MURPHY, WHO SOLD LEAD PIPE, LET OUT

Water Department Employe Is Dismissed Second Time Following Charges.

HONESTY NOT QUESTIONED

Junk Dealer Buys Supplies From Municipal Shop, but Discharged Man Says Goods Not City's Property.

Cornelius G. Murphy, employed in the city water department as meterman and foreman of the shops at Fourth and Market streets, was again dismissed from the service of the city by unanimous decision of the Water Board, after a rehearing that consumed the greater part of yesterday afternoon.

Several months ago Murphy was dismissed on charges that he had taken supplies from the shop of the municipal water department which did not belong to him and had sold them to a junk dealer in the city.

Murphy appealed to the Civil Service Commission and was reinstated on the grounds that the charges against him were not sufficiently specific. More specific charges were preferred against him, the testimony in the case was fully gone over in the rehearing yesterday and the Water Board sustained its former action.

Murphy's salary since his reinstatement by the Civil Service Commission in May up to the time of his second dismissal will stand.

Wilcox Personally Regrets.

"Personally, I very much regret the decision we have been obliged to make today," said T. B. Wilcox, of the Water Board, to Murphy after the close of the session. "But I believe that we acted in accordance with our duty to the city."

"The affair isn't ended yet," answered Murphy sharply.

Roger Sinnot, who appeared in Murphy's behalf, stated that he intends to appeal a second time to the Civil Service Commission.

The testimony brought out the facts that 400 pounds of lead pipe and plumbing fixtures had been sold to J. Levy by Murphy, and that these materials had been taken from the shop in which Murphy was foreman. Mayor Rushlight, learning of the transaction, sent an officer to trace the missing material, and it was located in Levy's store. When confronted by the Mayor, Murphy did not deny the transaction, and showed Mayor Rushlight the check he had received from Levy. Later, however, before further investigation could be made, the check was returned to Levy and the materials were taken back to the shop.

Fixtures Were "Picked Up."

Murphy insisted that the materials sold by him were not municipal property, but were accumulations of fixtures picked up by the employes of the water department on the streets where they had been let by private contractors. He insisted that they would merely have been hauled away to the scrap heap if they had been left, and said that it was the practice of the city workmen to collect such material and sell it periodically, dividing the proceeds among them.

In the course of the testimony T. B. Wilcox pointed out that there had been practically no work done on private contract since 1910, whereas Murphy had testified that the materials sold had been collected during 1911.

John Myers, of 238 Sherman street, an employe in the shop of which Murphy had charge, said that it had been a regular custom to make occasional "clean-ups" and sell the materials to the junk dealers. He said that he was afraid that something was wrong and so formed a practice of keeping account of the "clean-ups." He produced a notebook containing memoranda of a number of dates upon which sales had been made and the amounts he had received in the division of the proceeds.

Transactions Kept Secret.

He said he had never received any direct orders from Murphy on these matters, but had been under instructions of L. Johnson, another man employed in the same shop, who had warned him to say nothing about the transactions.

"I don't know if I was stealing the city's property," he said, "I was obeying the orders given me."

In his argument Sinnot held that Murphy did not intend to act wrongly, and that he did not believe that the materials he was selling were the property of the city.

"There is not a thing in the charges that touches on Mr. Murphy's honesty," replied City Attorney Grant. "We merely insist that his conduct has been such that, for the good of the department, it were better for him to be dismissed."

TIMBER TAX MUST BE PAID

Court Holds Corporation Has No Rights Over Individual.

ROSEBURG, Or., Aug. 20.—(Special.)—Holding that corporations were in common with individuals when it came to the payment of taxes, Judge Hamilton today handed down a decree in the Circuit Court compelling the Southern Oregon Company to pay taxes on its big acreage of timber lands in Douglas County for the four years ending in 1912.

The company petitioned to place the tax money in escrow pending determination of a suit recently filed against the company by the Government. In this suit the Government seeks to enforce a forfeiture of the company's lands on the ground that the provisions of the original grant were violated. An accompanying application for an order restraining the Sheriff of Douglas County from collecting the taxes, or disposing of their property through delinquency, was denied by Judge Hamilton. The taxes amount to $12,000.

RATES MAY BE HELD UP

Commission May Forbid Advance of Freight Tariffs to Coast.

WASHINGTON, Aug. 20.—Transcontinental railways are facing suspension by the Interstate Commerce Commission of advances in freight rates proposed recently. The new rates to become effective September 2, would increase the transportation charges of many commodities from the Atlantic seaboard to Pacific Coast terminals.

