

WILL BEGIN WORK ON FISH LADDER

CONSTRUCTION OF WAY OVER FALLS THAT WAS STOPPED BY INJUNCTION LAST YEAR TO BE COMPLETED—WILL MAKE CONCRETE BARRING FOR SALMON.

(Special Dispatch to The Journal.) Oregon City, July 1.—Engineer E. P. Randa, who holds the contract from the state for constructing the fishway over the falls, went over to the island yesterday to look over the ground for commencing work on the fish ladder. He expects to commence the work shortly and thinks that as soon as there is a little less water the work will be finished in about two months.

The work should have commenced last year, but there was an injunction filed against Mr. Randa by Archie Pease of Portland, who alleged that his fishing interests around the island would be interfered with. He sued Mr. Randa for \$50,000, but was not suited. When the fish ladder is completed the salmon will have an easy method of getting above the falls to spawn. A system of pools and basins will be blasted in the rocks where the water runs over the falls and in this way the salmon can jump from one to another and have a chance to rest before taking the final leap. At the very brink of the falls where the water surges over there will be made some concrete basins on which the salmon may make the last leap. It will require a force of 12 men to do the work.

Minnesota Man Buys Farm. Another easterner who has come to the west to look for a suitable location and has decided that Clackamas county is about the best place he has seen yet is Frank Racy of Minneapolis, who has bought a farm and will remain in Oregon. He was formerly a pickle manufacturer in that city, but thinks that farming is the best occupation that a man can employ himself at.

Will Operate Stage to Willott. On July 5 the Willott stage will be operated for the coming season by D. R. Dimick, a local livery stable man, and O. B. Jefferson. Three trips a week will be made out to the favorite Clackamas county watering place. The stage will leave Oregon City about noon and will return the following day.

McClellan Will Waive. A considerable discussion among local Democrats as to who the St. Louis convention will nominate to carry the Democratic standard through the November campaign. There is real rivalry not only among the candidates, but County Chairman O. D. Eby seems to think that Hearst would run better in this county than Parker, but on the other hand, he says that he has heard some of the Democrats expressing the wish that Parker should get the nomination. Failing in the nomination of either of these two candidates, the local Democrats would like to see McClellan be nominated, as they think that he has the power to unite all factions of the party.

Annual Organization Tonight. Tonight there should be a good crowd of graduates from the public schools of Oregon City assisting in forming an alumni organization which will take place in Willamette hall. The meeting will be called at about 8 o'clock. Besides the organization of the Alumni association there will be a short talk by the graduates city about noon and an informal entertainment.

River Getting Low. Up above the falls the river is getting lower and lower every day and it will be but a short time before the deeper draft steamers will not be able to get to Salem. One boat is now running to Salem, but the trip is made with difficulty over some of the shallow bars. The new steamer the Oregon City Transportation company, Oregon, is about ready for her first trip and may take a run up the river tomorrow. If she does not leave tomorrow she will make the first trip to Salem with her light draft she should be able to reach Albany or Independence.

When the Oregon goes on the run the Altona, which has been making the trip to Salem, will put out on the Oregon. The Altona has been working long without any repairs and there is considerable to do about her. Some of her woodwork will have to be replaced and the officers of the company have decided on a new coat of paint and some additional repairs to the hull.

Oregon City Briefs. Percy and Robert Capron left this morning for a two-week course at Kenyon military academy, in Ohio. He will spend the vacation with his parents here. Mr. and Mrs. W. J. Cole and son Ray, returned Wednesday from an extended trip to points in Washington.

Will Sell The Journal. Commencing tomorrow The Journal agency will be located on Main street, and he will have sole charge of the agency and carriers. The paper will be delivered to the subscribers for the month will be taken for the Daily Journal. Weekly and Semi-Weekly subscribers will be notified by mail of the change and subscribers will assist Mr. Goodfellow in getting their names on a list of names to get paper from carrier.

Fourth of July Round Trip Excursion Rates. The A. & C. R. E. wish to announce that they will sell round-trip excursion tickets between all points at the rate of one and one-third for the above excursion. Tickets will be on sale at 245 Alder street and Union depot on July 2 and 4, good for return passage July 2.

