure the best Summer floor coverings made at an important saving—the dainty, durable and sanitary Hodges Fiber Matting in a wealth of artistic designs.

Ranges, Gas Ranges, Lawn Mowers and Sewing Machines on the Terms \$1 Down, \$1 a Week

Saturday Drapery and Bedding Specials Sixth Floor

—Just a few and yet interesting bargains that should be an incentive to economical buyers to visit these sections today. Phone, mail or C. O. D. orders will not be filled.

LAW NOT VIOLATED

Reply to Letter Not Contract to Buy Whisky.

BURGLAR HAS MUCH LOOT

Roseburg Police Believe They Have Made Important Capture.

THIRSTY ONES REJOICE

Washington Attorney-General, in Opinion, Holds That Sale Is Completed at Point Outside of Dry Territory.

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THOUSANDS WHO WERE THIN Obtained Superb Figures By this Free Treatment TIZ-For Tender Feet CARRIER BOY DISAPPEARS Leonard Scriber, 17 Years Old, is Missing From Salem. Mule Beater Convicted. EUGENE, Or., April 22.—(Special.)—The first conviction secured since the organization of a humane society here about a month ago was the result of the arrest yesterday afternoon of Frank Truman, a horse trader, charged with cruelty to animals. He pleaded guilty