

GOOD EVENING.
THE WEATHER
Tonight and Friday, partly cloudy,
with occasional light rain; cooler to-
morrow; light easterly breeze.

Journal

THE CIRCULATION
OF THE JOURNAL
YESTERDAY WAS 16,000

VOL. III. NO. 250. PORTLAND, OREGON, THURSDAY EVENING, NOVEMBER 17, 1904—SIXTEEN PAGES. PRICE FIVE CENTS.

FOR CITY'S WELFARE

Judge George Says Saloon Boxes Must All Be Closed.

MORAL ELEMENT IN THE TOWN SUSTAINED

Mayor Williams Will Continue to Enforce the Law Against Private Rooms in Restaurants.

The evil that is sought to be remedied by the city council in the passage of this ordinance seems to be to prevent, so far as possible, the immoral consequences flowing from private boxes in saloons and restaurants engaged in the sale of liquors, and as the ordinance, in some measure, tends to the preservation of the public morals, doubt, so far as possible, should be resolved in favor of its validity—especially by courts of equity on injunction suits.—Extract from opinion by Circuit Judge George.

Boxes in saloons and restaurants must be closed by the decision of Presiding Judge George of the circuit court, who refused this morning to enjoin Mayor Williams and Chief of Police Hunt from carrying out the ordinance. The decision is in accordance with the ordinance recently adopted by the common council, by sustaining City Attorney McHenry's demurrer, the moral element of the community has won a pronounced victory.

While, in the opinion of the court, the law upholds the city council in its action, if any doubt exists as to the validity of the ordinance it should be resolved in favor of the municipality, for the reason that it tends to the prevention of evils of mind and aims at the preservation of the public morals.

Judge George's opinion covers four typewritten pages. In stating his decision from the bench he also made verbal comment on matters not touched on in the document placed on file in the court archives. The contention of counsel for the plaintiffs has been in this suit, Henry Sandra and others and Theodore Kruse and others, and of counsel for the city are fully reviewed.

General Police Power of Cities. Ordinarily, reads the opinion, the question of the exercise of a general police power by cities has been in the courts on the question of consideration of municipal ordinances, because no general police power has been heretofore granted in our city charters. This police power originally resides in the state. In the exercise of this power, and in the exercise of the power of a municipal corporation by a delegation thereof to the municipality by the law-making power of the state, courts of equity should first be very liberal in the right before interfering by injunction. If there has been a proper exercise of the police power it must follow that many rights and privileges which people otherwise might enjoy can be and will be more or less limited.

KILLS TWO MEXICANS TO PROTECT GIRLS

(San Bernardino, Cal., Nov. 17.—) One Mexican desperado was instantly killed and another mortally wounded last night at Banning by James Conley of Los Angeles, in defense of two pretty sisters, whom the Mexicans attacked. Conley and the sisters were indulging in the habit of sleeping in tents near Banning, his tent adjoining theirs. Shortly after midnight he was awakened by the sisters' screams, and on making into their tent was met by

PROMISE NOT KEPT

Portland & Asiatic Steamship Company Cannot Handle Business.

EXPORTERS COMPLAIN AND WITH GOOD CAUSE

Unable to Find Ships to Carry Orders to the Orient, and Must Send by Way of Soud.

Strong promises have been made, and eventually it may be able to take care of the business, but so far the Portland & Asiatic Steamship company has made a very poor start in that direction.

So said T. M. Stevens of the exporting firm of T. M. Stevens & Co. when asked for his opinion as to whether or not Portland would ever be provided with adequate transportation facilities for making shipments to the far east. During the past three months a good portion of the flour sent from the Columbia river to Japan and China had to go by way of Soud, because the oriental liners operating from here did not have sufficient capacity to handle all of it. As a result Portland's annual export business is reduced, while that of Seattle is added very materially.

It is estimated that there will be fully 50,000 barrels of Portland flour sent to Japan on the steamship Shawmut, which is due to sail from the sound for the orient this week. Of this amount, T. M. Stevens & Co. is supplying 12,000 barrels, while Balfour, Guthrie & Co. is sending a big portion of the remainder. All the local firms declare that they would prefer to have their shipments shipped from Portland, but under the circumstances it is impossible for them to do so, the Portland & Asiatic company having no boats on which they could engage space.

