

STREETS ON EAST SIDE TO BE REOPENED

Private Interests Claim Them on Wording of the Original Deeds to Property.

TRACT INVOLVED VALUABLE

People Are Aroused as Success of Move Would Leave No Throughfares to River Between Morrison and Hawthorne.

Streets between East Water and the harbor line, between East Morrison street and Hawthorne avenue, may be closed and closed to the city. This situation has been looked into by Mr. Purpee, of Purpee & O'Reilly, and he asserts that the owners of the blocks between East Water street and the harbor line own all these streets and that the city has no control over them.

This claim, it is said, on the wording of the original deeds to the property which reads that the streets extend to low water mark. The matter is one of very great importance to Central East Portland, as the closing of the streets between East Morrison street and Hawthorne avenue would affect all the property eastward for some distance, and leave practically no streets in East Portland running to the river.

Streets May Be Seized. "I have been informed," said Joseph Supple, a shipbuilder, yesterday, "that there is to be a movement to seize all these streets extending to the harbor line, and that attorneys have been looking up the matter carefully. Captain Purpee, who is building a dock near the Madison bridge, said very positively that these streets are not open, but really belong to the owners of the adjacent property. I also was informed that the Independent Faving Company, which is building a big plant in the block of East Salmon street, is extending its plant into the street.

The claim is made that, according to the original deeds, the streets do not extend east from East Water street, although all the plans show that they are open.

East Yamhill street is on the south side of my block and I have a roadway extending to my dock. As long as I own the block, I will not close up the street, but if somebody else is to be closing the block and close the street. According to my information, there is liable to be trouble for the city over these streets. It is true that the streets do not extend beyond East Water street, a railroad company might get hold of the entire tier of blocks and build a fence along in front."

Question Never Raised Before.

This is the first time any question was ever raised about these streets. All maps show that they are opened and the property owners are not aware of the question whether they were open or closed, it being assumed that they were opened. The streets 60 feet wide which, it is said, are not opened, are East Taylor, East Salmon, East Taylor, East Salmon, East Mill, East Main and East Madison.

DANCE LICENSE REFUSED

Objections of Women and Children Carry Weight With Committee.

Applicants for a license to conduct a dance at 652 1/2 Alberta street failed yesterday afternoon in their purpose because many women and children had signed a protest against the dancing, standing the fact that Jesse Brooks, who asked for the privilege of running the dance, endeavored to show that Councilman Ellis favored it, the members of the committee voted to deny it.

When Councilman Ellis appeared, the license had been refused, but he declared that he had been present at some of the dances and had decided they were not properly conducted and said he was glad the committee refused to grant the license.

MENEFFEE TO HEAD COUNCIL

Election as President of City Fathers Considered Certain.

Election of a president for the ensuing term of one year will be the chief feature of tomorrow's session of the City Council. R. E. Menefee, Councilman from the Tenth Ward, is slated for the place, and it is regarded as certain that he will get the position.

GILLIAM COUNTY POLITICS

Majority of Voters Wish Republican Assembly This Summer.

CONDON, Or., July 8.—(To the Editor.)—The Condon or Westside paper has persistently and maliciously misrepresented to that paper and its readers the facts in connection with the election of this county's representation in the November State Assembly. These published misrepresentations no longer should be unchallenged.

was held, the County Central Committee consisted of only 13 members and not 25, as the author of the unreliable report well knew. While two additional precincts had been contemplated for the November election, they were not created until the County Court met here this week ten days after the general election in November—another fact the corresponding reporter failed to incorporate in his report.

What is more, the committee meeting was in no sense executive in character, but, on the contrary, was held publicly in the Circuit Courtroom at the County Courthouse. Every detail of the committee's work was unanimously indorsed by the committee. Opposition to the committee, to which the same correspondent referred, is not general in Gilliam County, as he represented. Instead, the only opposition comes from a handful of men of varying stability, politically, to the committee and officials who may be charged chiefly the fact that a majority of the county officials in Gilliam County, normally Republican, are probably two to one, are Democrats. Republicans here are giving the best of assistance for bringing the best qualified candidates before the voters and at the same time insuring a high percentage of success.

