REFERENDUM SUIT TO BEGIN MONDAY

University of Oregon to Ask Court to Forbid Placing of Act on Ballot.

10,000 NAMES ATTACKED

Granting of Permanent Injunction Would Authorize State Secretary to Pay $800,000 Fund. Suitors Are Confident.

SALEM, Or., Aug. 12.—(Special.)—Application for a restraining order enjoining the Secretary of State from placing the University of Oregon referendum bills on the ballot at the next general election will be filed with the County Clerk in this district probably next Monday, according to ex-Justice Woodson T. Slater.

The proceedings in equity, should the suit hold good and a permanent injunction be granted, will give the Secretary of State authority to issue warrant for the university appropriations, which aggregate over $800,000.

Regent Is Plaintiff.

S. H. Friendly, of Eugene, a member of the Board of Regents of the university, will be named as the plaintiff. The formal complaint has been completed and the papers have been forwarded to Eugene by Judge Slater.

As soon as the papers are returned, which will probably be by Monday, the suit will be filed. The papers were forwarded to Eugene for examination by the regents and the authorities of the school.

The complaint will allege that there are 5000 names, approximately, which are not in legal form and 5000 additional names which are fraudulent.

10,000 Names Assailed.

As 8135 names are required to present a valid petition and there are practically 12,000 names on the petition, the 10,000 names alleged to be of illegal form and fraudulent, if the case of the university is sustained, will bring the number of valid signatures far below the number required and make the petitions invalid.

Justice Slater is confident that the appropriations will be saved for the university. He is eagerly awaiting the return of the formal complaint that it may be filed and the suit come to an issue.

STARVATION DOCTOR SUED

Seattle Fasting Specialist Also Arraigned on Murder Charge.

SEATTLE, Wash., Aug. 12.—Dr. Linda Burfield Hazzard, the "fasting specialist," was arraigned today before Judge J. B. Yakey, in Kitsap County Superior Court, on a charge of first degree murder for starving to death Miss Claire Williamson, a wealthy English spinster. Trial was set for November.

Dr. Hazzard was today served with a summons in a suit for $25,000 damages, filed by the attorney for Dorothea Williamson, sister of the dead girl. She, with a local undertaking firm, is charged with performing an autopsy without the consent of the relatives.

ROADS WOULD ELECTRIFY

Lines Entering Chicago to Expend $300,000 for Preliminary Figures.

CHICAGO, Aug. 12.—The expense of ascertaining the cost and feasibility of electrifying all Chicago railroad terminals, undertaken by the Chicago Association of Commerce, has been apportioned among the various railroads entering the city. The railroads agreed at the start to defray all the expenses of the investigation. This expense is expected to reach $300,000 and it is predicted that the investigation will last two or three years.

Horace S. Burt, formerly president of the Union Pacific Railroad, is the chief engineer of the project, and it is said will receive a salary of $36,000 a year. He will have several high salaried assistants.

LEWIS OFFICIALS ARE SUED

County Demands Excess Salary Paid Under Illegal Classification.

CHEHALIS, Wash., Aug. 12.—(Special.)—Lewis County Commissioners have employed Forney & Ponder, of Chehalis, to sue several county officials for excess salaries collected under an alleged illegal re-classification of the county.

Both the former board and some of the county officials have already paid back the sums overpaid them. Others say that they will do so when the matter is judicially determined. County Auditor Swofford, ex-Treasurer Summersett, ex-Engineer Bechley and Coroner Sticklin have repaid the sums overpaid them.

WHEAT SALES ARE HEAVY

Walla Walla Buyers Take 75,000 Bushels of Season's Crop.

WALLA WALLA, Wash., Aug. 12.—The lid came off the Walla Walla Valley wheat market with a pop yesterday, when, after a week of small sales, local buyers got in the market and cleaned up more than 75,000 bushels of this year's wheat crop. Up until the present time there have been few sales, but yesterday there seemed to be more wheat offered than at any other time this season.

Yesterday's largest deal is said to have been made by H. H. Jones, of the Pacific Coast Elevator Company, who purchased 35,000 bushels of bluestem, which is now in the warehouse at Whitman Station.