Two steamers in December. As yet it is too early to predict, say the exporters, whether there will be any big orders to fill for Japan next month. So far there have been few inquiries for foodstuffs, but it appears to be the general opinion that the usual amount of shipments will be made in December. If this proves to be true, the Portland & Asiatic company will be in no position to handle the traffic. The company will only have two steamers at that time, and the only two things remaining for them to do—either to charter tramp steamers or to ship by way of Soud. It is not easy to pursue the former course, they declare, because steamers are not always available at the time they are needed most. When an extra tonnage is required they believe that the management of the regular steamship line should attend to the chartering and provide full and ample facilities.

A few weeks after the seizure of the Arabia by the Russians there was a great demand for flour in Japan. Nearly all the local dealers had orders to fill. Ford was sent to General Manager of the Portland & Asiatic company to send an extra vessel here at once. The reply came back that he would see what he could do about the matter. After several weeks had elapsed, and finally closed a deal for the Astor, which was later dispatched.

It is said by his critics that this matter could have been attended to in 15 minutes, but instead much valuable time was wasted in small dickering. A local agent whose whole business is looking after the matter of chartering ships says there has not been a time during the summer and fall that tonnage could not have been secured at any time it was needed, if the regular charter rates had been paid. But instead of showing a disposition to pay for the use of a vessel at the regular market price he asserts that Scherwig was endeavoring to get tonnage for nothing. That is the reason, he explains, that so much valuable time was wasted and no steamers were sent from here to the orient at a time when they were most needed.



When Governor Roosevelt Left Albany to Become Vice-President, a Dinner Was Tendered Him by the New State Officials. On the Extreme Right of the Photograph Taken at the Dinner Is Judge Alton B. Parker, Next Governor Odell, Timothy Woodruff, of Fancy Vest Fame, Sits Next to Governor, Now President Roosevelt. In the light of Developments of the Last Year the Picture Seems Odd.

WERE ALL AFRAID OF YOUNG WEBER

His Mother Predicted He Would Some Day Kill Family—Threatened His Aunt with Death the Day After the Murders and Told Her That Her Turn Would Come.

(Special Dispatch to The Journal.)
Auburn, Cal., Nov. 17.—The inquest over the bodies of Julius Weber and wife, son and daughter, who were shot to death and left to be cremated in the ruins of their handsome home, continues. Sensational testimony was given last night going to show that Adolph Weber, now in prison, killed the other members of his family.

Within 48 hours of the time when they found death at the hands of an assassin, Mrs. Julius Weber, the mother of the lad who is accused of the crime, said to her sister, "Dolphy is so mean and hateful that I am afraid of him. I am afraid he will kill us all some day."

GREAT HONORS ARE IN STORE FOR TAFT

Leaves with Others for Panama Tonight—Will Speak in New Orleans.

(Journal Special Service.)
Washington, D. C., Nov. 17.—Secretary of War Taft leaves tonight at 10:45 o'clock on his mission of investigation and conciliation in the Panama republic. He will go over the Southern railway to New Orleans, where he will be entertained by the citizens, and will make a speech on the Panama canal.

NAN PATTERSON JURY IS NOT YET COMPLETE

(Journal Special Service.)
New York, Nov. 17.—Four jurors sat in the box this morning when the trial of Nan Patterson was resumed, and the work of completing a jury proceeded. It is expected the jury box will be filled today.

KING CHARLES AND HIS QUEEN VISIT LONDON

(Journal Special Service.)
London, Nov. 17.—King Charles and Queen Marie Amelia of Portugal made a trip to London this morning and were received as guests of the city corporation at a luncheon in the guild hall.

NATIONAL GRANGE HARD AT WORK

After Delightful Reception Last Night, Patrons of Husbandry Take Up Business of the Order—Important Resolutions Have Been Offered, Which Will Result in Discussion

A resolution favoring the initiative and referendum will be submitted to the convention of the National Grange. It will be introduced by W. F. Hill, master-granger of the state of Pennsylvania. It is expected that the introduction of the resolution will be the cause of the most stirring debate of the session.

