

OREGON INSANE ASYLUM GUTTED BY FLAMES

JUDGE SAYS MAYOR LANE MUST SIGN

Judge Decides Bailiff McDonald Is Entitled to Receive His Salary From the City

Decision Places Unlimited Power in Hands of the Council, Declares Attorney Logan, Counsel for McDonald, and Involves Construction of the Charter.

Judge Gantenbein of the circuit court this morning decided that it is the duty of Mayor Lane to sign the warrant for the salary for Bailiff James McDonald of the municipal court.

The judge's decision is important, because of involving a construction of the new charter that has never been passed upon before. It was conceded that the council had the right to pass an ordinance creating the position of bailiff of the municipal court, but the mayor contended that the appointment of the man who was to hold the position belonged either to him or to the civil service commission.

What Logan Says.—"Judge Gantenbein's construction of the charter places almost unlimited power in the hands of the council," said John F. Logan, attorney for McDonald. "The council can, if they choose, create as many new offices as they want and appoint their own men to fill them. For instance, if they wish to supercede a captain of police, they might create the office of inspector of police, having the same duties as a captain now has, then refuse to appropriate funds to pay the captain.

"The result would be that the captain would be down and out and the inspector, the council's appointee, would have the plum. The same example would apply to every office in the city except those filled by popular election. The council by law and ordinance could fill every office now filled either by the mayor's appointments or by civil service examinations."

What Charles Provides.—Section 155 of the city charter provides that "the mayor shall appoint all officers of the city whose election or appointment is not otherwise expressly provided for in this charter or by law."

Judge Gantenbein held that the last phrase "by law" means by statute or by ordinance, and that an appointment by ordinance is an appointment by law and therefore does not infringe the mayor's rights of appointment.

"There is no restriction on the right of the council to provide by ordinance for an appointment of this kind," said the judge, "and the appointment of McDonald as bailiff was vested in the common council by reason of this ordinance." Judge Gantenbein said the appointment of McDonald by the council did not conflict with the civil service provision, which says that all offices shall be filled through the civil service commission except those that are filled by popular election, by appointment of council, or otherwise.

The ordinance creating the position of bailiff of the municipal court, fixing the salary at \$80 a month, and appointing McDonald to the position, was first passed by the council in April. Mayor Lane vetoed the measure, and on May 2 the ordinance was passed over the mayor's veto by a vote of 11 to 2. McDonald began his duties May 3, and when the auditor had issued a warrant to him for his salary for May, the mayor refused to sign the warrant. Proceedings to compel the signing by a writ of mandamus were begun in the circuit court, and Judge Gantenbein this morning ruled that it was the duty of the mayor to sign the warrant.

BERNHARDT IS KISSED BY STAGE CARPENTER WHOM SHE DISLIKED

New York, July 27.—Now that the "Divine Sarah" Bernhardt has departed and has returned to France to watch her son Maurice spend the \$150,000 she cleared on her recent farewell tour of the United States, some interesting stories are told of her experience here. One concerned "Pete," a stage carpenter who was with her on tour. Bernhardt greatly disliked Pete, and when it was proposed he should attend the farewell banquet to her given by A. Huberts at the Cafe Beux Arts, she rebelled,

FAIRBANKS DOUBT FAST COLLAPSING

Organized Labor After Vice - President for Enmity Shown During Business Career

Indiana Swinging Into Line for Uncle Joe Cannon on Account of Quarrels Between Aspirant and Local Politicians—Candidate Too Close to Wall Street.

(Washington Bureau of The Journal.)

Washington, July 27.—Vice-President Fairbanks' boom for the presidency is flattening out fast. The probability is that the Indiana will not even be considered a possibility by the time the national Republican convention assembles. For this condition of affairs the vice-president can thank organized labor and its new-born interest in politics as well as the lack of loyalty to him in his own state, his corporate record, and his friendliness towards Wall Street.

Word comes from Indiana that Vice-President Fairbanks is much worried over the disposition of his followers in that state. It is to be expected that "Uncle" Joe Cannon, the Cannon boom is just getting under headway. Among the speaker's warm friends and admirers in Indiana is Senator Hemmaway, on whose political sagacity Vice-President Fairbanks has been disposed to rely in advancing his presidential aspirations. Senator Hemmaway makes no concealment of his great admiration for "Uncle Joe," and will be very, for the speaker did more to make Hemmaway politically than any other one factor.

