

COUNTY HAS POWER TO MANAGE DRAWS

Legal Authorities Declare Court's Regulations, if Made, Will Stand.

RELIEF EXPECTED SOON

Awaiting of Definite Decision From District Attorney, City's Agitation for Bridge Closing May Result in Good This Week.

COUNTY MAY CLOSE DRAWS, IN VERDICT OF LEGAL AUTHORITIES.

Legal authorities are agreed it is within the power of the County Court to close the draws and keep them closed for such times as they may deem necessary.

County Commissioner Goddard and County Judge Cleaton are now working out a schedule for the closed periods. As soon as District Attorney Cameron informs them that this action is legal, the draws will be closed.

Local United States engineers are unaware of any regulations drawn up by Congress or by the Secretary of War.

The protest made by the 22 firms is believed to be for the purpose of securing such regulations.

The County Court has power to order all the bridge draws to be closed this morning, and if it so desires it could order them to be closed the whole day and kept closed. This is the opinion that will be returned to H. W. Goddard, County Commissioner, Wednesday morning, unless in the meantime Major McIndoe, United States Engineer, can prove to District Attorney Cameron that the Secretary of War has made regulations for the closing of the draws.

When Major McIndoe was called up yesterday and asked whether such regulations had been made by the War Department, or if he knew of any Congressional act governing the situation, he was obviously nonplussed. He responded:

"I can't say off-hand. I will have to take until Monday to look over our files."

Draw Matter, Alleged Bluff.

As it is considered obvious that had there been any such regulation or Congressional act Major McIndoe would have been aware of it, the action of the United States Engineers in continually postponing action on the draw matter has come to the point that the County Commissioners have no hesitation in describing it as "a monumental act of bluff."

At the same time it becomes patent that the 22 protesting towboat and sandscow concerns were aware that there was no legal authority to prevent the draws being closed on the draws and they are hoping by fighting for time, to induce the Secretary of War to make regulations.

In all probability, Portland people will be able to go to and from work Thursday without the intolerable annoyance of seeing a long line of sandscows winding their way through the draws, for on that day the County Commissioners will order the draws closed if they receive information from Mr. Cameron that they have no objection to their action is legal.

In place of deciding whether Portland people may be permitted to cross the bridges, it now appears that the obstructing log rafts and sandscows will now have to come through just when it suits the convenience of the County Court to permit them to do so.

Chicago Case Cited.

The Supreme Court of the United States decided in March, 1883, that the City of Chicago had power to close the draws. Suit had been brought against the city, and the case was argued during the morning and night by the Escanaba & Lake Michigan Transportation Company. Right along the line the decisions of the Supreme Court, until finally the Supreme Court gave the decision that the state had the right to regulate the draws on the Chicago River. In the event that Congress had not done so; should the state not do so; the city had the right to do so until this day.

Power was conferred in 1901 upon the Secretary of War to regulate navigable streams. The sole question remaining is: Has he exercised this authority? Major McIndoe says he does not know. Everyone else, in a position to know, states emphatically he has not.

If he has not, the Portland draws have been deliberately forced to open at all times for the conveyance of every little tug and scow by the United States engineers, just to suit the convenience of the 22 concerns out of the thousands of shippers and manufacturing interests that believe the river belongs to them and them alone.

The Supreme Court of the United States has made a ruling that the state has a right to build a draw bridge across a navigable stream; that such bridge may be important for the intercourse of the community, and that such bridge is not an obstruction.

Therefore it is patent the bridge draw could be kept closed for the whole day around, although immediately that was done action would be taken by the Secretary of War absolutely preventing such acts in future. Nevertheless the fact remains the power is there.