While there has been no actual canvassing in favor of the adoption of such a resolution by the grange, it is said that its supporters have assurances of strong support. Others, however, assert that opposition will manifest itself. In the state of Pennsylvania an effective co-operation between organized farmers and organized wage-earners is actually in operation. The executive and legislative committees of the state grange, decided to co-operate with the American Federation of Labor toward securing a people's vote and direct initiative in national affairs.

INTEREST IN THE CONGRESS UNABATED

(Journal Special Service.)
El Paso, Tex., Nov. 17.—With interest in the convention unabated, the third day's session of the National Irrigation congress opened with a continuance of the reading of papers and discussion of sections of "Production by Irrigation," "Engineering and Mechanics," "Climatology," "Forestry and Rural Settlements." The program was as follows:

and supervising engineer of dams on the Nile; California's Irrigated Possibilities by Hon. George C. Barde, governor of California, and one by George H. Maxwell, executive chairman of the National Irrigation association. The next convention city will be selected tonight. Portland will undoubtedly be chosen, although Boise is gaining some strength. William Smythe, of San Diego, has been put forward for the presidency, making three new in the field, the others being Governor Farde of California and Senator Newlands of Nevada. Practically all papers are being read, although a number of persons on the program are absent. The delegates will attend a ball at Juarez, Mexico, this afternoon.

TACOMA MAY GET THE LAWMAKERS AT NIGHT

(Special Dispatch to The Journal.)
Tacoma, Nov. 17.—Owing to the burning of the Olympic hotel, the Northern Pacific is to put on a fast train and bring the legislators to Tacoma tonight. The plan is a novel one, and the time consumed on the trip is figured at one hour.

RUSSAINS HOPEFUL

Now Believe Stoessel Will Hold Fortress Until Relieved.

CHEERING ADVICES IN DESTROYERS DISPATCHES

Nothing However Is Made Public—Destruction of Rastropky Confirmed.

St. Petersburg, Nov. 17.—(Bulletin)—General Kuropatkin reports that the Japanese Tuesday evening assumed the offensive near Tienahpu, but were repulsed. At dawn of the same day the Russian sharpshooters ambushed two detachments of Japanese dragons, numbering 30, and all were killed except two or three, who were captured. A company of Japanese made an unsuccessful attempt to rescue their comrades. The Russians suffered no losses.

(Journal Special Service.)
St. Petersburg, Nov. 17.—While the details of the dispatch received from Stoessel are withheld, military circles today expressed the belief that Port Arthur will be able to hold out until the arrival of the Second Pacific Squadron. This confidence is based on information conveyed by the destroyer Rastropky. The following report from General Stoessel, dated October 25, was received today: "Japanese very vigorously bombarded the fortress and succeeded in penetrating the north and northeast on October 18. Today they attacked the north front, but shrapnel fire dispersed their supports and the assault was repulsed. Our losses are one officer, 16 men killed, 40 officers and 166 men wounded. All distinguished themselves. It is impossible to mention individual heroes."

It is held that the general information contained in the report conflicts to a considerable degree with advice that emanated from Port Arthur a few days ago from other sources, in which the situation was portrayed as being almost indefinable.

Many optimists are now of the belief that while the situation is a critical one, former news to the effect that many of the garrison were ready to surrender, but were held at their posts through lack of being held, is entirely without foundation, and in support of their idea advance the fact of the love and loyalty that General Stoessel's men have always exhibited in the past. The latest advices from the besieged garrison have had the effect of apparently raising the hopes of all those here who are familiar with the war situation as it exists close at hand.

FORTY THOUSAND DEAD

(Journal Special Service.)
Rome, Nov. 17.—The Chief correspondent of the Italian Militaire writes that General Stoessel's report brought to Chiofo by the Rastropky states that since the commencement of the siege 38,000 troops and 10,000 civilians have died. The garrison is using home-made powder and the troops are on half rations.

IMPROVEMENT SOCIETY DEVISES CLEVER PLAN

(Special Dispatch to The Journal.)
Corvallis, Or., Nov. 17.—A new scheme for getting people into the winter in Corvallis is being devised by the Corvallis Village Improvement Society. In the coming spring the society will be an excellent success.

(Journal Special Service.)
Washington, Nov. 17.—The secretary of the department of commerce and labor, on behalf of the bureau of immigration, today announced the names of Commissioners Duna at St. Louis, and the appointment of the undersecretary.