They also would make some reductions to inter-Rocky Mountain destinations. Vigorous protests are being received from Eastern manufacturers and shippers and from Pacific Coast jobbers and merchants. It appears likely that many of the proposed increases will be suspended, pending a thorough inquiry.

SALEM, Or., Aug. 20.—(Special.)—Chairman Aitchison of the State Railroad Commission today sent a request to the Interstate Commerce Commission asking the commission to suspend operation of the proposed new transcontinental west-bound tariff. This tariff is due to go into effect September 2.

The proposed new tariff cancels many of the old commodity rates. Chairman Aitchison says the change in the tariff is likely to be of vast importance to the consumer, and inasmuch as the scope of rates affected is so wide he believes that it will be unjust to the consumer to allow the tariff to go into effect without an investigation.

The law gives the Interstate Commerce Commission power to suspend interstate tariffs in this manner. The new transcontinental west-bound tariff, referred to, affects rates from practically all places east of Denver and as a consequence is of wide import.

In the event the Interstate Commerce Commission decides to suspend the going into effect of the tariff, the burden of proof will be placed upon the roads to show why such changes, as are contemplated, should be made. This is considered as decidedly better than to allow the rates to go into effect and then attack them.

NEW MANAGER OF PORTLAND COMMERCIAL CLUB IS NAMED.

John Annand.

John Annand yesterday was appointed manager of the Portland Commercial Club, at the regular meeting of the board of governors. Mr. Annand has secured leave of absence from his position as manager of the Postal Telegraph, and will assume his new duties on September 1.

Since the resignation of F. E. Jago, L. O. Coddington, assistant secretary and treasurer, has held the position of acting manager. Mr. Coddington will remain with the Commercial Club in his capacity of assistant secretary and treasurer.

Mr. Annand will be relieved at the office of the Postal Telegraph by Benton S. Durkee, who has been in the employ of the company for the past 24 years. Mr. Durkee several years ago won the John W. Mackay medal for fast receiving from the wire to the typewriter, defeating all comers with a score of more than 97 per cent. Mr. Durkee will be succeeded by E. Donald Ross, now traffic chief in the Portland office, who has been in the service since 1899.

CHILDREN GET BENEFIT

YAMHILL COUNTY FAIR PUTS UP $700 FOR JUVENILE WORK.

Big Show at McMinnville Next Month Promises to Be Best of Any Similar Event.

M'MINNVILLE, Or., Aug. 20.—(Special.)—Preparations are being made and every detail looked after for the Yamhill County Annual School Fair and Stock Show to be held here September 24, 25, 26 and 27.

This is always the main event for the year, and on this occasion people throughout the county are taking greater interest in the fair because of the fact that the stock show will be held in conjunction with the fair and also because of the splendid prize list offered to the children. Cash premiums aggregating $700 are offered. There will be about 30 school districts represented, with separate booths in which to display their exhibits, and it is estimated by School Superintendent S. S. Duncan that 75 per cent of the 94 school districts will be represented.

The school children will parade in automobiles and the fair association will render a programme every day. The list of speakers is not complete and the programme is still in the making. State School Superintendent L. R. Alderman, the original founder of the school fair, will be one of the speakers. Mr. Alderman initiated the first school fair in 1906. A number of other prominent speakers will be secured. This matter will probably be attended to by the directors of the fair association, who meet at the Courthouse Saturday, August 24, as will also arrangements for the baby show, which will, perhaps, be the second or third day of the fair.

The exhibits are divided into A and B classes, according to the age of the children. Flowers, art work and other specialties by the women will be shown in the women's department. The prizes awarded range from $20 to $1, and are for agriculture, woodwork, cooking, sewing and flowers, and each of these are subdivided into six or eight different kinds and classes. The programme and exhibits will be staged at the city pavilion in the city park.

The city has purchased an acre adjoining the park on which will be built sheds to house the stock. Enough stock to fill these sheds to their capacity has already been listed with the committee in charge. A. K. Olds, Dr. Myine, L. D. Moulton and Ira G. Nelson are in charge of the poultry, of which this county has a number of fine strains.

Arnold's Amusement Company will furnish the main attractions in that line. Several shows and a number of other good features will be here the full four days. Arnold's company has always been well received and is popular here.

The paving of Main street is being rushed with energy, as the city desire is to be finished and in condition for use in time for the school fair, now only a little more than one month distant.

"Drys" to Have Full Ticket.

VANCOUVER, Wash., Aug. 20.—(Special.)—The Prohibition party in the county will place a full ticket in the field, according to a call made by M. C. Stewart, county chairman of that party. The call is for a mass convention to be held at the county courthouse at 10 o'clock, September 10, the morning of the primaries.