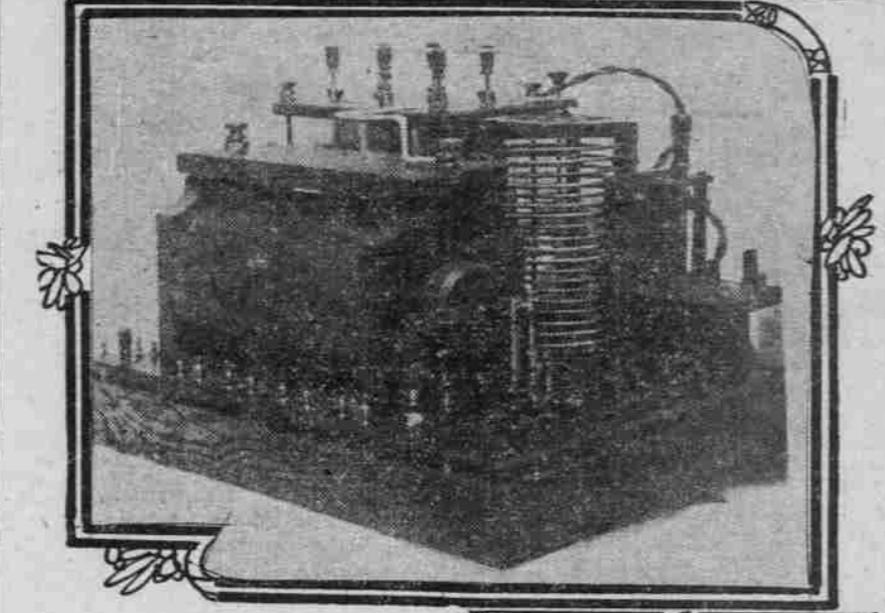
Question of Regulation in Doubt.

By the Constitution of the United States Congress has the power to regulate the commerce with foreign nations. There are, however, no records of Congress having done anything towards the regulation of navigable streams, say those who have carefully combed the statute books.

Robert Dewy, court reporter and editor of certain volumes of Supreme Court decisions, thus summarizes the decision made by Justice Fields March 5, 1883, on the Escanaba vs. City of Chicago case:

The Chicago River and its branches are navigable waters of the United States over which Congress, under its constitutional powers, may exercise control to the extent necessary to protect, preserve and improve them for navigation. The same Congress acts on the subject, the powers of the state over bridges across its navigable streams is plenary, and an ordinance passed by the City of Chicago, in the exercise of its police powers, under the charter granted by the state regulating the opening and closing of the draws on bridges within the limits of its jurisdiction during certain hours of the

PORTLAND MAN INVENTS PORTABLE WIRELESS TELEGRAPH INSTRUMENTS.



1—Inventor and Signal Officer Receiving Message. 2—Portable Sending Machine. 3—Otto P. Guldemeister, the Inventor.

day, is not a violation of the commercial clause of the Constitution of the United States.

During the course of his very long opinion, Justice Fields alluded to a previous case in which Chief Justice Waite delivered the opinion that the state had the power to regulate, police and preserve its highways, which consisted of roads, canals, bridges and ferries, and that this control could better be exercised by the state than by some distant authority.

District Attorney Cameron, who has pondered for two days over the legal aspects of the case, thinks the foregoing is most conclusive.

Congress' Power Not Denied.

There is no attempt to deny that Congress has the power to regulate the draws, but there is a very strong desire to make the fact that Congress has done so. Because it suited their own purposes, the local engineers are declared to have assumed Congressional control that was lacking.

Should they not, as is now practically certain, have any authority from the Secretary of War to control the draws, bridges, local authorities are inclined to give them the utmost condemnation, for it is felt they have absolutely disregarded the necessities of the multitude for the wishes of the few.

So certain is County Commissioner Goddard that an opinion will be given by Mr. Cameron in favor of the right of the county authorities to close the bridges that he is now figuring on a schedule. Mr. Goddard is a new addition to the ranks of the County Court, but he is vigorously determined to push the powers of his office to the utmost.

"We want to be reasonable in the matter," he said, "so I feel that a closed period of two hours, morning and night, might cause too great congestion of traffic at the end of each closed period. The following is what I believe a promising schedule:

Draws closed from 8:30 A. M. to 7 o'clock, then open, if required, for a period not longer than 10 minutes. Open for the passage of boats until 7:30, then definitely closed until 8 o'clock.

At night the best closed hours would be from 8:15 to 8:45 and 9:15 to 9:45. We must decide upon these hours.

People's Aid Asked.