Tickets for Ocean Beach. Season tickets, Portland to any point on the beach, \$4.00. Saturday excursion tickets, good returning Sunday night only \$2.50. Tickets and berth reservations at O. R. & N. city office, Third and Washington.

GOVERNOR ISSUES A PROCLAMATION

CALLS ATTENTION OF PUBLIC TO STATUTES PROVIDING PENALTIES FOR SETTING OF FOREST FIRES AND OTHER DUTIES OF OFFICERS AND JUDGES.

(Special Dispatch to The Journal.) Salem, Or., July 1.—The following proclamation by Governor Chamberlain was made public this morning. It calls attention to the statutes providing penalties for the setting of forest fires and citing the duties of officers and judges for the conviction and punishment of guilty persons which follows: "Whereas, it is provided by sections 1787, 1788, 1789, and 1792 of Beilinger and Cotton's annotated codes and statutes of Oregon, as follows: "Sec. 1787. If any person shall maliciously, with intent to injure any other person, kindle a fire on his own land or the land of any other person, and by means of such fire the buildings, fences, crops or other personal property, or wooded timber lands of any other person shall be destroyed or injured, he shall, on conviction, be punished by a fine of not less than \$50 nor more than \$1,000, or by imprisonment in the county jail not less than three months nor more than 12 months, according to the aggravation of the offense, and shall stand committed until the fine and costs are paid.

"Sec. 1788. Any person who shall enter upon the lands of another person for the purpose of hunting and fishing, and shall without the consent of the owner of said lands kindle any fire thereon, shall be punished by a fine of not less than \$10 nor more than \$100, and if such fire be kindled maliciously and with intent to injure any other person, such offender shall be punished by a fine of not less than \$20 nor more than \$250, or by imprisonment in the county jail not less than three months nor more than 12 months.

"Sec. 1789. Any person or persons who shall willfully set fire to any wooded country or forest belonging to the state or to any other person, and such person or persons shall be deemed guilty of a misdemeanor, and upon conviction before a court of competent jurisdiction shall be punished by a fine not exceeding \$500, or by imprisonment for not more than one year, or both such fine and imprisonment; provided, that nothing herein contained shall apply to any person who shall set fire to a back fire to prevent the extension of a fire already burning.

"Sec. 1791. Upon any prosecution under this act, one-half of the fine imposed shall be paid to the person who first gives information thereof to the district attorney for the district in which the offense is committed, and the other moiety shall be paid into the county treasury for the benefit of the common school fund of the county in which said fine is collected.

"Sec. 1792. It is hereby made the duty of the district attorney to issue a proclamation on the 1st day of each July of each year, calling public attention to the provisions of this act, and warning all persons against 'violating the same. It is also made the duty of each circuit judge of this state to read the provisions of this act to each grand jury when charging them as to their duties.

School Land Money. G. G. Brown, clerk of the state land board, yesterday made payment into the state treasury of the moneys collected from state school lands for the month of June, which was credited to the following funds: Common school fund principal, payments on certificates and cash sales of school lands, \$127,952.44; Common school fund principal, payments on sales of lands acquired by deed or foreclosure, 1,694.00; Common school fund principal, sales of tide land, 409.27; Common school fund interest, payments on certificates, 5,218.32; Common school fund interest, payments on certificates and cash sales of school lands, 452.11; Agricultural college fund principal, payments on sales of lands acquired by deed or foreclosure, 209.00; Agricultural college fund interest, payments on certificates, 224.00; Agricultural college fund interest, payments on sales of lands acquired by deed or foreclosure, 41.75; Swamp land fund, 40.00; Total, 49,167.50.

PENDLETON SEWER QUESTION. (Special Dispatch to The Journal.) Pendleton, Or., July 1.—An action was taken by the city council last night relative to the failure of about 600 property-owners to make sewer connections within the time limit fixed by ordinance, the last day of grace expiring this evening. The report of Sewer and Plumbing Inspector Withe will be handed in at the next Wednesday meeting and the sewer will then be an official consideration by the council.