DEER SLAYER IS GUILTY

"Wild Bill" Smith Serves Eight Days in Newport Jail.

NEWPORT, Or., Aug. 12.—(Special.)—State Game Warden William L. Finley and Deputies Roy Bremmer, of Newberg, and George Russell, of Gaston, were in Newport several days, prosecuting a case against "Wild Bill" Smith, who was tried May 2 for shooting deer out of season. At the former trial Smith was found guilty and a fine of $125 was placed against him. He at once filed a motion for a new trial, demanding a trial by jury. He was tried again, but as he had no new evidence he was allowed to plead guilty and was fined $100 and costs and the fine suspended pending good behavior. He had served eight days in jail on his original fine of $125.

While in Newport Deputy Russell also swore out a warrant for the arrest of Charles Taylor, also charged with shooting deer out of season. Taylor was taken before the grand jury and that body recommended that he be tried in Justice Court, which action will be taken.

Game Warden Finley reports many violations in the game laws along the Coast, especially in regard to shooting wild pigeons, as the law against shooting these birds has been in effect but a short time, and many hunters are ignorant of the law. Several prominent citizens of Toledo were caught with the pigeons in their possession, but were allowed to go with a warning.

Rex Lamson, Rancher Near Sheridan, Who Was Killed by Fall From Top of Hay Barn.

SHERIDAN, Or., Aug. 12.—(Special.)—Rex Lamson, who was killed here recently by falling forty feet from the top of a hay barn, was one of the best-known ranchers in this section. Mr. Lamson was moving a hay carrier at the time of the accident, and his cries attracted farmhands who found him dying of his injuries. He lived less than an hour after the fall. Mr. Lamson was 32 years old and was born near here. A widow and two children survive him.

MILLERS FILE PROTEST

PUGET SOUND CITIES SEEK GRAIN-RATE EQUALITY NOW.

Washington Association Meets This Week to Fight for Rights as Portland Asserted Has.

TACOMA, Wash., Aug. 12.—(Special.)—Believing it useless further to await the answer promised by R. B. Miller, of Portland, general agent of the O.-W. R. & N., as to placing Puget Sound cities on an equality with Portland in grain rates from Inland Empire points, the State Millers' Association will meet this week to adopt a plan of action.

The transportation bureaus of Tacoma and Seattle are with the millers in the fight. The question to be decided is that of whether the appeal for redress shall be made to the Public Service Commission of this state or to the Interstate Commerce Commission. A decision in favor of the shippers by the latter will have more effect than one by the former. On the other hand, matters before the Interstate Commerce Commission are apt to take a long time to carry to a decision, whereas a decision can be obtained from the Washington Public Service Commissioners within ten days to a month.

Jay W. McCune, of the Tacoma Transportation Bureau, said today that he was afraid there was no use in waiting on Mr. Miller.

"It is not only the case of the grain," said Mr. McCune, "but there is discrimination against this city on many lines of freight, as, for instance, shingles. Portland has cheaper rates to many places than has this city, although Tacoma is oftentimes nearer to the market. Such is also the case with Everett."

SALEM MAY TRY NEW PLAN

Additional Feature to Be Placed in Proposed Charter.

SALEM, Or., Aug. 12.—(Special.)—As an additional new feature to the proposed charter to be voted on here for the purpose of determining whether the city will change to a commission form of government, a new system of adjusting street improvement assessments will be included. Under the present charter when protests are made against assessments which are considered too great, if the property owner protesting is found to be in the right his assessment is reduced and the city is compelled to stand for the difference.

The new plan will operate largely as a County Board of Equalization. The commission will make the assessments according to property values and will hear protests. In case a reduction is made, instead of the city being required to pay the difference, the commission will equalize the entire assessment throughout the district and the property owners will be compelled to pay for the total improvement.

Copies of State Blue Book Out.