JUAREZ WELCOMES FEDERAL TROOPS

Populace Assembles in Drizzling Rain and Cries for Death of Orozco.

RABAGO PURSUES REBELS

Campaign Is Designed to Drive All Roaming Bands From Vicinity. Tellez, in Juarez, Says He Has Made No Plans.

JUAREZ, Aug. 20.—Mexican federals numbering 2300, under command of General Joaquin Tellez, arrived here tonight and occupied this city, which recently was evacuated by the rebels. The townspeople assembled in a drizzling rain, crying, "Viva Madero" and "Death to Orozco."

The federal troops arrived on three trains, bearing cavalry, infantry and artillery. Small bands of rebels roaming around Juarez offered no resistance.

General Rabago, with the majority of the cavalry, is campaigning southeast of the Casas Grandes district in an attempt to drive all rebels from that vicinity. He leads about 2000 men. Forces arriving at Juarez are composed of three battalions of infantry and eight pieces of artillery. General Tellez announces that he has made no definite plans for the continuance of the campaign about Juarez.

REBELS MOVING ON COAST

Either Mazatlan or Lower California New Scene of Operations.

EL PASO, Tex., Aug. 20.—Everything indicated that rebel forces in Northern Mexico are concentrating on the Pacific Coast. Either Mazatlan, in the State of Sinaloa, or Lower California, it is believed, soon will become the stamping ground of the Orozco revolutionists.

The rebel commander has given up attempts to organize a revolution on the United States border because of the difficulty of smuggling ammunition over the Texas or New Mexico state lines. This, the rebels aver, is due to the activity of the United States troops on border patrol, a condition, they assert, which was not necessary to meet in the Madero revolution. With a seaport, General Orozco will attempt to obtain munitions of war by boat. Indications that the United States Government is anticipating this move are found in the sending of the gunboat Denver along the west coast.

A force of between 1000 and 1500 rebels has appeared within a few miles of Culiacan, Sinaloa, defended by a small Federal garrison. Six hundred Federal cavalry and 400 infantry are reported to be moving overland from Guadalajara into Sinaloa, but their progress over mountain passes will be slow.

The whereabouts of Orozco himself remains as much a mystery as ever.

SPOKANE SETS RECORD

Bond Issue for $750,000 Negotiated on Davenport Hotel.

SPOKANE, Wash., Aug. 20.—Through the negotiation here recently of a bond issue of $750,000 on the Davenport Hotel, a new record in such issues for building purposes was set in the city's history.

The issue was underwritten by the Mercantile Trust Company, of St. Louis, through the bond department of the Union Trust & Savings Bank of this city.

A thorough study of conditions here and in the Inland Empire generally was made by the Missouri concern over a period of several months, and the visiting capitalists showed themselves enthusiastic over Spokane's new hostelry.

The underwriting of the bond issue completes financial arrangements for the erection of the great new hotel. The total cost of building, ground and equipment will be $2,050,000. This is cared for by 9000 shares of preferred stock at $100 a share, 4000 shares of common stock at $100 and the bond issue of $750,000. Excavation will begin about September 15.

TOLEDO READY FOR FAIR

Lincoln County Event This Year Will Outdo Former Events.

NEWPORT, Or., Aug. 20.—(Special.)—Lincoln County has outdone all previous arrangements in preparing for its fourth annual county fair, which takes place at Toledo, the county seat, August 20, 21, 22 and 23.

The changes this year include an extra day added with the time set a month earlier in order that the Summer visitors at Newport may have an opportunity to visit the fair and observe the resources of the county.

The two greatest assets of the county, fish and timber, will not be represented, as every visitor has ample evidence of those two industries without attending a fair. The programme provides for a generous arrangement of farm products and the premium list includes liberal prizes so divided that every man, woman and child in the county will have a chance to compete.

To insure pleasure for all, the committees on amusements and sports have arranged many side shows and games during the four days, which will bring professional entertainers and athletes from all over the state.

August 22 has been designated "Newport" day, and launches will take a large excursion from the county seaport. Governor West will deliver an address on that day.

The following is the executive committee: President, Carl S. Davis; first vice-president, William F. Wakefield; second vice-president, Walter M. Berry; secretary, Clifford B. Crosno; treasurer, C. O. Hawkins.

FACE FORTUNE NO MORE

EUGENIC JUDGING AT CLARK COUNTY BABY SHOW.

Arrangements Made for Colonel Roosevelt to Deliver Address at Vancouver Fair.

VANCOUVER, Wash., Aug. 20.—(Special.)—The general physique of the infant in the baby show, to be held by the Clark County fair September 13 will count for more than the prettiness of face; for the show will be held under the new system of applied eugenics, and O. M. Plummer, who is an expert in eugenics, will be the chief judge. He will be assisted by several nurses and doctors.

