

TRAIL OPENING IS NOT DECIDED

Attorney for Concessionaires
Discovers New Point in
Their Favor.

STATE BOARD HAS POWER

Closing of Amusements Affects
Rights of Public, and Appeal
From Corporation's Decision
May Be Made.

The question of opening the Trail on Sundays will not be decided by Judge Frazer until Tuesday, which was the original idea of the court. John F. Logan, attorney for the concessionaires, yesterday called upon Judge Frazer and presented additional facts which he thinks conclusively show that the Trail is entitled to remain open Sundays, and that the court must so determine.

Homer Davenport, who is one of the exhibitors who complains that the Trail is closed on Sundays and that it was advertised that it was to be open, has filed an affidavit in relation to the matter in the court, as follows:

"In bringing the exhibit from Morris Plains, N. J., to Portland, called the Davenport Farm, I brought it purely as an educational exhibit. It is a collection that will never be made again, owing to several reasons: the first likely for the fact that desert-bred Arabian horses will never be seen again in America because of the trouble that befell those that came to Chicago in 1893, and when the three desert-bred stallions that are in this collection now die, the only opportunity has passed for the people of this country to see horses of that stamp.

"In gathering this collection I have spent years in study and research, and if the pile of dead birds could be shown it would give the public some idea of the trouble and expense in collecting such rare birds. No such collection has ever been made by any zoological society or private collector, many of the only specimens living in captivity being shown. And in bringing them, the only desire was the satisfaction of knowing in later years that I brought and placed on exhibition for my Western friends an exhibit that they could see in no other part of the world.

Alone, any one of the three desert-bred Arabian stallions could not be brought from the desert with the entire appropriation for the Lewis and Clark Fair, owing to the Bodine religious objection. I have spent more than \$25,000 before it was possible to make such an exhibit.

The new point made by Mr. Logan was that section 6 of the law of 1902 providing for the State Lewis and Clark Commission, which admittedly controls the local corporation, gives the commission the right and authority to disapprove any rule or regulation of the corporation affecting the rights of the public. Jefferson Myers, president of the commission, states that no approval was ever given of any act of any member of the local corporation with reference to the closing of the Trail on Sundays. In fact, it is disapproved by the consensus of opinion of the commission.

Following is an extract from clause 6 of the state law governing the expenditure of state funds for the Exposition:

"The rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges and interests of the exhibitors, or the public, shall be fixed or established by said corporation, subject, however, to the modification of said commission, and in case of dispute, subject to the final decision of the Governor, Secretary of State and State Treasurer, whose award on such question, made by the whole or a majority thereof, shall be binding and final."

EDITORS ARE AT WAR

PROFESSOR BLOCHBERGER SUES
RIVAL FOR LIBEL.

Claims That the Deutsche Zeitung
Has Slandered Him and Injured
His Reputation.

Professor F. B. Blochberger has sued A. E. Kern & Co., publishers of the Deutsche Zeitung, a German newspaper, for \$25,000 damages for criminal libel in the State Circuit Court. Professor Blochberger was once a teacher in the Portland High School, and is according to his own statement, a practical expert in mines and minerals, and has followed the business of mining broker and dealer in mines and is favorably known as such, and his business and occupation depends on his good name. He alleges that he was unjustly held up to contempt and ridicule by the publication in the Deutsche Zeitung with intent to injure his good name, business reputation and standing in the community. Professor Blochberger is editor and part owner in the Nachrichten, another German paper, and the alleged libelous articles complained of are probably largely the result of rivalry between the two newspapers.

The complaint recites the article in full, both in the German and English languages. Professor Blochberger was arrested in Portland some time ago and was afterwards discharged from custody. The fact of the arrest was commented upon at length in the Deutsche Zeitung, beginning substantially as follows:

"Accused of embezzlement, Professor F. B. Blochberger, president German Publishing Company, editor Nachrichten, behind Swedish curtains (iron doors) arrested at Fourth and Yamhill streets by Sheriff Word, on coming from McMinnville. This is the first time mining speculator, to put him in the lockup. Edward Cole named as the accusing witness.

Another article refers to the embezzlement of a deed, and was published March 5, 1905. Still another article refers to a mining transaction Blochberger had with G. M. Brown, who purchased 200,000 Mountain Meadows stock and 20,000 shares Minnesota stock for \$1200 from the former. Brown published a card, stating that William L. Gore, Commissioner of the Lands and Works Department, Victoria, B. C., had advised him that no application for a crown patent had ever been made for these mining lands. And Brown and Blochberger later declared the deal off. Still another article says the professor, in spite of his great wealth and that he was a teacher in the High School and a townsite and mining promoter at Rossland, B. C., was arrested. The articles are long and full of pointed attacks and scandalous statements. Pro-

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GOOD TEETH MEANS GOOD CARE
GOOD CARE MEANS GOOD DENTISTRY

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essor Blochberger says they are all false, libelous, willful and wicked and intended to injure him. Spencer & Davis appear as attorneys for the plaintiff.