SALEM, Or., Aug. 12. — (Special.)—Copies of the Oregon Blue Book and official directory were received by the Secretary of State from the State Printer yesterday. The new Blue Book is something hitherto not attempted in this state. It includes not only a comprehensive survey of Oregon's resources, but the constitution and directory of the state officials, as well as statements relative to assessed valuations, appropriations and other interesting data.

Alsea Creamery Fire Loss $4000.

PHILOMATH, Or., Aug. 12.—(Special.)—The Alsea Creamery fire loss was $4000, with no insurance, and the origin of Thursday's blaze is unknown. The Philomath Creamery, which is the main plant, will open a milk station at Alsea and the milk which was to be used there will be brought over to Philomath. The Corvallis Creamery Company, Corvallis, also has a milk station there.

DEMENTED MAN AT LARGE

Montesano Worked Up by Antics of John Tornow, Recluse.

MONTESANO, Wash., Aug. 12. — (Special.)—For the past 10 or 11 months John Tornow, believed demented, has been living the life of a recluse somewhere in the brush, about 20 miles up the Satsop River. It is a matter of speculation how he has subsisted during this time, as he has not purchased any commercial food, and he probably depends entirely on game and berries. Sheriff Payette and his deputies have been asked to assist in Tornow's capture.

Cities Seek Water Supply.

CHEHALIS, Wash., Aug. 12.—(Special.)—Chairman Schooley, who presided over a recent meeting of citizens at which resolutions were passed protesting against granting the gravity water franchise for 50 years to the Washington-Oregon Corporation, was authorized to select a committee of 15 citizens to confer with a like committee from Centralia, to evolve, if possible, a plan for obtaining water for both cities from a common source. The north bank of the Newaukum offers the most invitting source of supply, at a point about 17 miles from Chehalis. Various estimates have been made as to the total cost of such a system, running from $175,000 upward for Chehalis alone, this plan contemplating purchase of the old system here.

Nebraskan Buys Oregon Farms.

SPRINGFIELD, Or., Aug. 12.—(Special.)—F. E. Redish, a capitalist from Alliance, Neb., yesterday purchased the Adolph Miller and August Miller farms, two miles north of this city, for $15,600. The farms contain 98 acres and are unusually productive land.

MAN JAILED FOR ACCUSING JUDGE

Request for Injunction Denied, Plaintiff Files Complaint Against Court.

WIFE APPEALS FOR HIM

Carl Machold Alleges That Magistrate Stevens, of Boise, Committed Perjury in His Case—Idaho Bar Is Attacked.

BOISE, Idaho, August 12.—In a complaint filed in the District Court for Bingham County entitled Carl Machold against the Corbett Slough Ditch Company and the Grove City Ditch Company, it is alleged that the judge in a former action committed perjury, that the court permitted attorneys to file documents he knew at the time of the filing were false and that "a license to practice law in Bingen County includes a right to commit perjury, subornation of perjury and to deceive the District Judge."

The result of the sensational charge is said to be the unlawful commitment of Machold in the jail of Bingham County. Mrs. Machold, the prisoner's wife, has appealed to Judge Stewart, of the Supreme Court, in person to ask that an investigation be made into the case that her husband may be released from his alleged unlawful imprisonment.

In his complaint against the ditch companies Machold declares that they have a chain of canals and ditches in Bingham County and that some of them cross his land. He entered into an agreement with Dr. C. A. Hoover and L. M. Clapp in 1906 to construct a waste ditch across his land from the company's canal and that in compliance with this agreement he constructed the ditch but was never paid for his services. Then he discovered, he alleges, that the water from the ditch was washing away his land, ruining about 40 acres. Machold asserts that he called upon the ditch company in vain to pay him damages and repair the waste ditch.

When the case came to trial Machold lost. Now he asserts that the presiding judge was misled by officers of the ditch companies and their attorneys to such an extent that the judge committed perjury. He also charges that the trial judge's findings were contrary to law and justice and were written to mislead the judge of the District Court about him. Machold sought an injunction to restrain the use of the ditch and he declares that the injunction suit was decided against him through fraud. The complaint closes with a request for a $3000 judgment.

