

CAPTAIN BRUIN REJECTED BY JUDGE FRAZER

EXAMINATION WAS ILLEGAL

ISAKSON IS VICTORIOUS IN COURT

Ex-Patrolman Successful in His Suit to Have Bruin's Appointment Declared Void

HOLDERS OF CITY JOBS ARE SCARED

If Others Appointed by Civil Service Commission Are in Bruin's Class, Heads May Fall

In the circuit court this morning Judge Frazer ruled that Patrick Bruin was not entitled to hold a position as captain of detectives.

The judge held that the examination by which Bruin got his position was not legally called, in that notice was given of the coming examination only nine days before it was held, instead of two weeks, as expressly required by statute. The judge did not inquire into Bruin's qualifications for the position, ruling that this was a matter to be decided by the commission.

It has been the custom to hold examinations after notice of them is twice published, whether two weeks have elapsed or not since the first notice, and it is not known how many examinations were held in this manner. All who passed such examinations are in Bruin's class. Therefore many are scared.

As a result of the decision by Judge Frazer in the circuit court this morning ousting Patrick Bruin from his position as captain of detectives, all employees and officers of the city who were appointed by the civil service commission are wondering whether they belong in the same class with Captain Bruin, and will lose their positions in consequence.

The civil service commission has construed the provision of the charter which directs the publishing of the notice in the city official paper for two weeks to mean that two insertions of the notice are sufficient, and that the examination may proceed immediately after the second advertisement of the notice.

Judge Frazer held that two weeks' notice means 14 full days, and not two issues of a weekly paper, and that the provisions of the charter had not been complied with by the civil service commission.

It is not known how many examinations have been held without the full 14 days' notice, but there have been several of them, and Mayor Lane has instructed O. L. McPherson, secretary of the commission, to check over the list and determine how many were not in accordance with Judge Frazer's ruling and who the appointees are who are illegally holding their positions.

From the eligible list prepared at the time when Captain Bruin was examined, Captain Siver and a number of patrolmen and firemen were appointed, and these will be directly affected, as the list on which their names appear has been declared void by Judge Frazer.

When McPherson became secretary of the civil service commission, he followed the rule that had been established by the former secretary of proceeding with the examinations immediately after the second issue of the paper in which the notice of the examination was published.

The list of appointees under the illegal examinations will be announced as soon as it is completed.

The appointment of Patrick Bruin to the position of captain of police was declared void by Judge Frazer in the circuit court this morning in announcing his decision in the ouster proceedings instituted against Captain Bruin by Patrolman Oscar Isakson. Judge Frazer held that the civil service commission did not comply with the requirements of the charter regarding giving notice of the proposed examination, which was held last October, and that consequently the examination was not legal.

The proceedings instituted were based on three charges; that the action of the commission in conducting the examination was illegal because only nine days' notice was given where the charter requires 14 days' notice; that the examination was not public and regular and did not comply with the provisions of the charter; and that Bruin was not qualified to take the examination because he had not been a citizen of Oregon three years preceding the examination and was not a registered voter at the time.

Question of Jurisdiction.

Judge Frazer held that the question hinged upon the jurisdiction of the civil service commission in holding the examination, and that as the court was not sitting to review the proceedings the questions of the regularity of the examination or of Bruin's eligibility could not be determined. Judge Frazer said that if the commission had the necessary jurisdiction to hold the examination the court had no power to review the proceedings, no matter how irregular the examination might have been.

"It is admitted that the notice of the examination was published only nine days instead of 14," continued the judge. "Our supreme court has held

that the examination was not public and regular and did not comply with the provisions of the charter; and that Bruin was not qualified to take the examination because he had not been a citizen of Oregon three years preceding the examination and was not a registered voter at the time.

Funeral of Troxel Held at Corvallis

(Special Dispatch to The Journal.)

Corvallis, Or., July 23.—The funeral was held here from Wilkins' undertaking parlors at 9 o'clock this morning of the late William Troxel, who died suddenly Saturday at Eugene. He was aged 47 and for many years resided in Kings valley, Benton county. He is survived by a widow and two children. Interment was in Emeric cemetery, near Philomath. Rev. McDonald of Eugene conducted the services.

People Anxious to Get Panama Bonds

(Journal Special Service.)

Washington, July 23.—It is announced the Panama canal bond issue is oversubscribed eight times.

Want Electrical Inspector.

"Linemen never will be cautious until they get it," said F. G. Byrnes, the general superintendent of the company. Electricians not employed by the Portland General declare that a lineman takes his life in his hands every time he climbs a pole. It is these men who have been asking the council to appoint an electrical inspector who will have authority over lines on the streets as well as over the wiring of buildings. In the ordinance now before the street committee a change will be suggested by which this may be done. Opposition will, of course, develop but the men who know of the danger on the poles of their own persons' experience say they can make a strong showing and can prove that Portland is far behind the times.