There are a good many reasons why the ordinance has not been complied with, and it is to be hoped that I do not believe we shall act hastily in the matter."

SPokane Freight Rates. (Special Dispatch to The Journal.) Spokane, Wash., July 1.—Printer's proofs of the new freight tariffs have been received in this city and several changes have been made in them, raising the rates received about two weeks ago. The furniture men were more affected than any other line of business, but as they already have terminal rates in many times the railroad men say they are still allowed all of the 100 miles of territory agreed upon at the Chicago conference.

A little life may be sacrificed to an hour's delay. Cholera infantum, dysentery, diarrhoea come suddenly. Only safe way to have Dr. Fowler's Extract of Wild Strawberry always on hand.

SCIO DAMAGE SUIT IS BEING TRIED

CASE OF FRANK VAVRA AGAINST CITY FOR INJURIES SUSTAINED IN FALLING OFF SIDEWALK REOPENED FOR ALBANY—MANY WITNESSES PRESENT.

(Special Dispatch to The Journal.) Albany, Or., July 1.—The case of Frank Vavra against the city of Scio for damages sustained in falling off a sidewalk and breaking a leg, with the result that an amputation was necessary, was called last evening and a jury empaneled. The trial is progressing today and there is a large crowd of witnesses to be examined. The suit is brought against the city on the alleged grounds that the city had not made proper safeguards around the walks so as to prevent accidents, and it is alleged that the accident was directly due to neglect on the part of the city authorities.

Damages in the sum of \$2,600 are asked. Half the city of Scio is here to testify in the case. The defense of the city is that the plaintiff was intoxicated at the time he received the injury; also that the walk in question is not the property of the city, and that the loss of the limb of the plaintiff is not the result of the accident so much as the natural result of poor methods adopted and employed by the attending physician.

Forger Arrested. Sheriff Worth Huxton left yesterday afternoon for Prineville, where the sheriff of Crook county has placed under arrest Irene Connett, who is under indictment for forgery. Connett, who is a resident of the Sweet Home country, near Seaside, six weeks ago is said to have forged the name of his brother-in-law to a check for \$12, and when he was arrested and held in the city jail at Seaside to await his trial, a heavy hearing broke jail and escaped.

Rogaway Found Guilty. Oscar Rogaway, the young Hebrew who has been on trial here for the past few days, on the charge of burning a store at Lebanon last November, was yesterday found guilty of the crime as charged, after one of the most tedious and hard fought trials in the annals of Linn county.

Judge Hewitt states that he will appeal the case to the supreme court. Judge Burnett has set tomorrow afternoon, at 1 o'clock, for pronouncing sentence on the defendant.

Frightened By Automobile. George H. Graves, a traveling salesman who passed through Albany on a big automobile, was here last evening and while passing over the Willamette river bridge his machine, traveling at a high rate of speed, frightened a horse driven by Mrs. W. M. Phillips.

The horse was finally subdued, but Mrs. Phillips was in a serious condition, her back being severely injured by the strain in trying to hold the horse, and the services of a physician were required to give her relief. The automobile raced over the bridge and through the streets for several hours and frightened a number of horses and it is likely that the city council will take steps at an early day to restrict the use of machines on the streets and on the Willamette river bridge, which structure is also in the city limits and under the control of the city.

Attachment Suit Filed. The Spaulding Manufacturing company of Grinnell, Ia., yesterday filed a suit against A. E. Goulding for \$110 and \$30 attorney's fees and attached 43 acres of farm lands. The note on which the suit was given in payment for a carriage.

CHOICE BEEF CATTLE FROM CAMAS PRAIRIE

(Special Dispatch to The Journal.) Pendleton, Or., July 1.—The first drove of grass beef shipped out this season arrived from Camas Prairie last evening, and was sent over the W. & C. R. last night to Carstairs Bros. of Seattle.

The drove consisted of 200 head of choice range cattle, fat as butter balls and one of the prettiest bunches of beef ever sent from this point. The cattle belonged to Henry Laska, George Linsner, Jacob Born, Moeble Bros. and Ralph and Sam Clark, who combined their herds and drove in together, making the estimate of 50 miles in three days, although the dust and heat were almost intolerable part of the distance.