As a complete refutation of the published report from this same correspondent, that sentiment against the assembly in the county is increasing, it is only necessary to say that the average Republican in this county to criticize the Central Committee for failing to arrange for a county assembly by which candidates should be indorsed for all county offices. These same Republicans may yet request the County Central Committee to reconsider its former action in deciding against a county assembly for the purpose of holding such a gathering later in the Summer.

JOHN W. COCHRAN.

GIRL HAS GOOD CHANCE

MARJOHY MAHR, INJURED ACCIDENT, MAY RECOVER.

Despite Loss of Both Legs, Plucky Woman Plans for Future—Scene of Accident Is Perilous.

Bravely determined to get well and already planning a future in which she will be of use in the world, however, Marjohy Mahr, the chorus girl who suffered the loss of both legs by falling under a train at Pullon, Sunday afternoon, is giving the best of assistance to the surgeons and nurses who have her case in charge, and stands an excellent chance of recovering from her frightful injuries. No more, however, can be said upon the stage, for the surgeons found it necessary to amputate one leg at the ankle and the other at the thigh.

Miss Mahr sustained numerous contusions and minor injuries in addition to the loss of her legs, and her face is badly bruised. Her quickness of thought in throwing herself as low as possible under the train, which struck her while she was walking with a party of friends on a trestle on the Oregon Yamhill line of the Southern Pacific Railroad probably saved her life. She is now resting fairly easily at the Good Samaritan Hospital, where Dr. Lewis P. Wilson operates.

Poignant sympathy is shown by the theatrical people who were associated with the injured girl. They all speak of her beauty and of her sunny disposition. She is a daughter living at St. Paul, Minn., and another at Grass Valley, Cal., both of whom were notified. A message was also sent to her mother, who is supposed to be playing in vaudeville in San Francisco.

It is said that the accident to Miss Mahr, the third accident suffered by pedestrians on the trestle on the Oregon Yamhill line of the Southern Pacific Railroad in the last two years. The train running to Oswego, backs up on returning to Astoria, and it is impossible for the engineer to keep a watch ahead with the train in front of him.

PERSONAL MENTION.

George Shine, of St. Helens, is at the Ramapo.

Robert Neilson, of Victoria, B. C., is at the Lenox.

George E. Larsen, of Washougal, is at the Oregon.

M. C. Harris, of Hoquiam, is registered at the Portland.

Leslie Butler, a banker of Hood River, is at the Lenox.

W. F. Mettles, of Pomeroy, Wash., is registered at the Perkins.

George L. Davis, a business man of Medford, is at the Oregon.

Thomas Lee and family, of Mexico City, are staying at the Oregon.

Mr. and Mrs. E. Swain, of Aberdeen, Wash., are staying at the Lenox.

Judge H. H. Humphrey, of Kennewick, Wash., is staying at the Perkins.

Mrs. J. D. Hayes, of Portland, has left for a two months' visit in Honolulu.

G. S. Don, a hotel man, is at the Ramapo, on his way to Seaside.

State Senator F. H. Caldwell, of Newberg, is registered at the Cornellius.

S. M. Gallagher, of Astoria, is at the Imperial, on his way home from the fight at Reno.

Mr. and Mrs. J. D. Jessup and daughter, Miss Gertrude, of San Francisco, are at the Imperial.

W. F. Ketterbach, banker of Lewiston, Idaho, and family are at the Imperial on their way to Seaside.

A. J. Ahola, a hotel man of Goldendale, Wash., wife and party, are at the Cornellius on their way to Seaside.

Monte B. Gwinn, formerly president of the Oregon Bankers' Association, now in the banking business in Boise, is at the Portland.