How We Look to Other Eyes

King of Cambodia's Impressions of Modern Civilization Cause a Flutter—Talk Too Much, Wear Too Many Clothes

(Journal Special Service.)

Paris, July 23.—The chamberlain of the king of Cambodia, whose tour in France has been causing no small stir, has been writing a careful diary for publication when the royal party returns to Pnomhenn, the capital of Cambodia. By the help of an interpreter several extracts have been translated which show how strangely modern life impresses the mind of a visitor from so distant a land.

"The French people" writes the lord chamberlain, "talk a great deal, all talk together, and women interrupt their husbands without fear of punishment. Very little respect is shown to people in high places, and even servants speak to them without prostrating themselves. But most people are rude in France, and the roughest are the men who make pictures.

Mayor Will Investigate.

Mayor Lane has announced his intention of making an investigation, which may lead to prompt action by the council.

"All these wires should go underground," declared Charles Savarian, superintendent of the fire alarm system, this morning. Mr. Savarian is the general superintendent of the city electric system, but he has no authority over the stringing of wires on the poles.

Along a number of streets are wires of the electric company which carry what linemen call "hot" wires, that is, power of 1,000 to 15,000 volts. The fire escape of the Eaton hotel had to be grounded to prevent electricity running riot through the building.

James Stillwell, a brother-in-law of the dead electrician, who is looking after the latter's motherless children and arranging his personal affairs, says that no action has as yet been taken looking toward recovering damages.

King of Cambodia's Impressions of Modern Civilization Cause a Flutter—Talk Too Much, Wear Too Many Clothes

Many of these persons have not even refrained from threatening the sacred dancers of the king with the machines they carry in boxes.

"Everybody wears far too many clothes, and they are worn all day long. Many wear numbers of unnecessary garments, especially the women. The women do not wear 'sampots' (trousers), but instead wear many superfluous yards of different colored materials, placed one on top of the other, and the husbands encase the bodies of their wives in cuirasses worn underneath their dresses.

"Men and women meet together in large companies, and quite without shame. They pray little, or not at all, but their temples are magnificent and built of stone."

Justice Ricks of Illinois Court Dies

(Journal Special Service.)

Taylorville, Ill., July 23.—Justice J. R. Ricks of the state supreme court died this morning of cancer of the stomach.



Alfred Beit, the "King of Diamonds," on the right, and his friend, Cecil Rhodes, on the left, while below is a photograph of the largest diamond ever found in South Africa. Mr. Beit controlled the largest diamond mines in the world.

LATEST KILLING MAY PUT WIRES UNDER PAVEMENT

Coroner Calls Arrangement of Conduits Death Traps but Refuses to Hold Inquest—Light Company Blames Lineman—Electricians Want Ordinance.

One result of the electrocution of James E. Bannister Saturday afternoon will undoubtedly be a demand upon the city council for passage of the proposed ordinance requiring electric wires to be placed underground.

While Coroner Finley characterizes the arrangements of wires on the thousands of poles about the city as "death traps," he refuses to hold an inquest into the death of Bannister, declaring that as there is no question as to the cause of the lineman's death the case is not one which can be properly laid before a coroner's jury.

Meanwhile the ordinance introduced by Councilman Preston which will put the wires in conduits in a place of safety is resting easily in the box of the street committee of the council.

HOGE FAILS TO COME TO COURT; TRIAL DELAYED

Defense Says Defendant is Seriously Ill in North End Lodging-House—Physician Examines Him on Behalf of Government and Says He is Feigning.

Martin G. Hoge, under trial with Charles Nickel, Harry W. Miller and Frank E. Kincaid for conspiracy to suborn perjury, failed to appear in court this morning. The reason given for his absence was serious illness, and after investigation a postponement of day was ordered. As matters stand now the government contends that Hoge is feigning and the defense, represented by Thomas O'Day, expresses a fear that Hoge will die before morning.

When court convened Attorney O'Day informed Judge Hunt that he had received a telephone message to the effect that Hoge was seriously ill and was confined to his room in a cheap lodging-house in the north end. The address given was the Fairmount, 23 1/2 North Sixth street.

A recess was taken and Dr. K. A. J. Mackenzie and Deputy United States Marshal Glenn Bushue went to Hoge's room as representatives of the government. To their Mrs. Hoge said that two physicians had told her that her husband was suffering from spinal meningitis. Hoge was lying in bed, breathing heavily. He made no answer to questions and his wife said he had not spoken all morning.

Physician Makes Report.