The cattle were purchased for Carstairs Bros. of Seattle at the following prices: Steers, 34; cows, 23, and bulls, 2 cents. This first shipment of grass beef for 1904 is at least three weeks later than last year, the first shipment last year having been made about June 19 by the same parties.

These cattle have been on the best range in eastern Oregon since early in the spring, and were in prime condition and suffered but little loss of weight by the three days' drive in the hottest weather of the season.

While the prices are about one-half a cent lower than last year, the growers are fairly well satisfied with the result of the sale and feel that the indications are for higher prices later in the season, as there is no overproduction of cattle in that district. There are fully 1,000 head of choice beef cattle in the Camas prairie district ready for the market now, and other drives will follow this one regularly, as the stock is needed in the market.

The number of cattle left ready for the market in the Camas prairie district is about the same as at this time last year.

CROWDED OUT. "Ain't no announcement of our engagement in it yet, James?" "Now! Guess all 'de war news has crowded it out!"

CASE OF BARBER BOARD IS ARGUED

OUTCOME OF FAMOUS SUIT OF OREGON AGAINST H. L. BRIGGS IS OF GREAT IMPORTANCE—DECISION OF SUPREME COURT WATCHED WITH INTEREST.

(Special Dispatch to The Journal.) Salem, Or., July 1.—The famous case of the state of Oregon against H. L. Briggs, known as the barber board case, was yesterday argued in the supreme court. Hon. John McNary appearing for the state and F. B. Grant for Briggs. The outcome of this case is of great importance to the state at large, as it is believed that on the decision of the supreme court will hinge the legality of the law empowering the dental board, the pharmacy board and the medical board to act, as the laws governing those boards are nearly identical with those of the barber board, which is unconstitutional and which was so declared by Judge George in Portland.

Briggs is the proprietor of a barber college in Portland and was indicted in the circuit court for Multnomah county for running a barber school without permission from the state board of barber examiners. He was acquitted at the trial, Judge George holding that the law providing for the board was unconstitutional, on the ground that the act delegated the board with power to prescribe the qualifications of applicants for license to follow their trade and that the legislature had no right to delegate to any other body a right which was vested wholly in the general assembly.

Suit for Damages. Suit was yesterday begun in the state circuit court for Multnomah county against the Pacific Railroad company for \$5,000 damages on account of having been the cause of the death of Frances E. Penland.

Mrs. Penland, who was the wife of James H. Penland, was killed on Sunday afternoon, May 29, while returning from church to her home in South Salem. The south-bound freight train was switching near the freight depot, and the train was allowed to stand for a time on the tracks across Commercial street, with an opening about four feet wide for people to pass along the sidewalk. As Mrs. Penland drew near the train, it started to move, struck the cars and kicked them against the one on the opposite side of the walk. Mrs. Penland was caught in the occupant and died almost instantly from the injury.

Bicycle Thief Sentenced. Charles Keyser, who was arrested in Albany on Wednesday charged with the larceny of a wheel, was given a hearing in Justice Judah's court yesterday and on entering a plea of simple larceny, was sentenced to 90 days' imprisonment in the county jail.

Ed Gibbons, who also has several aliases, who at the previous evening taken into custody by Officer Murphy on a charge of drunkenness, was yesterday fined \$20, and as he happened to be broke, is serving 10 days in the city jail.

Yankee Frank who was taken in at an early hour yesterday for keeping late hours, was fined \$10, and for lack of funds will serve five days.

Salem Begins Suit. The city of Salem, through Attorney J. A. Carson, today began a suit against H. P. Minto to restrain him from interfering with the right of the city on the Minto gravel bar. After the action of the court at the special session in refusing to make a new contract, Street Commissioner Tarpley yesterday morning went to the bar to refasten the ferry rope, which had been cut by Mr. Minto, and the latter, who was on the spot, refused to allow him to land. This was done in good part, but in order to bring the matter to an issue, and the city's attorney was at once instructed to restrain Minto from interfering with the present contract. Mr. Minto declares he will fight the case to the highest courts, and expects to prove that the present contract is void to such an extent that no binding contract exists.