Machold was cited to appear before the court for contempt following filing of his complaint. The case was called before Judge Stevens, who issued the citation and directed the Sheriff to bring Machold before him. Machold was fined $50 for contempt of court and was severely reprimanded. He declared he was unable to pay the fine imposed by the court and was imprisoned and has since been kept in the county jail.

In his petition just filed with the Supreme Court for release Machold declares that when he was taken before Judge Stevens on the contempt charge he found the court and attorneys considering his case; that they denied him the privilege of calling witnesses and the rights of a citizen in the common courts. He alleges that even the judge was sworn as a witness against him and that the judge admitted the allegations made by Machold were true, but said that Machold should not have talked about them.

As two of the Supreme Court Justices are out of the city and will not return until next week, the application for release from jail made by Machold through his wife cannot be acted upon until their return.

FUNDS RAISED FOR FAIR

Klamath Falls Plans Big Exposition This Fall.

KLAMATH FALLS, Or., Aug. 12.—(Special.)—That Klamath will have the greatest County Fair this Fall in its history is believed by those who are promoting the project. Several prominent men have taken hold of the affair and promise to build grandstands, exhibit booths, stalls for stock and other necessary structures.

Business men have been asked to raise $1500 for purses, and already volunteer donations of $900 have been made. It is planned to hold a four-day fair, with racing and other sports as features, and good purses will be offered.

GRAY'S ALTERATION SALE

Offers Splendid Bargains to Men and Women Suit Buyers

To make room for our new departments of men's furnishings and hats soon to be installed we are closing out our remaining stock at a great reduction. Many suits are medium weight—good for Fall wear. Your selection should be made early.

Chesterfield Suits

$22.50 and $25 Suits **$15.00**
$30.00 and $35 Suits **$19.50**
$40.00 and $45 Suits **$27.50**

Ladies' Tailored Suits

$30.00 and $35 Suits **$16.50**
$40.00 and $45 Suits **$22.50**
$50.00 anc $60 Suits **$27.50**

Fall Style Chesterfield Suits For Men Now Ready

Outing Trousers Half Price
Men's $25.00 Two-Piece Suits at $10.00
Terms of Sale Strictly Cash

R. M. GRAY

273-275 MORRISON AT FOURTH

Handsome Exhibit Ladies' Tailored Fall Suits

JILTED GIRL HOPES

Seattle Young Woman Asks Police to Find Sweetheart.

OLD FLAME IS SUSPECTED

Miss Blanche Foote Believes Man Who Left Her Before Wedding Is With Former Love in Los Angeles, and Seeks Him.

LOS ANGELES, Cal., Aug. 12.—(Special.)—The police are scouring the city in an effort to find T. Gordon Campbell, who was to have married Miss Blanche Elaine Foote, of Seattle, several weeks ago. Campbell left his bride-to-be shortly before the time set for the wedding. Miss Foote believes that there is a former sweetheart in the case and is anxious that Campbell be found.

Miss Foote told her parents that Campbell often spoke of this city as being the home of a former sweetheart with whom he quarreled several years ago. Inclosed with the letter is an engraved announcement of the wedding which never took place. It reads:

"Mrs. John Kelly announces the marriage of her daughter, Blanche Foote, to T. Gordon Campbell, on Thursday, July 20."

The letter follows:

"Chief of Police, Los Angeles: Will you kindly investigate a T. Campbell, who disappeared from Seattle July 18. He was to have been married to a lady of this city on July 20, as per inclosed announcement. Will you ask the papers there to assist in trying to secure trace of him? He can be found neither here nor in Vancouver, where he was last seen. He is middle-aged, has brown eyes, gray hair, a mustache, and in weight is thick set. He is very pleasant and jovial. Respectfully,

"DR. D. FOOTE."

Depot Waits on Vacation Grant.

