### INITIATIVE FUTURE HINGES ON DECISION

Judge Galloway of Marion County Circuit Court to Hand Down Brief of Utmost Importance to People of Oregon With Regard to Acts of the Legislature.

That the future of the initiative and restrict or embarrass the right of the referendum. Petitions for referendum are the pe-

placed around the steps necessary to invoke the referendum, until there would be so many barriers that they could not be surmounted, and the could not be surmounted, and the power of the referendum would be practically lead."

No Warning Clause.

"It is sought by these suits to enjoin the secretary of state from placing the questions on the ballot next June, bethe secretary of state from placing the questions on the ballot next June, because there was no warning clause on the petitions. It is said that the warning clause was made necessary by an act of the last legislature.

'I regard the constitution as being self-acting, and believe that it prohibits legislation regarding the preparation and filing of petitions. It certainly prohibits anything that tends to

referendum hinges upon the decisions tomorrow of Judge Gallowsy of the dircuit court of Marion county in the cases of the referendum on the prisoners board act, compulsory pass act and the University of Oregon appropriation act, is the opinion of County Judge Webster, who has made a close study of the questions involved.

"The people, by the initiative and referendum amendment to the constitution, reserved to themselves the rights to initiate measures, and to refer to themselves all acts of the legislature," and the judge. "If the legislature can restrict, limit or hamper the right of referendum which the people have reserved to themselves in the constitution, it practically annuls the amendment. Barrier after barrier could be placed around the steps necessary to handsome the referendum which the steps necessary to the referendum until the referendum is practically dead. If the legislature can regulate the size of the paper, they can regulate the color of it, the kind of ink to be used, the style of handwriting in which each voter must sign his name, and place a thousand restrictions about the referendum which would annul the referendum. "Petitions for referendum. "Petitions of each individual. If the legislature can the referred to himself personally for his vote th

to prepare." Mandamus Is Sought. In the case of the university appropriation referendum a mandamus is sought to compel the secretary of state to file the referendum petitions. He declined to file them on the advice of the attorney-general because of some defect in the title as printed in the petitions. Also there was no warning committee, that the celebration tomorpolause, which was not required by the

clause, which was not required by the

### SLANT-EYED SEE LEE, WASHERMAN KNOCKED OUT WOMAN PATRON

See Lee, laundryman of 200 Mill laundry work was \$2, which his patron agreed to pay until the laundry was delivered. She then decided that she would pay only \$1. Both See Lee and would pay only \$1. Both See Lee and Mrs. Rosenthal alleges that Lee knocked her down.

The Chinese pugilist says his bill for Lee.

A sensational report regarding honey-

was received around hop headquarters

at the Belvedere this afternoon. The

TARIFF SHEETS GOT

commission. It was brought out by his

ern are all parties to the western clas-

sification, and that it classes wheat with oats and barley. There is a joint

rate on oats and barley in this state,

PORTLANDERS TO EAT

WITH VICE-PRESIDENT

Chamber of Commerce Will Send a Delegation to Dinner at As-

toria This Month.

The chamber of commerce will send

good delegation of members to the

DROWNED GIRL'S

BODY IDENTIFIED

(Special Dispatch to The Journal.)

The Dalles, Or., July 2.—The body of

Indian village nearly opposite Celilo,

on the north bank of the river, yester-

day morning. Apparently it had been

in the water several days, but the cloth-

## BAKER CITY HAS **GREAT PROGRAM**

Sports Exceptionally Strong With Nothing in the Least Inferior.

Least Inferior.

trouble was discovered, it is stated, in the yards of J. J. Metgler and is said to be very serious. Other growers who visited this city today stated that their yards were not looking well, and it is quite probable that some insect has infull celebrate the Fourth this year with will celebrate the Fourth this year with all pomp and glory. An exceptionally orate program has been prepared, which will prove a drawing card throughout a large district. The marshal of the day will be Colonel J. A. Panting. The master of ceremonies will be Judge Thomas C. Burke. The leading attraction of the morning will be the street parade, which will consist of some of the most artistic floats every seen in this city. The oration of the most artistic floats every day will be delivered by Emmett Callaham, a leading atterney of this city, at the Baker opera-house.