Last year there were nearly 400 babies shown and this year, it is hoped, that there will be as many, but the new system of judging may reduce the entries.

Since the announcement has been made that the new system will be used this year, greater interest than ever has been created, and those persons who have been rearing children according to modern systems are more than willing to have their babies judged by experts in their line.

Mr. Plummer will judge the babies at the State Fair at Salem, and come here the following week with his assistants.

Colonel Roosevelt will deliver an address at 11:30 o'clock, September 11, at the Clark County fairgrounds. This was decided Monday when George P. Larsen, manager of the fair, James P. Stapleton and several others went to Portland to meet the committee in charge of Colonel Roosevelt's Portland programme.

James P. Stapleton will drive Colonel Roosevelt and party from Portland to Vancouver and take him back after lunch.

Plans have already begun for the proper reception of the ex-President of the United States.

James J. Hill, empire builder, who has just retired from active life, was here to open the Clark County fair last year.

TELEPHONE WAR BREWING

Olympia Farmer Line Rate Basis of Expected Litigation.

OLYMPIA, Wash., Aug. 20.—(Special.)—Subscribers to the Olympia farmer line will be allowed telephone connections with the Olympia Telephone Company, or Bell system, for $5 per annum, if the order entered by the Public Service Commission Saturday is acquiesced in by the telephone company. It is predicted, however, that this may mean a long fight in the courts, as the Pacific Telephone Company is expected to fight the order. If litigation should not be commenced it will, perhaps, cause a readjustment of rural telephone rates in all parts of the state.

The new rate fixed for subscribers to the Olympia farmer line is a reduction from $7.20, the rate fixed by the company. Formerly subscribers to rural lines in Olympia were charged a rate of $3.60 per year for connection with Olympia. The Bell company raised the rate to $7.20, and complaint was made to the Commission, which held a hearing and found that the rate fixed by the Bell company was too high. The Commission then entered its order fixing $5 as a reasonable rate.

McMinnville Depot to Be Built.

M'MINNVILLE, Or., Aug. 20.—(Special.)—The contract for the building of the new $5000 depot for the Southern Pacific has been let to A. F. Arthur, of this city. The depot will be erected on the company's new grounds on Main street at the junction with the company's right of way, and will be on the west side of the track, a feature that has been urged by the city for some time. Mr. Arthur intends commencing work at once. The regrading of the company's tracks and the laying of a new track along the new depot grounds is nearly completed.

Eufala Postoffice Discontinued.

CENTRALIA, Wash., Aug. 20.—(Special.)—The postoffice at Eufala, 10 miles west of Kelso, has been discontinued by the Postoffice Department through lack of patronage. Patrons of the office will hereafter get their mail at Stella.

FIVE GENERATIONS OF FAMILY ALL LIVING AT LEWISTON, IDAHO.

Key to Picture—1, Mrs. Susana Hunter, Aged 90; 2, Mrs. M. V. Ferris, Lewiston, Aged 70 Years; 3, Mrs. L. W. Robinson, Nez Perce, Aged 40; 4, Mrs. S. G. Robinson, Pendleton, Or., Aged 30 Years; 5, Miss Emma Robinson, Pendleton, Aged 13 Years.

LEWISTON, Idaho, Aug. 20.—(Special.)—Five generations of daughters, all living and each the oldest of her respective family, recently gathered here. Mrs. Susana Hunter, whose home is in Hurdland, Missouri, is 90 years old, and has the distinction of being a great-great-grandmother. This week Mr. and Mrs. M. V. Ferris, of Lewiston, celebrated their golden wedding at their home here. Mrs. Ferris is a daughter of Mrs. Hunter and is 70 years old. The combined ages of the five women is 252 years.

REAL PROGRESSIVES ARE REPUBLICAN

Club to Be Formed in Oregon to Fight for Policies of Party.

LA FOLLETTE MEN AT HEAD

Instigators of Club Idea Insist True Progressives Originated in Ranks of Republican Party.

Progressive Republicans in all parts of Oregon have started a movement to organize themselves into clubs in each city and community of the state with the idea of carrying forward the progressive policies originated in the ranks of the Republican party.

It is the aim and intention to have the clubs work in harmony and lend their combined support to the Republican ticket in the present campaign. The state will be districted and leaders chosen to have charge of the work in each district. It is probable, too, that one man will be chosen to direct the work throughout the state.

In this way, it is believed, progressive Republicans will be able to present a united front at the forthcoming election and to aid materially in bringing about the success of the entire Republican ticket in the state from President Taft down to the less important county offices.