"We are going to act on this. If these obstructionists wanted to force our hands, they have succeeded, but I venture to think they will be extremely sorry for the trouble they took. The County Court stands back of its people in this. We want the people to back us up. If they do so, a wave of opinion will be created that will sweep the obstructionists absolutely away."

County Judge Cleaton expressed similar views. He said:

"We are growing tired of the dilatory tactics that have been connected with the drawbridge affair. Unless the matter is adjudicated at once, we will close the draws during the rush hours of the day. The law properly construed will, we feel positive, allow us to do that. If the War Department disagrees with that view, we will put the matter to a test and bring it to an issue by closing the draws.

"Of course, we have respect for the rights of commerce on the Willamette River, but the commerce will not be injured by the closing of the draws."

WIRELESS MACHINE IS CARRIED IN HAT

Portland Professor Invents Instrument Government May Adopt.

TRIAL TO BE ON MT. HOOD

War Department Furnishes Money for Further Experiments With Apparatus, Which Was Made at Local Trade School.

O. P. Guldemeister, in charge of the electrical department of the Portland School of Trades, has invented a wireless telegraph instrument that may be carried in an ordinary derby hat. With the Guldemeister machine it is possible to stop almost anywhere, stick a bamboo cane, which is a part of the device, into the ground, and catch wireless messages. The machine has been perfected after two years of experimenting and today Guldemeister will install the first complete outfit for practical use on Mount Hood. The sending station will be at Government Camp, and three guides, who have learned the art of climbing, will be equipped with the pocket receiver, necessary hat and cane. Thus they will be prepared to keep in touch with Government Camp, while they pilot parties up the precipitous slopes to the white-capped summit.

Guldemeister and Lieutenant R. C. Wygant, chief signal officer of the Oregon National Guard, have been experimenting with the instruments for several months, and all tests have given satisfactory results. Lieutenant Wygant has reported the success of the new wireless apparatus to the War Department in Washington, D. C., and has received instructions to continue the experiments, build a powerful sending station at the Army and perfect the new system as nearly as possible, at the expense of the Government.

Guldemeister and Wygant will also take the machines to American Lake August 8, for demonstrating purposes during the army maneuvers.

Sender Weighs 90 Pounds.

The young inventor has not only produced a pocket receiver, but has perfected a portable sending machine that weighs 90 pounds, which is capable of transmitting electrical waves 30 miles with 15 dry cell batteries. The receiving instruments, which are very delicate affairs, have been successfully tested to a distance of 15 miles. As the summit of Mount Hood is considerably less than 15 miles from Government Camp, the system is considered adequate for all purposes in reaching the mountain.

The new sending machine is 18 by 12 by 16 inches. The receiving machine, or adjuster, is 2 by 6 inches and weighs only six ounces. It can be carried in the pocket. An ordinary bamboo cane is used to make connection with the ground. The cane contains about 20 feet of fine wire, one end of which is attached to a metal point on the cane, while the other connects with wires leading to the receiver. From the receiver a cord connects with a coil in the crown of a derby hat. Mufflers are attached to the hat so that they fit closely over the ears when the hat is pulled down on the head. All that is necessary to enter into wireless communication is to thrust the cane a few inches into the ground, or attach it to a wire pipe, streetcar rail or anything that will ground the current of electrical waves.

Experiments Made on Car.

One of the most surprising and successful experiments with the little instrument was made by Guldemeister and Lieutenant Wygant of the County Court, aboard an Oregon City electric car on their way to the Clackamas target range. The car stopped for a while because of an accident, while they were waiting Guldemeister attached the cane to the brake of the car, which made a ground connection through the wheels. Lieutenant Wygant was wearing the hat and caught a message passing from Portland to St. Helens. In speaking of this experiment, Guldemeister said:

"It would be just as easy to take messages while the car is going, were it not for the noise. All that is necessary is to have the ground connection, but the noise of the moving car makes the slight ticking inaudible."

The instruments were made in the laboratory of the Portland School of Trades.