TO BE PRINCIPAL OF PENINSULAR SCHOOL

(Special Dispatch to The Journal.) Albany, July 1.—Professor R. F. Carleton, who has been elected principal of the Peninsular school at Portland, is well known in this city, where he has held office in the school for two years. He has had extensive teaching experience and is rated as one of the best teachers in the valley. He has taught in different parts of this county for a number of years, was principal of the schools at Joseph, Or., for one year, and the past two years served as principal of the Albany high school, in that position he was recently elected.

Mr. Carleton is a son of Rev. I. Carleton, a Congregational minister of Lebanon, formerly of Wallingford, Mass., and was educated at the University and the University of Oregon at Eugene. He is married to a daughter of State Superintendent J. H. Ackerman. He stands with a high reputation as a man who will make friends and will be a valuable addition to the educational forces of the city of Portland.

YEAR'S WORK OF DISTRICT ATTORNEY

The United States district attorney's office has prepared an annual report of the work done during the fiscal year just closed, which will be forwarded to the attorney-general. The report was prepared by Assistant District Attorney W. W. Banks.

It shows that there were 13 criminal cases terminated in the federal court during the year, of which there were 42 convictions and 14 acquittals. Five of the cases were either discontinued or quashed. The aggregate sum of fines, forfeitures and penalties imposed by the court during the year was \$7,870, of which \$6,770 has been paid. There were 57 criminal cases pending in the court at the close of the fiscal year.

In the civil division six cases were disposed of during the year, of which there were two judgments in favor of the United States and four against. The aggregate amount of judgments obtained in favor of the government was \$188,71. There are 20 civil cases pending.



The boy and the dog are having lots of fun, but how about the hope?

ASK BUSINESS MEN TO STAND BY THEM. BARTENDERS' ASSOCIATION OF VANCOUVER TO CALL MEETING FOR FURTHER CONSIDERING QUESTION AND WANT OTHERS TO ASSIST THEM.

(Special Dispatch to The Journal.) Vancouver, Wash., July 1.—The Bartenders' association of Vancouver will hold its second meeting this evening for the purpose of further considering the manner of contesting the forthcoming trials against the individual members. An invitation has been extended to the Business Men's association of this place to meet with it in a joint session and stand with the Bartenders' association in its struggle against the W. C. T. U. Just what action the bartenders expect to take in the matter is not made known.

One of the influential members of the Bartenders' association stated that the association had no theory to advance as to what action would be taken either by the association itself or what is expected of the business men of the town. "But," he stated, "if the business men decline to stand by us in this fight, we may spring a surprise on the townspeople."

Will Go to Jail. It is stated by reliable authority that each of the bartenders under arrest has decided, if convicted, to serve his sentence in jail rather than pay a fine. The only factor that has worked to hold this decision open is to ascertain whether the fine will attach to property, and the authorities are able to enforce the jail sentence and levy on the property.

Official Leave for Resumption. General Punton and staff, it is reported, will leave for American lake next Tuesday, and the maneuvers will begin on July 7. Colonel Huston, post commander, will leave for the same place next Sunday, and Captain Stebbins will leave on Monday. During the absence of Colonel Huston and Captain Helms, Captain Ford, artillery corps, will assume command of the Vancouver post.

Showered Him. From the Chicago Tribune. Though she had to walk two or three blocks alone after getting off the car the young woman was not afraid. "But as she passed a dark alley a man stepped out of it. 'Sorry to trouble you, miss,' he said, 'but I'm needing just the amount of cash and other valuables you've got about you. Hand 'em over promptly, and there'll be no fuss. If you don't I'll have to be a little rough.' 'I haven't anything of value about me,' she said. 'And if I had I wouldn't give it to you. You'd better let me alone.' 'Ha! I caught the footpad. You'll do something desperate, will you? Be reasonable, young woman. What chance have you got against a man? Why can't you ever drive a nail, let alone fight a desperate villain like me. I'll give you just three seconds.' 'Can't drive a nail, can't I?' she said, shrilly. 'I'll show you!'