Hemmaway an Enemy.—There was some feeling between the friends of Fairbanks and those of Hemmaway about the time that the latter was elected to the senate. Fairbanks also promised Hemmaway his support as against Harry New, Congressman Landis and Governor Durbin, but under the stress of conditions he seemed to weaken at a critical point, and the result was a stormy interview in which Hemmaway threatened to withdraw from the race and denounce Fairbanks for broken faith. But mutual friends interfered and Hemmaway remained in the race and won, but he has always claimed that he owed nothing to Fairbanks, who has been cultivating him assiduously as the head of the new Republican organization in Indiana.

Now it is understood that Hemmaway is working for the advancement of "Uncle Joe," and there is trouble on the Wabash. Cannon is to be brought into Indiana and whirled through the state on a special train during the campaign, and Congressman Watson of Indiana is also expected to make a special tour of the state to make of the country, which is to be the formal launching of the Cannon boom.

Cannon's Band Wagon.—Friends of Mr. Fairbanks have quietly made known their strong disapproval of the plan to bring Cannon into the state and have intimated to Congressman Watson that he should not give his sanction to the Cannon boom while Fairbanks remains a candidate. But Mr. Watson refuses to be moved from his position, and he is now making a tour of the state, and making the interesting announcement that he is the least acceptable to labor organizations of any of the men thus far mentioned for the Republican nomination.

Representative Wall Street.—The representatives of the labor organizations in their legislative work in Washington claim to have developed the fact that Fairbanks while attorney for the receiver of an Indiana railroad in

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WOMAN BROUGHT PEACE TO NATIONS



Mrs. J. Leslie Combs, Who Was Instrumental in Ending Central American War, and Her Husband, U. S. Minister to Guatemala. Below is Captain W. L. Merry, Consul General to Costa Rica.

Americans Who Ended Conflict Between Guatemala and Salvador.

1,420 INMATES' LIVES SAVED BY FIRE DRILL

SMALL AMERICAN REPUBLICS BURY THE HATCHET

Permanent Peace Follows Meeting of Commission on the Marblehead.

(Journal Special Service.)
Washington, July 27.—Peace finally reigns between the belligerent countries of Central America, due primarily to the efforts of Mrs. Leslie M. Combs, wife of the United States minister to Guatemala, whose diplomacy smoothed the path of the peace commissioners and enabled the conclusion of a treaty between Guatemala and Salvador. Negotiations were brief. They took place aboard the cruiser Marblehead. Word has been received from the capitals of the two countries notifying this government that the treaty will be ratified by both.

MANIACS PROVE HEROES

VALIANTLY FIGHTING TO SUBDU SEETHING BLAZE

Two Upper Floors of North Wing of Immense Structure Completely Guttred—No Accidents and No Loss of Life—More Violent Patients Removed From Building and Guarded in Yard—Crossed Wires Cause Conflagration

(Special Dispatch to The Journal.)

Sum, Or., July 27.—Faitful drill in fire-fighting which Superintendent Calbraith has required of the most able inmates of the Oregon state insane asylum was the means of saving the lives of 1,420 weak-minded and insane people this morning when a blaze broke out in the north wing of the great institution here and gutted the two upper stories.

When the fire was discovered at 10:20 o'clock this morning the regular fire drill call was made and the patients belonging to the fire squad quietly formed themselves into a brigade and after marching the more helpless inmates into the garden surrounding the institution commenced their battle with the flames with the cool exterior of old experienced metropolitan firemen, who have lived in their work. So able did the squad prove that the blaze was under control at 1:00, the damage having amounted to little more than \$5,000, and not a soul being injured.

Former Discovers Blame.—At the same time the alarm was turned in at the asylum by Thomas Brown, a farmer who was driving by and saw the flames pouring from the roof of the north wing, the city department was apprised of the danger to the institution and the entire force of city fire-fighters was soon on a mad flight to the outskirts of town, where the asylum is located, to assist in saving the burning building.