After making an examination of Hoge Dr. Mackenzie went into court and made his report from the witness stand. In substance he testified:

"I found Mr. Hoge in bed. He seemed to be unconscious and I couldn't get any word out of him. There were no signs of paralytic condition. His limbs were more or less relaxed, and there was no rigidity. His pupils were contracted. There was a slight elevation of temperature and the pulse was rather bounding, but not rapid. I could not make out he was suffering from any organic disease. Two other physicians, and spoke of his having meningitis. I could find no evidence of meningitis whatever. The state of sleep in which he seemed to be could have been feigned. In my opinion the major part of his trouble is feigned and not real. I know nothing to prevent bringing him into court any time after today."

In response to an inquiry by Special Assistant Attorney-General Henry, Dr. Mackenzie said that if Hoge was taken to St. Vincent's hospital he would look after him today.

Believe He Will Die.

Attorney O'Day had no questions to ask. "I have seen the man," he said. "In my opinion he will be dead tomorrow."

Special Agent William Mitchell took the witness stand and testified that he saw Hoge and his wife come out of a restaurant on Sixth street, near Burnside, at 2 o'clock last night. They started to go south on Sixth street, but Hoge saw the witness and at once turned back with his wife and went upstairs. Cross-examination developed that the stairway led to Hoge's lodgings.

In the presence of a special agent on the stand caused Attorney O'Day to bring up again his complaint against the shadowing of his house. After going over portions of his experience he said:

"I come from a race that has been fighting certain kinds of government for 400 years, and the feeling has not yet died in me."

Judge Hunt assured the attorney that the matter would be investigated by United States Attorney Bristol, who would bring in such report as he saw fit.

Deputy Marshal Glenn Bushue, the man who brought Hoge from Bedfordford, said that he had called to gain him a confidante.

REPUBLICANS ALARMED BY SPREAD OF SENTIMENT AGAINST STAND-PATERS

Republicans Alarmed by Spread of Sentiment Against Stand-Patters may Rob Democrats of Campaign Material—Cannon at Summer Capital.

(Journal Special Service.)

Oyster Bay, July 23.—Speaker Joe Cannon, Representative Sherman of New York, Duncan McKinley of California, Henry C. Loudenslager of New Jersey and William W. Cocks of New York, members of the congressional Republican committee, are in conference with the president on congressional elections. Cannon represents the president's district. Cannon and his colleagues went home with him.

Senator Boies Penrose arrived and took luncheon with the president and talked Pennsylvania politics.

The object of the conference is to outline plans for the coming congressional campaign and to determine whether tariff revision or a stand-pat policy will be advocated. Many western congressmen together with those in the New England states report that their constituents are clamoring for tariff reform, and the advisability of outlining such a program is under consideration. It is understood that the president favors announcement of such a policy and will sooner or later advocate it, thus robbing the Democrats of campaign ammunition. Speaker Cannon, on the other hand, favors a stand-pat policy and argues that there is no popular demand for reform.

TAKES LIFE BECAUSE WIFE WAS FAITHLESS

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NICK AND ALICE ARE SPILLED FROM AUTO

Baird, July 23.—Congressman and Mrs. Longworth arrived today unshaken by being thrown from an automobile near Wuerzburg, Sunday. The steering gear broke and the machine careened over an embankment. They reached Baird by train.

The thirtieth year Wagnerian Jubilee began today, conducted by Herr Mottl. Hundreds of Americans are present.

JUSTICE RICKS OF ILLINOIS COURT DIES

Taylorville, Ill., July 23.—Justice J. R. Ricks of the state supreme court died this morning of cancer of the stomach.

DOUMA MEETS AT VIBORG APPEALS TO THE PEOPLE AND IS AGAIN DISPERSED

Deputies Flee From St. Petersburg to Finland and During Session Are Ordered Out by Governor-General—Czar Will Encounter Violent Opposition as Treatment of Parliament Has United Opposition to Government

(Journal Special Service.)

St. Petersburg, July 23.—The government today forbade all processions or street gatherings. Troops are in full control. However, it is clear that resistance will be made to the government in an effective manner. The dissolution of parliament has had the effect of uniting all discordant elements. Liberal and revolutionary parties alike support the most desperate measures, but inflammable leaders are in charge at present, and if patient heads control until the people's forces are prepared the czar will face a tremendous power.

After sitting almost continuously since their arrival at Viborg, members of the douma today decided upon a policy of passive resistance. They will endeavor to cripple the power of the government in every way possible and will issue a manifesto urging the people to refuse to pay taxes or serve in the army.

There was a fiery debate today. Many members urged an immediate resort to arms. It is proposed to organize a constitutional assembly to proceed with the elections. The plan was discussed soberly for a time. Finally it was decided to proceed cautiously.