The movement for the organization of these clubs seems to have been born among some of the friends of Senator La Follette, who now are enthusiastically supporting the regular Republican ticket. They want to maintain the party intact for the present campaign as well as for future political battles. On account of his conspicuous connection with the La Follette campaign and because of his progressive ideas many Republicans are urging that Thomas McCusker be chosen head of the club movement in the state. On account of his varied duties in connection with his campaign for Congress in the Third Oregon District it is not known whether he can be prevailed upon to accept the leadership.

One object of the organization is to keep prominent before the Republican voters of the state the fact that the progressive policies which have become popular with the people were born in the ranks of the Republican party among party leaders such as La Follette, Cummins, Borah and others who are loyal to, and fighting for, the party and its candidates. The leaders want to emphasize the fact that it is not necessary to leave the party to be identified with the progressive movement.

Definite steps have not yet been taken in any city. From reports received here yesterday from various parts of the state there is a strong sentiment among Republican leaders everywhere in favor of a well-organized system of Progressive Republican clubs that will become permanent adjuncts of the Republican party.

PROGRESSIVES TO TRY AGAIN

Douglas County Managers Will Endeavor to Drum Up Crowd.

ROSEBURG, Or., Aug. 20.—(Special.)—A second call for a Progressive convention in Douglas County was made today by John W. Campbell, local manager of the Roosevelt campaign.

The meeting is called, so the circular says, for the purpose of forming a county organization as well as considering the advisability of selecting a full county ticket of Progressives for the November election. B. F. Mulkey, Bull Moose candidate for United States Senator, will probably be present to address the convention.

A similar meeting was held here a few days ago, but owing to the small attendance it was decided to adjourn awaiting a second call of the county chairman.

Hood River Men for Bull Moose.

HOOD RIVER, Or., Aug. 20.—(Special.)—The first activity evidenced locally by adherents of the Bull Moose party came in the form of an announcement today from a number of citizens, who declare that they will stand behind the newly-formed Progressive party and support Colonel Roosevelt. Those who have declared themselves for the new party are: Rev. J. G. Tate, L. B. Gibson, A. C. Lender, John Baker, A. Canfield, E. A. Franz, A. C. Staten, W. B. Young, E. A. Baker, George W. Dimmick, J. B. Hunt, S. B. Carnine, L. W. Cannon, George T. Prather, E. O. Dutro and A. J. Brunquist. The Bull Moose will meet at the Courthouse Friday afternoon and elect delegates to the state committee, which will meet in Portland August 29.

COLORADO ACTION INDORSED

Colonel Says New Set of Candidates Is Made Necessary.

DENVER, Aug. 20.—Judge Lindsey, of the Juvenile Court here, has received a letter from Theodore Roosevelt, in which the progressive candidate indorses the action taken by third party leaders in Colorado in placing a new set of candidates in the field, outside of the Republican party.

"It seems to me clear that the course of events in Colorado has made it necessary for the Progressives to nominate their own ticket, disregarding the Republican primaries," the Colonel writes.

"In every state we recognize the men who sent the delegation to the Chicago Progressive National convention and I feel very strongly that the fight must be clean cut against both the old parties' machines."

STATE GUARD HEARING ON

(Continued from First Page.)

told how the Second and Third Battalions formed an advance guard that started from Oakville for Gate at 5:45 in the morning, or perhaps a little earlier, he said.

"The distance, I think, is about four and one-half miles," said the Colonel. "The advance guard was not under my command, but as near as I could learn of the route they followed, they deviated somewhat from the beaten road in going to Gate, that march being in the form of maneuvers."

When District Attorney McNary asked if the distance was not in reality five miles, as shown by maps and timetables, Colonel Poorman responded that it might be, but the official report showed it to be but four and one-half miles.

"I was not in the maneuvers," continued Colonel Poorman, "but I know the battalions in the advance guard left about 5:45 in the morning and reached Oakville at about 10 o'clock, and were ordered to march back at 10:30, or 10:25, to be exact. I expected from the first order we received that we would entrain at Gate, but a later order informed us to entrain at Oakville, and the march back was necessitated. General Maus gave the order. When he gave the order I asked permission for the men to remain. I thought if they entrained it would be just as well to entrain at Gate as Oakville, but it proved necessary to muster the men out and pay them that day and it was necessary to do this at Oakville. But I knew the men would be tired, and so before I had thought it unnecessary for them to make the march back."

Early Breakfast Had.