Under Engineer Strang the asylum fire squad worked vigorously while Dr. Calbraith, the superintendent of the asylum, attended to the supervision of the guarding of the patients who were confined in the grounds.

Doubly dangerous was the blaze because of the heavily oiled floors, and for a time it appeared as though the entire building, an immense four-story brick structure with a big basement, was doomed to destruction. The fact that there was a big fire hose situated upon each floor of the building, in every way, greatly expedited the fighting of the fire. The members of the squad quickly had these in action and huge streams of water pouring upon the flames.

With unceasing effort the brave fire-fighters labored and after nearly two hours hard battle succeeded in getting the conflagration under their control.

Most Patients in Garden.—Fortunately most of the inmates were out in the grounds and when the alarm was given the attendants placed the women in a small garden. The men were being marched into a building after their morning exercise, but were immediately marched back and held in an enclosure near by where they were strongly guarded. All the patients were then taken out of the buildings except the most vicious ones, who were watched closely.

The fire was probably due to the crossing of electric wires. Eleven trustees from the penitentiary assisted in fighting the fire. No floors were burned and the damage was mostly caused by water on the top floor, and the roof is badly damaged. There was no insurance on the building.

The number of patients confined is 1,420 and they are guarded by 178 employees. The state insane asylum is a vast structure of brick. There are practically five stories, the basement being spacious and is utilized for a laundry and kitchen. The floors throughout the institution are of the finest hardwood and are saturated with oil, which fact has in the past caused apprehension for the safety of the patients in the event of a fire. On this account extra pre-

cautions have been taken by Superintendent Calbraith and the well-drilled fire squad brought into existence. Fire-fighting appliances of all descriptions are to be found throughout the building and today's blaze proved the effectiveness of the precautions taken.

Floors Valuable.—The fact that the floors were not damaged by the fire means that a heavy loss was prevented, for it is conceded that these are not to be equaled anywhere in the west. From morning till night simple-minded inmates for whom some occupations must be found are employed in mopping and blocking down the hardwood of the corridors, dining hall, reception-rooms, cells, ballroom and offices. The result of this treatment is floors of a quality beyond description.

Five Fights Slightly Damaged.—Those patients who are admitted to the fire squad are inmates of the institution who, while possibly insane on some one subject, have possession of their right minds in other respects and are capable of dealing with an emergency like that of this morning.

Had the asylum been destroyed it would have entailed a greater loss to the state than almost any other possession. The building itself is representative of a large sum of money and it is equipped throughout with modern appliances. The laundry in the basement is an immense affair and the machinery to be found there is very valuable, modern methods being required to handle the washing of the clothes of a great colony of more than 14,000 people.

Beautiful Grounds.—The grounds surrounding the asylum are beautiful and the burning of the institution would have meant the destruction of one of the most picturesque public gardens in the state. They have been kept in condition by a force of older men among the inmates, simple-minded old fellows who require exercise in the open air and enjoy working with the earth.

PROFESSOR CONDEMNNS PEEK-A-BOO WAISTS

Madison, Wis., July 27.—In a lecture at the state university today, Miss Abby Mayhew, dean of women at the school, condemned "peek-a-boo" waists and tight-lacing petticoats and spoke in favor of large shoes, low-neck dresses and round garters. She said that in time, if women want freedom, they would wear a gymnasium-like costume.

MINNOWS PREVENTIVE FOR YELLOW FEVER

New Orleans, La., July 27.—City Health Officer Dr. Kohne today said he would ask the government to establish a brooding station for top minnows, which will be used instead of oil in stagnant pools to destroy mosquitoes.

ROBERTS GETS TWENTY YEARS FOR HIS CRIME

Chicago, July 27.—George Gull Roberts was sentenced to 20 years imprisonment for killing County Commissioner Klop last fall during a primary election. The case will be taken to the supreme court.

HENDRICKS IS ARRAIGNED IN FEDERAL COURT

Faces Trial on Double Charge of Subornation of Perjury and Enters Plea of Not Guilty—Case Has Special Significance and Will Be Fought Hard.