Sues to Recover Judgment.

Orville O. Jennings, a locomotive engineer who, in November, 1904, obtained a judgment for \$5000 in the State Circuit Court against John S. Seed for alienating the affections of his wife, Helga Cynthia Jennings, yesterday commenced suit against Seed's former wife, Mary Seed, to collect the balance of the judgment due, \$2000. The complaint sets forth that in the year 1900 Seed was then associating with Mrs. Jennings and was discovered by his wife and son, J. G. Seed, with the result that there was a street brawl. Mrs. Seed sued for and secured a divorce and her husband decided to her the north 48 feet of the west one-half of lot 8, block 18, Caruthers' Addition, and also gave her \$1500. Seed afterwards transferred property to his son, J. G. Seed, which Jennings attacked and bid in to satisfy \$3000 of his damage judgment. Jennings in his complaint further recites that at the time Seed made the settlement with his wife, he feared an action for damages by Jennings, because of his unlawful conduct with Mrs. Jennings, and conspired with his wife to have the divorce granted, and to defraud Jennings out of any damages he might thereafter recover. The court is asked to set the deed aside, and to make the property owned by Mrs. Seed applicable to the payment of the judgment held by Jennings against her former husband. Jennings did not sue Seed until 1904, four years after the property was transferred by Seed to Mrs. Seed. The excuse offered by Jennings for his delay is that he was running on the road as an engineer, was away from home a great deal, and was not aware of the conduct of Mrs. Jennings and Seed.

Judge Frazer's Announcement.

Judge Frazer yesterday announced that he would not hear any arguments on motions or demurrers in the State

Circuit Court until August 21 and August 28 he will consider motions and demurrers in order that attorneys may be able to get their cases at issue for the September term.

The suit brought against the Pacific States Packing Company and others to enjoin the city from appointing a meat inspector under the terms of an ordinance passed by the City Council last month will not be at issue until the September term. A demurrer to the complaint filed by the plaintiffs was filed by the City Attorney, and the case must rest some up for argument on that demurrer. As no demurrers will be argued before August 21, there can be no action on the case for at least a month yet.

Articles of Incorporation.

Articles of incorporation of Anderson Bros. were filed in the County Clerk's office yesterday by D. C. Anderson, F. M. Anderson, J. M. Anderson and E. E. Anderson. Capital stock, \$15,000. The objects announced are to conduct a livery stable.

Inside the Turnstiles

Incidents of the World's Fair and Some
Glimpses of Life Within Its Gates.

DID you see the onward march of the Christian soldiers from Eureka, Cal?

Did you see how some of 'em limped because of the blisters on their feet, and did you see how their poor little faces twisted with the heat as they filed into the Lewis and Clark Exposition grounds one day last week? There was a scene for Kipling. Bits of manhood enrolled under the flag of the Lord, and of a lovely nation. Scars of humanity each with a spark of nobility in him. Marching, countermarching, halting, by fours, by platoons, about face, all with the name of his master sealed within his lips—lips undimpled as yet with the fume of the cigarette or with the taint of grape or corn or rye. Each little brain wandering properly for the meaning of it all—the cheers and the smiles and the hand-pats and the dimmed eyes of mother and even of father. Each little heart beating bravely under shirts of blue, beating for the buds of American manhood, for the future full-blown flower of American chivalry. Each skinny, unformed throat peeling out notes of embryonic manhood, each two-by-four breast swelled with the rare, charming emotion within. These are the cadets of the First Congressional Church of Eureka, Cal., who are in camp at the Exposition, and will sing those songs and cut up those "dances" that used to drive Pa and Ma about half crazy, when you were in your puppy days.