Paul C. Morton, who underwent an operation at the North Pacific Sanitarium for stomach trouble, is improving rapidly.

Dr. Lucella Clay Carson for many years head of the department of English at the University of Oregon, and now president of Mills College, is spending her vacation in Portland and is staying at the Nortonia. Dr. Carson expects to return to Mills College the first week in August.

Patrick Daugherty, a well-to-do sheepman of Morrow and Union counties, with headquarters at Pendleton, has arrived in Portland with his family to reside here permanently. Mr. Daugherty has leased his holdings for a term of years. He is well pleased with Portland and believes this city offers the best investment opportunities on the Coast.

"Our Own Mixture" in a Pipe.

It stimulates thought. It soothes the body. It sweetens the temper. It lightens disappointment.

RATES HOLD GOOD

Court Sustains Oregon State Railway Commission.

MERCHANT GETS REBATE

Judgment Gives Oregonian Relief Sought From Railroad of Difference Between Charges Fixed and Those Charged Him.

For the third time Judge Charles E. Wolverson yesterday sustained the legality of the Oregon State Railway Commission in the United States Court. In so doing the court finally disposed of all the cases pending as a result of the effort of the Oregon Railway & Navigation Company to prevent the activities of the commission in fixing rates for freight on intrastate routes.

The judgment declared that W. S. Smallwood, an Eastern Oregon merchant, was entitled to a rebate from the railroad company of the difference between the rate fixed by the commission for hauling freight on intrastate routes, and that charged by the railroad based on interstate rates.

Shipments Never Opened.

The Portland firms of Allen & Lewis and Lang & Co., received shipments of sugar and groceries in sacks and packages, which were never opened after their delivery by the Richardson Steamship Company, but were stored in the warehouses of goods were delivered.

When orders were received for the goods the same packages were shipped over the railroads to La Grande, Baker City or other points within the state, and the railroads affixed a charge for the haul based upon its own tariff of freight carried from one state to another.

The railroads stood upon the proposition that the packages were the same as those shipped to La Grande, Baker City or other points within the state, and that the goods might be sold in this city or elsewhere.

Goods Sent East.

Under such conditions, the shipment originated at Portland when the goods were consigned to a consumer in Eastern Oregon.

Judge Wolverson adopted the latter view and held that when the goods were shipped from Portland they became subject to the rates fixed by the State Railway Commission. He pointed out that after arriving at Portland the goods might be distributed in any one of a number of ways. In the decision heretofore given the court upheld the constitutionality of the act creating the Railway Commission in this state, and the power to fix rates between points in Oregon.

CONTEMPT CHARGE IN TANGLE

Knotty Legal Question Involved in F. E. Earnhart Case.

Upon the decision of a complicated legal question depends the liberty of F. E. Earnhart, an Umatilla County farmer, who yesterday appeared in the United States Court to answer a charge of contempt. The controversy concerns ownership of Beaver Island.

Earnhart says that the case is outside the jurisdiction of the Oregon branch of the Federal Court, because an appeal pending in the Court of Appeals has been once decided in his favor. The attorneys for the opposition assert the decision of the Court of Appeals has been withdrawn pending another hearing. At any rate the Oregon court has never received a mandate from a higher court, and so far as it is officially informed, the court is restraining Earnhart from entering on Beaver Island, claimed by John B. Switzer, who is obeyed.

Attorney J. W. Bailey appeared for Earnhart and informed the court that the island ranch in the center of the Columbia River is in the possession of the defendant, and notified the court that the higher tribunal had set aside the decision of the Oregon branch of the judiciary.

Attorney R. J. Slater, on behalf of Switzer, asserted that the clerk of the Court of Appeals had mislaid a brief filed in the case, and that when the matter was called to the attention of Judge W. B. O'Neil, who rendered the adverse opinion, the jurist notified the clerk that the opinion should be withdrawn. On these premises Switzer demands that Earnhart be put on Beaver Island, and that possession be given to Switzer.