SUNBURN quickly relieved and surely cured by Hydrozone. It acts like magic and is absolutely harmless. A Trial Bottle Free which will absolutely prove this statement sent for free, to pay postage. Don't wait until you have a bad case, but get it now and have it at hand when needed. Sold by leading druggists. None genuine without my signature. Prof. Charles H. Hartman. 523 Prince Street, New York. Send for free booklet "How to treat sunburn," containing hundreds of unexcused testimonials of wonderful cures.

SPECIAL SALE Saturday Night Only from 5 to 9:30 Genuine David Maydole Nail Hammers 45c We will make a special price on some carpenters' tool every Saturday night. Our Garden Hose is the highest grade ever shown in this city and every foot is guaranteed. Now is the time you need it. Majestic Malleable Ranges The greatest Range of the age. See them on board the battleship Wyoming. MUCK-DUNNING HDW. CO. Second and Morrison Streets

ASK BUSINESS MEN TO STAND BY THEM. IMPERIAL HOTEL CO. Portland, Oregon, is European Plan Only Rates from \$1 to \$2.50 per day Seventh and Washington Streets

DRY FIR WOOD Equal to any cordwood in the city, piled up at your place in 4-foot lengths, and cut by steam saw ready for the stove at \$3.25 PER CORD. If there is any question in your mind as to quality, try 1/4 cords (one wagon load), and you will find it equal to any sold in Portland. BANFIELD, VEYSEY FUEL CO. Phone Main 353 80 Third St., Cor. Oak

PORTLAND CLUB CAFE 130 Fifth Street, Between Washington and Alder HERMITAGE WHISKEY SCHLITZ BEER All Leading Brands of Cigars. Lunch at 9 p. m.

NEW 'PHONE LINE PORTLAND HARPIES EUGENE TO CROW INVADERS

SYSTEM ESTABLISHES COMMUNICATION BETWEEN TWO TOWNS—OPPOSITION LINE BUILDING—ANOTHER COMPANY TO BUILD TO FLORENCE VIA FRANKLIN. (Special Dispatch to The Journal.) Eugene, Or., July 1.—The Llewellyn Telephone company's new line from Eugene to Crow, a distance of 15 miles, has just been completed and the first conversation held between the two points yesterday. The Crow Telephone company's line, an opposition affair which is being built from here to Crow over another route will be in operation within a few days.

A company has just been organized at Eugene, with a capital of \$1,000, to build a telephone line from Eugene to Florence, a distance of more than 80 miles. It is expected to begin construction at once. The poles are already being put in. This line also will have competition. A line is now building from Junction City to Florence via Franklin and Lake Creek and almost half the distance has already been covered.

Logger Injured. Andy Nystrum, employed in the logging camp near Wendling, was brought to Eugene last night and placed in the hospital, suffering with a broken leg. He was tripping the dam gate at the Wendling mill when, in some manner, he was struck, causing him to fall, with the result that the bones in one of his legs, below the knee, were broken.

Assault and Battery. Miss Getz was arrested last evening by Constable Jack Strain on the charge of assault and battery upon Homer Farlow. He was taken before Justice of the Peace Wintermeier and fined \$10 and costs. The altercation occurred on one of the business streets and created considerable excitement.

Committee Appointed. President Thompson of the Eugene Commercial club has appointed the following committee to solicit funds for the improvement of the road leading to the Blue river mines, as follows: From Eugene—F. L. Chambers, G. W. Griffin, F. W. Osburn, Alf Walker, J. M. Shelley, W. M. Green, Eli Bangs. From Springfield—B. A. Washburn, L. L. Clark, J. F. Woods. From Upper McKenzie—J. W. Shumate, J. E. Kennerly, J. V. O'Leary, C. H. Park.

As Usual. Rodrick—I tried every way to get rid of those cats. I threw alarm-clocks at them and fired off a shotgun. Van Albert—And then you had more peace? Rodrick—No, I had more cats. "How do you know it's Willie?" "Cause I can see the black eye I give him yesterday."