Do you remember the times when you saw the dim form of your hallowed mother come in unattended beckoning to you, to come in to your supper? Do you remember the time when you put on your little hickory shirt hind part before, rustled the sand out of your shock of wool, took another hitch on the bit of string to your breeches, and then skeddaddled for home, wishing that swimming was all right with the old folks, and that you didn't have to make believe that you fell in? Do you remember those times? Do you? Don't those old eyes of yours get brighter with every thought backward, and don't they see better than they ever do? Can't you see Ma with her checkered apron of blue or brown, can't you see her little, pudgy, God-formed figure, that wouldn't egg-ski with a prize at a beauty show, loom up at you, as she made a grab at you for belin' in swimmin' again, and then snoooped around for that hickory switch? You didn't think very much of Ma just then, you know you didn't. But what you think of her now, you keep to yourself. Just as you do all of your other manly, yet womanly, sentimental inner self. And what you think of her now, you keep to yourself, 'cause you're ashamed of being thought soft and womanish and mawkish and foolish. And yet as you gaze upon that savage form, that satire of Nature upon the womanhood and the motherhood of a later day, you've got just a little funny pain, a sort of regret that the women of today, God bless 'em, would cut an awful sorry figure leading two big, brawny men and their brawny companions through trackless forests and without a chaperon, too. Think of it. And she was a savage. Wish we had more savages like her. Yet where there is savagery and the simplicity of life and the hardness and the darkness of life, and the crudeness and rudeness of life, and the reality of life uncovered and unhidden, there you will find the life of truth, the life of worth, the life that should be lived. Civilization? That's it, a question mark.

Those poor, befuddled runners of the Civil War's Bull Run never ran faster to get away from that Bull Run than the crowds at the Exposition run to get the Bull Run of Oregon, as it runs out of lead pipes and nickel faucets down the

shriveled throats of the thirsty. What a pity that it costs nothing. Make 'em pay 10 cents a cup for it, and when they're real famished for the cool stuff and feel it shoot the chutes down their throats they'll swear there's no other water like it. That's human nature, and human nature always was and always will be a mighty good thing for the wise and likewise the "silly."

There's so much to see at the Exposition right ahead of you, that you never think of lifting your chin and looking up at the beauties of the domes and the ceilings and the arches and the girders and the beams. Ever take a look at the dome in the Agricultural building at the Fair? Ever feel like a dither with the rim knocked off? Look at this dome and you'll soon feel that funny feeling. It isn't the mingling of the colors, or the immense height, or the graceful swing of the streamers. It's that lost feeling that gets into your vitals and makes them shrink, and you are always with the void and wonder how on earth they ever got it up there like that. So did those who put it up there, when the whole caboodle came down one day and the sickle of Oregon as she stands just below on her pedestal of grain. But the sickle was put up again—so was the streamer dome. And so are the heads of hundreds who look up and see them and then look down again with heads swimming and brains reeling, weakly trying to absorb the immensity of it all.

"Wonder what she's platin' at, Hank?" "Who?" "Why, ye lunkhead—that there squaw." "Well, ye're the limit. Can't ye see she's a-platin' at that whisky sign down there?" An appreciation of the immortal statue of the Bird-woman by two "come-ons" at the Fair.

She wasn't so very good to look at, but she was the only petticoat within 100 yards and the day was hot and the Ex-

position guard was lonesome—awful lonesome. She was mopping the olecloth counter with something that once had been virgin and white, but now—well, she wiped with it, anyway. She—well, she liked this particular guard, and he knew it, too. That's why he was smoking good cigars on the side, and filling his anatomy with soda-water of varied hues. Well, the guard got to chinning the maiden fair, and was just stuffing two perfects at three for a dime into his manly-breast when his right hand went with a mighty quick flop to his cap, and he was standing rigid and tense at salute. Three steps back, three steps to the right, right about face, and that guard became once again a guard. And the officer—well, he tried to do a little chin-muscle with her of the many-colored waters—but the wind died down, and there was nothing doing. She just wiped and wiped and wiped some more, until the olecloth shone and glistened just like that officer's phiz, as he wiped the sweat of embarrassment off, and put some more wholebone in the ramrod in his back. Who said a woman cared for nothing so much in life as rank?

No music hath more charms to soothe either the savage or the civilized breast than the music of the Indian boys of the Sherman School of Riverside, Cal., as they play at the Lewis and Clark Exposition. There shows the work of your Uncle Samuel. And you're the one who pays the piper. But were shikels ever better expended than to make these sons of a noble savage realize that they're not only conquered but also assimilated into the grand chorus of the Nation, and that they have a better right to play and sing "America, Land of Liberty," than any of the crossbred Americans standing around with mouths agape, guiltily confessing to themselves that there are more good Indians than the dead ones?

What's in a brass button? The hearts and hands of the fairest in a fair land.