Beaver Island is situated in the Columbia River, within the jurisdiction of the State of Oregon, and is unincorporated land, containing about 80 acres. Dave Beavert was an old-timer who located on the island as a squatter, and sold the place in 1892 to John B. Switzer. In 1903 the latter leased the ground to John B. Hatter, and while it was in the control of the latter, possession was secured by F. E. Earnhart. The complaint in the case was filed when the arrangements for the purchase of the island by Earnhart entered into a conspiracy to defraud Switzer of the property.

The case was decided in favor of Switzer when first appeared in the lower courts, and Earnhart was permanently enjoined from occupying the land. After Earnhart heard that the Court of Appeals had reversed the lower court's decision, he again took possession of the property. Earnhart is now cited to show cause why he should not be punished for contempt of court.

SWANTON WINS COMPROMISE

Man Who Helped Mail Service Must Pay for Enterprise.

Frank Swanton, manager of the Columbia Mills at Portland, yesterday effected a compromise of the judgment of \$250.97 obtained against him by the United States Government, the result of efficiently handling the mails while serving as postmaster at Nome, Alaska. The settlement was made on a payment of 50 per cent of the claim.

Mr. Swanton had never been in any instance accused of having made a dishonest use of the postal funds. He was charged with having expended the money in the employment of clerks to handle the tremendous mail accumulations at Nome without first having secured permission from the Postal Department at Washington, some thousands of miles distant.

Mr. Swanton was in charge of the office at Nome in the days of the gold excitement of 1898, when the country was riddled with adventurous seekers for wealth. During the winter seasons, transportation of the mails from Alaska to the outside world became an impossibility. With the first steamers in the Spring Went a large cargo of mail, and it became necessary to employ extra help to sort and forward it as well as send out the accumulations of months.

When first assuming charge of the office, Mr. Swanton was in the class of second-class postmasters, with authority to expend a stipulated amount in clerk hire. During his incumbency the classification of the office was changed and the allowance of clerk hire cut off. But Mr. Swanton had spent the money, and so had the clerks to whom it was paid.

Under the circumstances, the United States District Attorney was ordered to bring suit for the recovery of the amount, and a judgment was returned against the ex-postmaster. At that time Mr. Swanton asserted that the arrangements by the payment of half, and it was yesterday accepted. A decree has been entered in the United States Court.

New Marilla Corsets Are in—Demonstration Royal Worcester and Bon Ton Corsets Complete Lines Warner Rust Proof, Redfern, Marquise and Mme. Helene Corsets

O. W. & K. \$1,000,000 Removal Sale. See Tonight's Papers for Announcement of Our Great Wednesday Hourly Sales in All Depts. Better List—More Items—Greater Reductions Than Ever

Only a few more days of this Great Removal Sale. The most important merchandising event in Portland's history. Thousands of thrifty people from all parts of Oregon and Washington have been benefited by these enormous price concessions in all departments of this worthy establishment. Many who have been unable to come to the store have shared in the great bargain feast through the medium of our mail order department. For the closing days prices will be cut lower than ever. Keep your eye on the store. Read our ads. every day. Profit by our anxiety to sell. Help us to open up the finest establishment in the Northwest.

- Removal Sale embraces our entire line of Ladies' Suits
Removal Sale includes all of our stock of Ladies' Coats
Removal Sale embraces entire stock of Linen Dresses
Removal Sale includes our entire stock of Silk Dresses
Removal Sale also includes all of our Lingerie Dresses
Removal Sale of our entire stock of House Dresses
Removal Sale takes in our entire stock of Wash Skirts
Removal Sale prices prevail on entire stock of Kimonos
Removal Sale includes our entire stock of Shirtwaists
Removal Sale embraces entire line of Child's Dresses
Removal Sale prices now prevail on all Infants' Goods
Removal Sale embraces entire stock Women's Corsets
Removal Sale takes in our entire line of fine Millinery
Removal Sale of our entire stock of Hat Shapes
Removal Sale prices prevail on all our Ostrich Plumes
Removal Sale includes entire stock of Undermuslins
Removal Sale prices now prevail on Fancy Neckwear
Removal Sale embraces our entire line of Gloves
Removal Sale prices on our entire stock of Ribbons
Removal Sale prices take in all of our new Parasols
Removal Sale likewise takes in all of our fine Laces
Removal Sale of our entire stock of Embroideries
Removal Sale prices prevail on entire stock of Veilings
Removal Sale embraces our entire line of Belts, etc.
Removal Sale prices now prevail on all Notions, etc.
Removal Sale takes in our entire stock Drug Sundries