The first attraction of the afternoon will be the "plug-ugly" parade, immediately followed by the balloon ascension. At 3 o'clock will open the ball game between the Baker City Eagles and the Perry nine for a purse of \$125, \$155 to the losers. Dan J. Kelley, champion 1289-ward and \$29-ward and which will prove a drawing card

Panting. The master of ceremonies will be Judge Thomas C. Burke. The leading attraction of the morning will be the street parade, which will consist of some of the most artistic floats eyer sees in this city. The oration of the day will be delivered by Emmett Callahan, a leading attorney of this city, at the Baker opera-house.

The first attraction of the afternoon will be the "ping-ugly" parade, immediately followed by the balloon ascension. At 2 o'clock will open the ball game between the Baker City Eagles and the Perry nine for a purse of \$125, \$75 to the winners, \$50 to the losers. Dan J. Kelley, champion 120-yard and 220-yard runner of the world, will give an exhibition, as will Hug. and McKinney, champion hammer and discus throwers of the northwest. The illuminated balloon ascension and the grand display of fireworks from Reservoir hill will be the attractions of the evening. Music will be furnished by the White Swan band of this city.

WRIGHT AND SUTTON VICTORS AT TENNIS

(Journal Special Service.)
London, July 2.—In the mixed doubles today Wright and Miss Sutton defeated Wilding of Australia and Mrs. Chambers, the woman champion.



Come and join us in the Grand Fourth of July celebration.

By way of dress for the occasion wear one of our Light Worsted or Blue Serge Outing Suits -good ones at \$15.00. A Silk Negligee Shirt at \$2.00 will give you

comfort.

And to crown all one of our \$5.00 Panamas.



166 and 168 Third St.

# WILL MARCH.

Soldiers of Spanish-American War to Form Part of Splendid Fourth of July Parade-Plug-Uglies and Fanatics Tomorrow Night

Spanish-American war veterans will parade July 4. All who served as volunteers during that period are requested to meet at the armory on the morning of July 4 at 9:15 o'clock. It is the desire of the Oregon volunteers to have possible. Each veteran will be provided with badges and canes and red, white and blue ribbons. Other attractive feasire to make the showing as impressive

lowing the final meeting of the general committee, that the celebration tomorrow and next day would be the finest yet given by the city of Portland. He expressed himself as delighted with the faithful and intelligent work of the subcommittees having in charge the numerous features of the program.

Slight Misunderstanding. A slight misunderstanding came up at last night's meeting over the conflict in the hour for the big parade on the Fourth and the aquatic sports. The sailors and marines on board the Charleston were to take part in both the parade and rowing races. A committee composed of L. B. Woodard and Captain T. L. Strain were appointed to confer with Lieutenant Hart of the Charleston and arrange for a postponement of the and arrange for a postponement of the rowing races between different divisions of the ship's crew until the afternoon of the Fourth. This committee and Lieutenant Hart held a conference at 3 o'clock this afternoon. It is believed the difficulty will be satisfactorily ad-justed.

Plug-Ugly Parade Schedule.

The fantastics, plug-uglies and horribles will parade the streets tomorrow night, beginning at 9 o'clock sharp. Everest's Military band will head the parade, which will form at 8:15 on Burnside street with head at Sixteenth. Burnside and Washington streets, facing west. The line of march will be east on Washington to Third, south on Third to Morrison, west on Morrison to Sixth north on Sixth to Burnside, east on Burnside to Third, south on Third to Washington, west on Washington to Fifth, south on Fifth to Yamhill, east on Yamhill to Fourth, south on Fourth to plaza and city hall.

All entries must be in by noon tomorrow. Five prominent business men have agreed to act as judges and award the prizes to the number of 40, put up by prominent business men. Plug-Ugly Parade Schedule.

SHOWN IN HOPS

dew in the hop yards on the west side LOSS AND RAILROAD SUED FOR \$10,000

> W. E. Cole and J. W. Sweeney Claim Californian Abandoned Contract on Oregon Road.