CENTRALIA, Wash., Aug. 12.—(Special.)—The dreams of a new depot which are included in the $750,000 improvements planned for Centralia by the Northern Pacific, Great Northern and O.-W. R. & N., were brought one step nearer realization yesterday when four petitions were placed in circulation asking the Council to grant the demands of the railroads for certain street vacations in the city. A previous petition was drawn up two weeks ago asking that the vacations be not granted, but the signers said yesterday that they had been misinformed of the facts. The Superior Court has filed notice with the City Council to appear before that body and show reason why they should not be enjoined from granting the vacations, but with the majority of the former signatures on the new petition, it is believed that no action will be taken in the matter. Work on the extensive improvements will commence as soon as the vacations are granted.

Medfod May Get Big Plant.

MEDFORD, Or., Aug. 12.—(Special.)—That a $50,000,000 chemical manufacturing corporation with head quarters at Baltimore, Md., may establish a factory here is the statement of C. R. Cushman who has been looking over the orchards of the valley in company with Professor P. J. Ogara, the pathologist. If the field warrants it, Mr. Cushman says that his company will establish a plant that will supply all the chemicals used in insect eradication in orchards. The agent was much impressed with the large area planted to fruit in this section of the country.

3 ARE ENTOMBED IN MINE

Tappings on Rails Tell Rescuers That Men Are Alive.

POTTSVILLE, Pa., Aug. 12.—A large force of miners and laborers have been working without cessation since yesterday afternoon in an effort to rescue three men who are entombed in the gangway of the East Colliery at Big Mine Run, near Ashland. Until late last night it was thought the men had been crushed to death, but tapping on the rails has been heard and it is certain that at least one is alive.

The entombed men, Anthony Thomasoner, Peter Zabaluske and John Dolan, had finished with work yesterday when the gangway roof fell and shut off their exit.

North Bend Revokes Franchise.

MARSHFIELD, Or., Aug. 12.—(Special.)—The City Council of North Bend has revoked the street car franchise which was held by the defunct Coos Bay Rapid Transit Company. This was a company promoted by Major L. D. Kiney during his last operations. The franchise was granted in North Bend, but the road was never built and the company together with Major Kinney as an individual went into bankruptcy. The affairs of the company are now in the hands of a trustee. The revoking of this franchise leaves the city clear to grant a franchise to the C. A. Smith Company and others who were given a franchise in Marshfield.

Grants Pass Woman Kills Deer.

GRANTS PASS, Or., Aug. 12.—(Special.)—Miss Carolyn Geller, a new arrival in this vicinity from Los Angeles, while in the woods Tuesday killed a deer, which received its death wound while running to cover. The gun used was a 40-60. Before she could take aim she called to her mother and several others who were standing in the way to drop to the ground. Miss Geller is a good marksman and uses a gun with considerable skill, having killed a hawk on the wing just a few days ago.

Medford Orchards World's Peer.

MEDFORD, Or., Aug. 12.—(Special.)—Praising this valley highly and declaring that it is the peer of all orchard districts in the world, John W. Dennis, of a London fruit firm, completed his inspection of the orchards here yesterday. Mr. Dennis says that the Rogue Valley will get good prices for the fancy Comice pears this year and that the market is in need of fancy fruit all the time. The Comice, that his firm bought from the Hillcrest orchard last year, brought $10.08 a box in England.

Medford Water Cause of Worry.

MEDFORD, Or., Aug. 12.—(Special.)—Mayor W. H. Canon, Councilmen Millar, Elfert and Merrick, City Engineer Arnspiger, Aecorder R. W. Telfer, and Water Superintendent Trana left yesterday on an inspection tour of the city's water system. They will try to determine the reason for the muddy condition of the city's drinking water.

Purse Snatcher Makes Escape.

F. Miller, 309 Davis street, reported to the police yesterday that his purse, containing a small amount of money, had been snatched by a man on Burnside street, between Second and Third streets. The assailant ran west on Burnside, escaping before Miller could raise an alarm.

"NOT GUILTY"—WILSON

ALLEGED SLAYER OF COBLES MAKES PLEA IN COURTROOM.

Olympia Judge Overrules Demurrers—Defendant Nervous Before Assemblage of Spectators.

OLYMPIA, Wash., Aug. 12.—In the presence of a crowd in the Superior Court room today, George H. Wilson, alleged slayer of the Coble family at Rainier, entered a plea of not guilty to each of the two charges of murder in the first degree filed against him.