In response to questions from Mr. McNary Colonel Poorman stated that the men had eaten at 5:15 in the morning, but he was not sure what rations they had taken with them on the march. "They were traveling rations, but I don't know just what they were, as I did not eat that kind of food myself," said the Colonel. He admitted that he believed the route followed by the men on their march to Gate would be hard traveling.

He also admitted that the day was warm, but how warm he did not know. "I know it would not be as hot to me as to a man walking."

He said he sent the Adjutant to discover why the Second Battalion was not moving and when the Adjutant reported that some of the company commanders would not give the order to move, he went himself. He said Major Scott, of the battalion, finally admitted that he had refused to obey the command of General Maus. "But the battalion started back for Oakville after a little. I think they arrived there shortly after the next preceding company. They did not take their equipment and asked permission to have it sent in wagons. As a last resort I granted this privilege, as I felt humiliated that this thing should happen right in the immediate vicinity of General Maus."

Mr. McNary called attention to field regulations regarding the feet of soldiers, that they should be marched no longer than necessary nor under heavy equipment no longer than necessary. Colonel Poorman said it was the duty of the Captain to look to these things and that it did not rest with the Colonel to examine the men's feet. After considerable parleying as to just how far Colonel Poorman thought a man should be called upon to march under heavy equipment, during which both Governor West and Mr. McNary plied Colonel Poorman with questions, his examinations ceased, although Mr. McNary tacitly accused Colonel Poorman of being ignorant of conditions existing that day and that he made no effort to make an investigation, although he had preferred charges against the officers in his report.

Several Reports Read.

Several reports from officers were read into the evidence relative to the affair at Gate, these being from Colonel and Judge Advocate-General White, Colonel Poorman, Lieutenant-Colonel May, First Lieutenant Endicott and Captain and Adjutant Hotchkiss.

All testimony positively declared that General Maus was not intoxicated, that he had no appearance of an intoxicated man; that none of his actions would indicate that; that there was no smell of liquor on his breath or person, and that there was no reason to believe that he had tasted liquor at any time during the maneuvers.

Lieutenant-Colonel May, in his testimony, scouted the idea that the men should be too tired to make the walk back from Gate to Oakville; that the entire distance from Montesano to Oakville was only 23 miles, and that this 23 miles was covered in six days. He declared that when the men came back from the maneuvers of the last day they were so fresh he would not have hesitated to have walked them 20 miles and that most of them were jubilant over their showing at the maneuvers. He declared that the Captain of a company is the only man responsible for the condition of the enlisted men and that any enlisted men who were unfit could have dropped out at any place along the line of march, but instead of doing this the company flatly refused to obey the order.

Maus Kind, Says May.

General Maus, he declared, was exceptionally kind; that when he met the Second Batallion on the way back to Oakville after the mutiny he asked them to stop and suggested that they move into the shade instead of standing in the sun, as it would be more comfortable for them. He said General Maus spoke kindly to them of the reason for the order, explained it and went over the situation with the men, an unusual thing for a General to do, explained Colonel May. He said when General Maus asked Captains Tooze and Williams if they had refused to obey the order they both answered "Yes, sir." He said that Captain Tooze has a rather strong voice, which he uses in the same manner and that the General became nettled at his tones, when perhaps Captain Tooze did not mean to be unsoldierly or ungentlemanly in his response.

"You have a reputation of being a kicker in the regiment, anyway," is the way May said General Maus rebuked Tooze.

Lieutenant Deich told General Maus: "You are not the whole United States," said Colonel May and this also failed to please General Maus, quite naturally, he said.

Major Bowman told of the attitude of Major Scott, Major of the Second Battalion which mutinied. Major Bowman said Scott told him (Major Bowman) that it was "a damned outrage and a damned imposition to make the forced march back to Oakville."

Scott Holds to Stand.

"I remonstrated with Major Scott against mutinying, that it would spoil the excellent record made by the Oregon soldiers, but Major Scott declared that his battalion would not move a foot. Captain Moshberger, head of a company of the Third Battalion, in his testimony, said that Captains Williams and Tooze had come to him before he had heard of any orders to make the march back and that Captain Abrams of Company M was with them. Tooze and Williams, he said, urged that Moshberger's company mutiny, but Moshberger said if an order came to march back he would do so. Captain Abrams said nothing, according to Moshberger.

Captain Abrams testified that the maneuver campaign had been a hard one on some of the men and that at least ten men in his company were in bad condition, especially as far as their feet were concerned, following the last maneuvers while the regiment was moving from Oakville to Gate early in the morning.

On the return he said 51 men started with his company. Ten of these were allowed to drop out because of the bad condition of their feet. When the company arrived at Oakville there were only 12 men left in the marching line.