The governor of Viborg called at the Hotel Belvidere this afternoon and announced that he was ordered by the governor-general of Finland to close the meeting of the douma, even if it was necessary to use force. He stated that the deputies will not be allowed to meet anywhere in Finland. The order came as the deputies were formulating a manifesto to the people.

Meet in Finland.

Late last night it was decided by the members of the douma to hold a session in Finland and the members left for Viborg. It was feared if meetings were continued in the capital delegates would be arrested and the meetings forcibly broken up.

When the douma convened at Viborg nearly all the members were present. No program of force is contemplated at present as it is recognized that without organization and arms little headway can be made against the government. But secret influences are at work in the army and navy and sedition among the imperial forces is growing rapidly.

It is probable that a general strike will soon be called which will paralyze the industries of the entire country. It is planned to make the strike much more effective than that which took place last winter and involves paralysis of the entire country through the tying up of its industries, railroads and telegraphs. A complete strike of the peasants in the country will take place at the same time.

Revolution in Prospect.

The greatest fear of the revolutionary leaders is that premature action will spoil the plans under way. The radicals are disaffected with the manifesto adopted by the douma and will probably issue a much stronger one.

Every preparation has been made by the government to suppress disturbances. St. Petersburg is under martial law and is full of troops, resembling an armed camp. Hundreds of agitators have been arrested and all public and private meetings forbidden. Extraordinary powers have been given the minister and governor of provinces throughout the empire and wholesale executions are expected to follow.

Due to these preparations there is no disturbance in the city today. It is reported that a flotilla of German gunboats are remaining within easy wireless communication of Peterhof to render assistance should the czar be in need of such assistance hastily.

The news of the dissolution of parliament spread rapidly throughout the empire and it is expected that the peasants will rise en masse. The news has caused consternation in the ranks of the moderates, but the extremists and radicals, who for months have been preparing for war, received it with rejoicing.

HOGE'S ATTORNEY IS TO ABANDON NEGRO

Pittsburg, Pa., July 23.—Attorney Stanton, representing Hoge, a negro coachman, announced in court this morning when the Hartje case was called that he will quit Hoge because the negro lied to him so much he could not place a bit of reliance in any of his statements. The attorney for the defense rested and rebuttal testimony was taken.

LADY MARY CURZON WAS BURIED TODAY

London, July 23.—Lady Curzon was buried at Keston today. Simultaneously memorial services were held at Westminster, in St. Margaret's, Ambassador Whitelaw Reid attended, accompanied by White, the American ambassador to Rome, who happened to be in the city.

FIFTEEN INDICTMENTS IN ICE TRUST CASE

Cincinnati, July 23.—The secret report of the grand jury published today shows the indictment of 15 individuals and firms in the ice business on the charge of conspiring in the restraining of trade.

SAGE'S BUSINESS TO CONTINUE AS USUAL

New York, July 23.—Delancy Flood and Charles A. Gardner, counsel for the executors of the Sage estate, received permission from the court today to continue Russell Sage's business pending the filing of his will.

AMERICANS HONORED BY FRENCH LEGION

Paris, July 23.—Henry Cachard, Walter Day and James Deering, Americans, are appointed officers of the Legion of Honor.

RUSSIAN BONDS ARE DROPPING IN VALUE

London, July 23.—European bourses are weak on account of disquieting news from Russia. In Paris, Russian 5 1/2% bonds dropped six points at the start and kept falling.

DAY SET FOR LORD'S TRIAL

Persistent Attorney Demands It in the United States District Court for Twenty-First Time and Is Successful at Last

Attorney Charles F. Lord, indicted for complicity in conspiring to interfere with a United States official performing his duty, appeared before Judge Hunt in the United States district court this morning for the twenty-first time, his seniority so to speak, and obtained what he has never been able to obtain in his previous visits to the hall of justice—the setting of a hearing for the charges preferred against him.

Lord has been persistent if nothing else in his demands for a trial and appeared but a few days ago and asked for a hearing. So hard did he fight for an opportunity to be heard that it was necessary for Judge Hunt to tell the attorney that his language was not proper for an officer of the court. Still

Lord persisted, and finally Assistant Attorney-General Henry rose in reply and asked Judge Hunt to set the case after all others had been heard.

Judge Hunt took the matter under advisement and even to today had to explain to the defendant that all the details of the present session in which he would officiate as judge were set aside for cases and that it was not the custom for one judge to set trials that would have to be heard by another. His, however, placed Lord's trial for Thursday, August 23, subject to the condition that it was to follow the cases already set. Lord beamed with delight upon the judge and retired after offering to receive thanks for an opportunity to receive justice.