Hamilton, H. Hendricks, formerly United States commissioner at Fossil, Wheeler county, was brought to trial this morning in the federal court on a double charge of subornation of perjury. He is accused by indictment of inducing George W. Hawk and Clyde Brown to give false testimony to a federal grand jury in regard to their homebased entries.

The case is more important than appears on the surface, for it marks the beginning of the battle in court to free the men connected with the Butte Creek land and live-stock case and charged with fencing off a large portion of Uncle Sam's domain. The Hendricks case is one of those skirmishes that often have an important bearing on the big engagement that follows. In the present instance the great test is not due for several weeks yet, but skirmishes are certain to occur at short intervals.

When the case of Hendricks was called this morning Special Assistant Attorney-General Henry and United States Attorney Bristol appeared for the government, and ex-Judge A. S. Bennett of The Dallas answered ready for the defendant. Hendricks put in a belated plea of not guilty, and then the work of selecting a jury was taken up and pressed to completion.

Twenty members of the panel were examined in all. William Beard and Phillip A. Graves, who served on the Nickell-Hoge jury, were excused by the court. Judge Hunt also excused Emmett S. Brubaker, who was disqualified on a charge of drawing pay from the

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SINGLE HANDED RAIDS CHINESE GAMBLING JOINT

Hair-Raising Experience Almost Costs Life of 'Frisco Officer Who Alone Captures Seventeen Celestials After Battle in Which Many Are Hurt.

(Journal Special Service.)
San Francisco, July 27.—Captain Henry Gleason of the park police station yesterday had a hair-raising experience which almost cost him his life in an attempted raid, single-handed, on a Chinese gambling place on Turk street near Pierce. The officer's experience

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LEWIS AND CLARK DIRECTORS TO MEET

(Journal Special Service.)
Chicago, July 27.—After months of struggle the fight between John Alexander Dowie, founder of Zion City and first apostle of the Christian Catholic church, and Wilbur Voliva, who usurped his authority, and Overseer Granger has come to an end, all three being ousted by Judge Landis of the federal court, the people of Zion being given self-government.

The fight for the control of Zion City has been waged long and bitterly and it is with a sigh of relief that the people who have invested their savings welcome the decision of Judge Landis, made today at Chicago. The court deposed Dowie, Voliva and Granger from control of the affairs of Zion and ordered the election under the Illinois laws, each Zionite over 21 voting for a spiritual head. The temporal and financial affairs are to be administered by John C. Hatley, who is appointed receiver.

The church publication, "Leaves of Healing," is ordered to print the court's decision and then cease publication. The election will be held in December. The court provides for Dowie's maintenance.

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BOTH DOWIE AND VOLIVA DEPOSED BY COURT ORDER

Federal Judge Lands to Exercise Personal Supervision of Zion's Affairs—Members to Vote for Spiritual Head—J. C. Hatley Appointed Receiver.

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Midsummer Reading for Everybody

FOR WOMEN—The latest fashions, with suggestions on keeping health and beauty; how girls work their way through college; caring for baby while the mother works, and a page of pretty babies.
FOR MEN—"The Democracy of W. J. Bryan," by C. E. S. Wood; hints in how to win success; draining a great sea; roll of honor among the firemen.
FOR THE YOUNG—Stories, games, puzzles and the "funnies." Happy Hooligan, Lulu and Leander and Little Jimmie, old friends who are very welcome to the boys and girls.
THESE FEATURES and a hundred more that will interest, amuse and instruct everybody, with the latest in church, music halls, theatres, bookshops and studios and all the news of the day are to be found only

IN THE SUNDAY JOURNAL

SANTOS DUMONT AND FLYING MACHINE TO BE SHOT OUT OF GUN

(Journal Special Service.)

Paris, July 27.—M. Santos Dumont, unable to find suitable ground for flying machine experiments, has with his characteristic energy solved the problem in another manner. Hitherto he has endeavored to acquire the necessary momentum by towing his apparatus some distance along the ground. Space being limited, he intends to use an inclined plane and a sort of catapult, the

projectile being the machine and himself. This gun consists of two tubes, one within the other. The inner tube is held back by powerful springs, while the extremity of the outer tube acts against the flying machine near the propeller. When the button is pressed for firing the tube will be released and strike the machine with a force twenty times that of the usual launch of the projectiles.