Some of the men, he said, had been allowed to mount automobiles that passed the men along the line of march, Colonel Poorman, Colonel White and other officers suggesting to the Captain that the men who were tired and footsore be allowed to return in this manner.

MAUS BEFORE GRAND JURY

Brigadier-General Seeks to Indict Newspaper for Libel.

Testimony to refute the charge that he was intoxicated during the Army maneuvers at Gate, Wash., was offered to the grand jury yesterday by Brigadier-General Maus, Commander of the Department of the Columbia, who appeared in person before the jury to press his complaint against the Daily News, in which the charge of intoxication was published. General Maus is seeking an indictement against the newspaper on a charge of criminal libel.

Further action against the disbanded soldiers of the Second Battalion of the Third Oregon Regiment, who are supposed to have inspired the printing of the charge, may be sought, but on this point the complainant has not yet reached a determination.

The proceeding grows out of the alleged mutiny of the battalion, when ordered to march at the conclusion of the maneuvers, when their officers, it is charged, refused to communicate the order, contending that their men were too fatigued to proceed farther.

Beside his own testimony, General Maus offered that of Colonel Young, Lieutenant Whitley, Dr. K. A. J. Mackenzie, E. C. Mears and James Wood, who were with him at the time. All are depended upon to testify in favor of General Maus. Only the two Army officers were examined by the jury, in addition to the complainant.

DAILY METEOROLOGICAL REPORT.

PORTLAND, Aug. 20.—Maximum temperature, 85 degrees; minimum, 58 degrees. River reading, 8 A. M., 5.7 feet; change in last 24 hours hours, 0.2 foot fall. Total rainfall, 5 P. M. to 5 P. M., none; total rainfall since September 1, 1912, 37.31 inches; normal, 44.82 inches; deficiency, 7.51 inches. Total sunshine, 11 hours 30 minutes; possible, 13 hours 55 minutes. Barometer (reduced to sea level) at 5 P. M., 29.88 inches.

THE WEATHER.

STATIONS	Maximum temperature	Precipitation past 12 hours	Wind: Velocity	Wind: Direction	State of Weather
Baker	76	0.00	6	NW	Clear
Boise	82	0.00	6	NW	Clear
Boston	68	0.24	6	E	Pt. cloudy
Calgary	78	0.00	calm		Pt. cloudy
Chicago	84	0.14	4	SE	Cloudy
Colfax	81	0.00	calm		Clear
Denver	72	0.00	4	NW	Pt. cloudy
Des Moines	82	0.00	4	NW	Cloudy
Duluth	66	0.01	12	W	Cloudy
Eureka	58	0.00	4	W	Cloudy
Galveston	88	0.00	12	SE	Clear
Helena	70	0.00	4	E	Clear
Jacksonville	92	0.00	8	S	Clear
Kansas City	78	0.66	26	NW	Rain
Klamath Falls	84	0.00	4	NW	Clear
Laurier	86	0.00	calm		Clear
Los Angeles	80	0.00	8	SW	Clear
Marshfield	76	0.00	4	N	Clear
Medford	94	0.00	calm		Pt. cloudy
Montreal	68	0.00	18	W	Clear
New Orleans	92	0.00	8	S	Clear
New York	82	0.88	8	SE	Clear
North Head	70	0.00	18	N	Clear
North Yakima	82	0.00	calm		Clear
Pendleton	86	0.00	6	W	Clear
Phoenix	100	0.00	4	NW	Clear
Pocatello	78	0.00	6	NW	Clear
Portland	86	0.00	12	NE	Clear
Roseburg	88	0.00	4	NW	Clear
Sacramento	86	0.00	10	SW	Clear
St. Louis	82	0.08	8	SW	Clear
St. Paul	74	0.00	16	NW	Pt. cloudy
Salt Lake	88	0.00	12	NW	Clear
San Francisco	62	0.00	20	W	Cloudy
Spokane	80	0.00	4	N	Clear
Tacoma	72	0.00	10	N	Clear
Tatoosh Island	62	0.00	18	NE	Clear
Walla Walla	84	0.00	4	NE	Clear
Washington	86	0.01	4	N	Cloudy
Weiser	89	0.00	6	SE	Clear
Wenatchee	88	0.00	4	S	Clear
Winnipeg	74	0.00	6	NW	Clear
Yellowstone Park	68	0.00	4	NW	Clear

WEATHER CONDITIONS.

A trough-shaped low-pressure area extends from Western Oregon south through California and thence eastward to Southern Arizona. The high-pressure area yesterday over the North Pacific States has advanced southeastward to Wyoming. Local rains have fallen in New England, the Middle Atlantic States, the Ohio Valley, Missouri and Kansas. No precipitation was reported on the Pacific Slope in the last 24 hours. It is warmer in the North Pacific States, Montana and the Canadian Northwest and cooler in Colorado, Kansas and the Lower Ohio Valley.