Guldemeister was born in Berlin, Germany, 24 years ago. He was an inventive genius when a boy, and at the age of 14 took up the study of sciences and physics. After spending three years in the German schools he came to the United States, and four years ago graduated from the Cincinnati Polytechnical School. His natural grasp of the science of electricity advanced him ahead of his class and gave him such knowledge of the subject that he was chosen as instructor in the Cleveland, O., School of Trades. After serving one year in the Cleveland school he was employed to take charge of the electrical department of the Portland School of Trades. He has served two terms and was recently employed for a third.

The young man is modest about his accomplishments and is so deeply engrossed in his scientific studies that he has little time to consider what others may think about him.

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BOY'S PARENTS LECTURED

Court Sentences Youth for Stealing Pony Belonging to Judge.

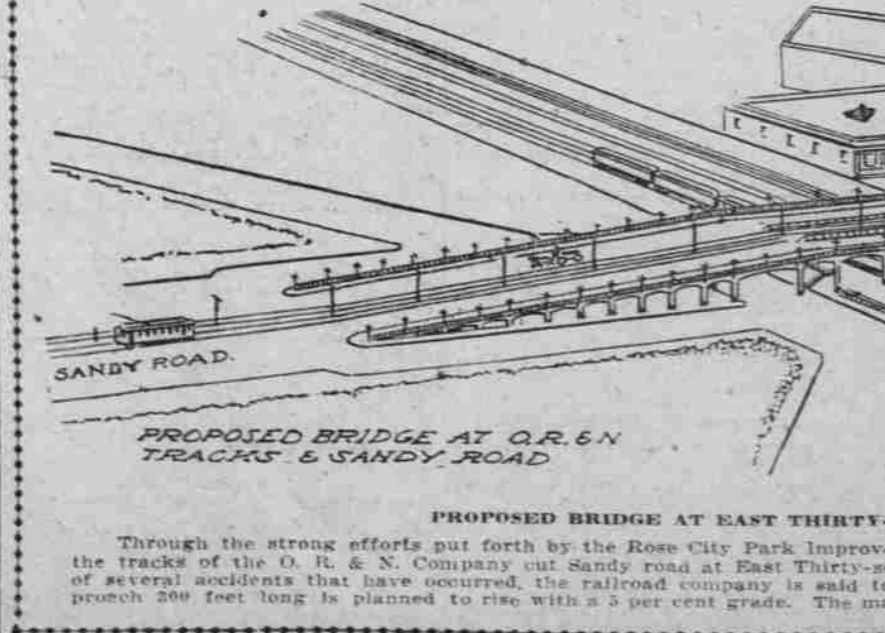
Virgil Mays was yesterday ordered committed to the Detention Home by Judge Gantenbein, for taking possession of a pony shipped by boat from Hood River to Portland a few days ago by the judge himself.

The parents of young Mays received a severe lecture by the court for permitting the boy to retain the pony when they knew that he had not come into possession of it in a proper way. The father was ordered to pay \$10 each month to the Detention Home to meet a part of the expenses of keeping the boy. Mays senior is a painter and lives at East Twenty-eighth and Gilsan streets.

Would-Be Suicide Recovering.

Continued improvement in the case of H. M. Lambert, who killed his wife and attempted suicide several weeks ago, was reported yesterday at St. Vincent's Hospital. Lambert is staying strongly from an operation performed recently by Dr. F. J. Ziegler to relieve suppuration of a torn lung, which was penetrated by the bullet he fired into his chest.

ROSE CITY PARK WANTS OVERHEAD CROSSING OVER O. R. & N. TRACKS.



Through the strong efforts put forth by the Rose City Park Improvement League it is hoped to get an overhead crossing at the point where the tracks of the O. R. & N. Company cut Sandy road at East thirty-seventh street. It is estimated this bridge will cost \$100,000, and, because strongly from an operation performed recently by Dr. F. J. Ziegler to relieve suppuration of a torn lung, which was penetrated by the bullet he fired into his chest.

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\$2.50 SUITS NOW	\$1.25
2.95 SUITS NOW	1.50
3.45 SUITS NOW	1.75
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4.35 SUITS NOW	2.25
5.00 SUITS NOW	2.50
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3.00 TROUSERS NOW	2.25
3.50 TROUSERS NOW	2.65
4.00 TROUSERS NOW	3.00
4.50 TROUSERS NOW	3.25
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PRESS CLUB TO REVIVE

PORTLAND'S NEWSPAPER MEN WILL MEET TODAY.