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Hammock No. B48a, \$2.00; reduced to.....\$1.60
Hammock No. 249, \$2.50; reduced to.....\$2.00
Hammock No. 1249, \$3.00; reduced to.....\$2.50
Hammock No. 649, \$3.75; reduced to.....\$3.00
Hammock No. 659, \$4.25; reduced to.....\$3.50
Hammock No. 347, \$6.25; reduced to.....\$5.25

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Golden oak, finished with quarter-sawn, highly polished 34-inch ornament always for

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The humble conductor on the cars that take you to the Fair grounds, the burly cop at the entrance, the smooth-looking young chaps at the turnstiles, the Exposition guards, and even the dusky young Sambo who pushes the "Seeling the Fair" chairs around the grounds—all these have their frenzied female "brass-button-mad" adorers. Talk about a crow or a deer or a snake being attracted by anything bright and shiny—they're not it with the average lissome, ultra-modern good-looking maiden of these latter and more advanced days of creation.

HOW MANY BOYS EARN THEIR SUMMER VACATIONS

THE hot month of August is just beginning to give the average school boy that lazy, listless feeling which denotes the lack of something to do. He thinks of his chum who, more fortunately situated, is spending a week at the seashore. Then he thinks of his own father, who, though very anxious that his son should have every privilege possible, is unable to supply him with the necessary funds for such a trip. It is true that the boy has a few dollars, but this is not nearly sufficient.

The question arises to him, as it does

to most boys, "How will I be able to go on an outing this Summer, with but a few dollars?" This question is quite easily solved.

Don't bother your mother to give you the sum needed, but go out and earn it. It comes sooner or later any way, boys, so why not experience that feeling of self-reliance as early in your life as possible? The best way to do, being as it is a little late in the season, is to put in an application with the manager of some Summer hotel or boarding-house for a position as bellboy. This position gives the boy much time for play, as well as for hard work. If the boy applies himself diligently, he will soon see that his employer will trust him more and more. Many boys will most likely say, "I don't see where my vacation comes in." But it does, just the same. You will either have the day or night off, and some employers allow the boy so much time each day to have to himself. Besides this, you are all the time enjoying the fresh beach or country air.

Another good position for the willing boy is tending a store at some Summer resort. This does not offer such large inducements as the first, but anyway many boys would jump at such a chance.

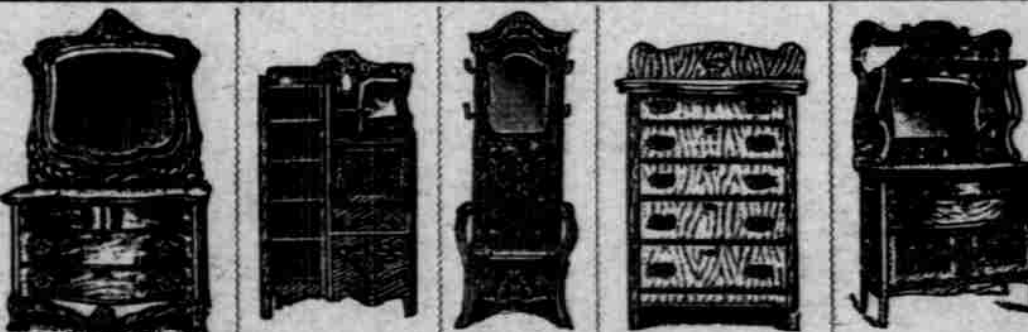
Many boys whose parents are comfortably fixed allow their sons to do odd jobs around the house, such as cutting the grass, carrying in wood and taking care of the garden. In this way a boy is able to save up enough for a short trip. The more ambitious boy will not stop at this, but will secure work elsewhere than at home, and will do his daily errands and chores with a willingness that does not call for money.

The boy who is unable to secure a position that requires some education will fall back to delivering papers. This is a very good as well as honorable work and does not occupy much of the boy's time, nor does it take him from his studies, if he is ambitious enough to go to Summer school. Do not misunderstand me by thinking that only uneducated boys hold this position, for it is not. Among our most prominent citizens there are many who can remember their day at delivering papers. If a boy works all Winter at this, by Summer he will be able to lay some money aside, as well as to spend a couple of months at the beach. Some boys who have other interests in this world besides vacation will work both in the evening and morning, delivering respectively the evening and morning papers.

There are so many opportunities for the average boy to earn money enough to take him on a vacation that there is no excuse for his staying at home during those hot and dreary weeks.

The Denver & Rio Grande has established through Pullman standard sleeping-car service between Portland and Denver, leaving Portland at 8:15 P. M., spending seven hours in Salt Lake City second day and arriving in Denver afternoon of following day. For reservations call at 124 Third street.

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