The conditions are favorable for fair weather in this district Wednesday, except in Western Oregon, where cloudiness will increase and be followed Wednesday afternoon, or Thursday by showers. It will be cooler in Western Oregon and warmer in Southern Idaho.

FORECASTS.

Portland and vicinity—Fair, followed by increasing cloudiness and showers; cooler; winds shifting to southerly.

Oregon—Fair east, increasing cloudiness followed by showers west portion; cooler west portion; winds shifting to southerly.

Washington—Fair; easterly winds.

Idaho—Fair; warmer south portion.

EDWARD A. BEALS, District Forecaster.

Gold Beach Working for Highway.

SALEM, Or., Aug. 20.—(Special.)—Desirous of having a highway constructed from West Fork to Agnes, people of that section are calling upon Governor West to use his influence with the Oregon delegation in Congress to secure a Federal appropriation for that purpose. People of Gold Beach state that the mail comes in on a train from West Fork to Agnes and then to Gold Beach by trail. So much of Curry County is devoted to forest reserves the people believe the Government should assist in bearing the expense through the reserve.

DIED.

WRIGHT—At the family residence, West Portland, August 20, Francis Marion Wright, aged 86 years 2 months and 3 days. The remains are at Finley's undertaking establishment. Funeral notice in a later issue.

FUNERAL NOTICES

WELIN—The funeral services of the late Mrs. Agnes Welin, beloved wife of Magnus Welin, aged 31 years, will be held today (Wednesday), August 21, at 1 P. M., from Pearson's parlors, 269-71 Russell street. Friends respectfully invited to attend. Interment Rose City Cemetery.

RODNEY—At the residence, 188 14th st., August 19, Mrs. Annie Rodney, aged 65 years, beloved wife of Henry Rodney. Funeral services will be held at Dunning & McEntee's chapel Thursday, August 22, at 10 A. M. Friends respectfully invited. Interment Lone Fir Cemetery.

TAYLOR—In this city, August 20, Sadie Taylor, aged 26 years 2 months 28 days, beloved wife of Mark Taylor, 212 Caruthers street. Funeral from Holman's funeral parlors at 10 A. M. today (Wednesday), Aug. 21. Friends invited.

GEHRIG—August 19, Mrs. Carrie Gehrig, aged 45 years. Funeral services will be held at Dunning & McEntee's chapel today (Wednesday), August 21, at 2 P. M. Friends respectfully invited. Interment Lone Fir Cemetery.

WILSON—The funeral services of the late George Albert Wilson will be held at Finley's chapel at 1 P. M. today (Wednesday). Friends invited. Interment Mount Scott Park Cemetery.

WIEST—The funeral services of Fairy Yetta Wiest, daughter of Mr. and Mrs. S. B. Wiest, will be held at Finley's chapel at 1 P. M. Thursday, August 22. Friends invited. Interment Rose City Cemetery.

MEMORIALS—Portland Marble Works, 264 4th, opposite City Hall. Estab. 1885.

MONUMENTS — Otto Schumann Marble Works. East 3d and Pine Sts. East 743.

MR. EDWARD HOLMAN, the leading funeral director and undertaker, 220 Third st., corner Salmon. Lady assistant.

Dunning & McEntee, Funeral Directors, 7th and Pine. Phone Main 430. Lady attendant. Office of County Coroner.

A. R. ZELLER CO., 502-4 Williams ave. Phone East 1088. C 1088. Lady attendant.

J. P. FINLEY & SON, 3d and Madison. Lady attendant. Phone Main 9, A 1599.

EAST SIDE Funeral Directors, successors to F. S. Dunning, Inc., E. 52, B 2525.

LERCH, Undertaker, cor. East Alder and Sixth. East 781, B 1888. Lady attendant.

SKEWES COMPANY, 3d and Clay. Main 4152, A 2321. Lady attendant.

CEMETERY
Beautiful
Mount Scott Park
Portland's Perpetual Care Cemetery.
One Mile Southeast Lents.
Large, permanent, picturesque, modern. Perpetual care without extra charge. Prices moderate; service excellent; every convenience in use, including large luxuriously furnished rest rooms for visitors. Reached by Mount Scott and Cazadero cars. Free auto service. Both phones. City office, 929-921 Yeon Bldg.

LONE FIR CEMETERY
500 choice lots and single graves on new ground for sale. Office 206 Commercial Blk. Telephone Main 4989.