His attorney, E. C. Collier, argued a general demurrer against both informations. This was not even answered by the prosecuting attorney, and Judge Mitchell promptly overruled it.

Both the state and defense are now ready for immediate trial. A special venire, including women, will probably be called in a few days to hear the case, as no regular term of court will be held until October. The prosecuting attorney says he has all the evidence necessary to convict.

When taken into court today by Sheriff George Gaston, the alleged murderer appeared more nervous than yesterday, possibly because of the presence of so many spectators, many of whom were in from Rainier. When asked to enter his plea, he stood up and in each case spoke the words "Not guilty" slowly and distinctly.

OIL WILL REPLACE WOOD

Oregon Power Company Finds $3000 Expense Money Well Spent.

SPRINGFIELD, Or., Aug. 12.—(Special.)—The Oregon Power Company will use oil for their boilers in the big steam electric plant in this city which supplies the entire upper Willamette Valley with electric power. The change will be made to avoid the shipment of fuel from Coburg and Wendling, made necessary as a result of the destruction by fire of the Booth-Kelley sawmill a few weeks ago, from which the power plant received its fuel.

The oil can be had for less than the wood, with the added cost of transportation, and eliminates the risk of lack of fuel by any accident to either of the remaining two sawmills of the Booth-Kelly Company. The oil supply is certain. It will cost about $3000 to make the change in the machinery for handling the oil and for burning it under the boilers.

SECOND MURDER ALLEGED

Grants Pass Prisoner Wanted by Officials at Willows, Cal.

GRANTS PASS, Or., Aug. 12.—(Special.)—Mike Morgan, awaiting trial on a charge of killing John E. York, is wanted by the California authorities upon a murder charge, asserts the District Attorney at Willows. It is alleged that on April 19, a murder was committed in his county under similar circumstances as York met his fate here.

The murderer went to the camp of his victim, knocked him in the head with an ax, and threw the body in Sacramento River, drove off with the wagon and team to Butte County and disposed of the property. A detective traced the murderer to Klamath Falls and lost trace of him. Morgan admits that he has been near Willows.

Coos County Roads Promoted.

MARSHFIELD, Or., Aug. 12.—(Special.)—A permanent good roads association for the purpose of advancing the interests of the county is the purpose of a movement which has been started by the North Bend Commercial club. A committee has been appointed to confer with other commercial bodies in the county and a general meeting will be called when representatives of the different communities will be asked to be present and co-operate in the plan. There has been many moves made toward advancing good roads but there has never been a permanent organization and it is believed that with such a society much good work in the way of road building can be accomplished.

Gained 6½ Pounds

Mr. A. J. Best finds Duffy's Pure Malt Whiskey to be just the right medicine for "that tired feeling."

MR. ALBERT J. BEST.

"For many years I noticed your familiar trade mark, and finally I thought that Duffy's Pure Malt Whiskey would do for me what other medicines and stimulants had failed to do, viz., increase my weight and tone up my entire system, so I purchased a bottle, and I really was surprised after using it to find what a change it made in me. My weight has increased 6½ pounds and I have a much better color, in fact feel a great deal better in every way.

"I am sorry that I did not start using it long before I did, as I now realize that I would have gained the results that I was after, and would also have saved myself both worry and money. Albert J. Best, 324 Hallman St., East End, Pittsburg, Pa.

Duffy's Pure Malt Whiskey

the true elixir of life, aids digestion, stimulates the circulation, invigorates the brain, builds nerve tissue, tones up the heart, insures refreshing sleep and prolongs life. It is a most wonderful remedy in the prevention and cure of dysentery, cramps, cholera, congestion, diarrhoea, chills, fevers, heat prostrations and all other summer complaints.

Duffy's Pure Malt Whiskey is the only whiskey that was taxed by the Government as a medicine during the Spanish-American war.

Get the genuine; sold by druggists, grocers, dealers or direct, $1.00 a large bottle. Medical booklet and doctor's advice free on request.

The Duffy Malt Whiskey Co., Rochester, N. Y.