Preliminary Organization Is to Be Formed at Meeting in Room 914, Lewis Building.

Portland will have a real live Press Club.

This is the edict that has gone out from the newspaper men of Portland, and when newspaper men band themselves together to do a thing they do it. Newspaper men fight over an item of news harder than a gang of lawyers or doctors after a big fee, competition and rivalry among them is keener than in any other occupation, and yet they are bound together in a common understanding and fraternal friendship, unknown to the outside world, that is indissoluble. When it comes to a common cause they stand shoulder to shoulder and this is the spirit that is backing the movement to reorganize the old Press Club and make it an institution in Portland.

Seattle and San Francisco have press clubs, recognized in all parts of the country and admired by all citizens of their communities, particularly by the business and commercial elements. Not to be outdone by these neighboring cities, the newspaper men of Portland have decided to get together and place Portland on the map in the great field of press clubs. The movement has the support of the progressive business men of Portland, and it is endorsed by all men who have the interests of Portland at heart.

The value of a press club as a Portland institution is recognized by all. It will assist materially in bringing celebrities, men of note, literary lights, musicians, artists, politicians, diplomats and government officials to Portland. When suitable club rooms are provided it will be a mecca for those distinguished visitors.

The reorganization meeting will be held in room 914, Lewis building, at 11 o'clock this morning, and more than 100 newspaper men of Portland have

already notified the reorganization committee that they will be present. The nucleus of the organization will be formed and two weeks will be allowed for "frame-up" for office, and if the politicians of Oregon want to go to a school, all they have to do is to keep their eyes on the campaign to learn something about how the game of politics is really played.

None but men actively engaged in newspaper work will be eligible to active membership, but business men and politicians will be given an opportunity to get in on the associate and honorary membership plan, that has been so successful in other press clubs.

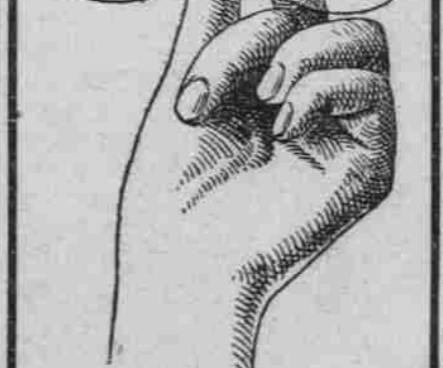
Alaska Insane Brought to Asylum.

A. H. Hanson and C. E. Snell, Deputy United States Marshals for Alaska, yesterday delivered three insane patients at the Mount Tabor asylum. They also delivered six prisoners at the Federal Penitentiary on McNeil's Island Thursday morning.

No Evidence Against Strikers.

Further hearing was held in Justice Bell's court yesterday afternoon of the case against Nels and Martin Martinsen.

If You Must Wear Glasses Wear Becoming Ones



Thompson's Finger-Piece Mountings are put on and taken off with one hand. Delicate and invisible.



Our skillful fitting and adjusting will satisfy the most critical.

Headquarters for KRYPTOK Bifocals, TORIC Lenses and BICOR-ON Eyeglasses.

THOMPSON EYE SIGHT SPECIALIST

SECOND FLOOR CORBETT BLDG., FIFTH AND MORRISON, Member American Nat'l Ass'n of Optometrists.

W. E. Truitt and W. L. Jennings, charged with assaulting N. Krder, a strikebreaker at Sixth and Gilsan streets, recently. The cases went over until Monday. Testimony for the defense showed that some of the accused men were in their beds at the time of the riot, in which Krder was beaten and in turn shot Truitt in the leg. Unless the testimony is rebutted by the prosecution, it is probable that the accused strikers will go free.

Sixty per cent of the patents granted yearly in this country are worthless. Nearly 80 per cent of the electrical patents are practical.

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CONTINUED LOW RATES FOR THIS MONTH

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Bridge Teeth, 22K.....\$3.50
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