Don't Fail to See Tonight's Papers—Read Every Item in Our Great Wednesday Hourly Sale Announcement

CHARGE TO BE PRESSED. PROFESSOR ACCUSED OF HUGGING GIRL, TO BE TRIED.

California's Attorney-General Will Take Up Case on His Return from Vacation.

COURT RULES AGAINST U. S. Native of Palestine Granted Citizenship in Oregon.

Judge Charles E. Wolverson yesterday refused to sustain the contention of the Government that every subject of the Sultan of Turkey is not a "free white" person within the meaning of the naturalization laws. The court ruled that a member of the Caucasian race should be considered a white person, wherever born, and admitted a man to citizenship.

Ohioan Grateful to Portland. Postmaster C. B. Merrick was yesterday in receipt of a congratulatory letter from John A. Green, secretary of the National Retail Grocers' Association, located at Columbus, O. Mr. Green recalled the splendid entertainment provided at Portland in June, 1909, for the members of his association which he said "never was excelled," and recalled that Mr. Merrick considered a white person, wherever born, and admitted a man to citizenship.

DANGER TO HOMES OVER Forest Fires on Coeur d'Alene Reserve Under Control.

WALLACE, Idaho, July 11.—(Special.)—Superintendent Weigle, of the Coeur d'Alene Forest Reserve, says this evening that today's reports and messages indicated all fires on the reserve are under control, though several are still burning. Danger to homes and possibly lives of settlers on the north fork six miles outside the boundary of the reserve reported yesterday is believed to be past.

CHILDREN WHO ARE SICKLY. Mothers who value their own comfort and the welfare of their children should never be without a box of Mother Gray's Sweet Powders for Children, for use throughout the season. They Break up Colds, Cure Fevers, Constipation, Teething Disorders, Headache and Stomach Troubles. THESE POWDERS NEVER FAIL. Sold by all Drug Stores, 35c. Don't accept any substitute. A trial packet will be sent FREE to any mother who will address Allen S. Olmsted, Le Roy, N. Y.

TO GET ITS BENEFICIAL EFFECTS ALWAYS BUY THE GENUINE SYRUP OF FIGS AND ELIXIR OF SENNA MANUFACTURED BY THE CALIFORNIA FIG SYRUP CO. SOLD BY ALL LEADING DRUGGISTS. ONE SIZE ONLY. 50¢ A BOTTLE

The Choicest Barley Grown Is Used for Olympia Beer. We buy barley from a certain section of Wisconsin, where the land is peculiarly adapted to the growing of barley for brewing purposes. It costs us more than other malt—the freight alone is \$325 a car—but we consider it worth while to get the best ingredients, judging from the rare, appetizing flavor of OLYMPIA BEER and the resultant growing demand for it.

THE BANK OF CALIFORNIA NATIONAL ASSOCIATION OF SAN FRANCISCO FOUNDED 1864. Capital Paid in \$ 4,000,000 Surplus and Undivided Profits \$ 11,300,436. BRANCHES Portland, Seattle, Tacoma, and Virginia City. We buy and sell Foreign Exchange; issue Drafts and Cable Transfers; Commercial Credits and Travelers' Letters of Credit; available in all parts of the world; make collections on all points and conduct a general foreign and domestic banking business.