Suit to recover \$10,842 from the Ore-BEFORE COMMISSION

testimony that the O. R. & N., the CARMEN ARE PLANNING Northern Pacific and the Great North-

(Journal Special Service.)
San Francisco, July 2.—Following decision of the campaign committee and the point sought to be brought out was that if the railroads could afford to put in a joint rate on these grains they could also set in a joint rate on these grains wheat without being injured.

Mr. Miller explained that although the roads named were parties to the western classification, they made an exception in the matter of wheat.

G. W. Ford, a grain buyer of Spokane, testified that he paid different prices at Northern Pacific points and at was that if the railroads could afford to put in a joint rate on these grains they could also set in a joint rate on wheat without being injured.

Mr. Miller explained that although the roads named were parties to the western classification, they made an exception in the matter of wheat.

G. W. Ford, a grain buyer of Spokane, testified that he paid different prices at Northern Pacific points and at O. R. & N. points. He said that frequently he paid a higher price at the Northern Pacific points on the same day than at one O. R. & N. points.

FIVE CANDIDATES TAKE WRITTEN EXAMS

Written examinations are being held today for engineers of fire engines, un-der the direction of Secretary McPher-son of the civil service commission. Five candidates are taking the examination and are required to make a grade of 15 per cent in arithmetic, 55 per cent in practical questions and 30 per cent in experience. Yesterday the candidates were given a physical exam-

RECLAMATION SERVICE WINS AT HERMISTON

Fairbanks dinner to be held at Seaside (Special Dispatch to The Journal.)

Hermiston, Or., July 2.—In the first city election held in this new irrigation town yesterday, the following officers were elected, the result being a victory for the west side of town: Mayor, George Carr, recorder, Glenn Williams; treasurer, John D. Wright; marshal, Dug Phay; councilmen, L. W. Davis, Henry Hanby, E. E. McMillen, H. T. Irwin, J. R. Means, R. C. Griffin. The mayor elected is the secretary of John T. Whistler, engineer of the project. He defeated E. P. Dodd, former editor of the Pendleton Tribune and now a resident of Hermiston.

The proposition to incorporate the town carried, 87 to 1. on July 15, according to the action taken by the trustees at the regular meeting held this morning. A request was made of the members that all those who wished to contribute \$10 for a plate at the banquet would make the fact known to Secretary Giltner by July 9.

The matter of the Portland-Tillamook automobile and was provided to the provided t The matter of the Portland-Tillamook automobile and wagon road was taken up and discussed. It was ordered that the secretary gather all the data concerning the cost of construction and the assistance that can be secured both in Portland, at Tillamook and along the route of the road and make report of his findings at the next meeting of the board.

SMILEY SMILED TOO LATE TO SAVE PRICE

J. H. Smiley entered a Chinese restaurant on Second street the other day to induige his appetite with chop sury. After eating all the noodles and chop sury in sight he suddenly discovered they were not cooked to suit his taste. Ah Sam is proprietor of the place. All Ah can say in English is "75 cents." Smiley only had 65 cents, so naturally refused to pay the price asked. When Ah remonstrated, Smiley became belligerent and struck him in the face.

Smiley was arrested and fined \$5, which he paid. woman was washed ashore at an in the water several days, but the clothing was intact. The dress was a blue calico wrapper with white dots. The shoes had patent leather tips. The body was in such a state the age could not be determined.

The coroser of Klickitat county, Washington, took the body to Goldendale, where an inquest was held. It was ascertained the body was that of Josephine Virville, 14 years old, who was drowned at Kennewick a few weeks ago. Instructions have heen received from the parents at Kennewick to bring the body from Goldendale.

(Special Dispates to The Journal.)

Spokane, Wash., July 2.—Frank Brunot, proprietor of several disreputable houses, was arrested today on the charge of offering a bribe to Chief of Police Ran R. Rice.

Endeavor convention to be he tile in July, arrived in the city, the Nippon Yusen Kaisha line Maru. They were received a by F. Edgar Barth, chairman of the Police Ran R. Rice.

## **ABLE CHURCHMAN** SPEAKS TONIGHT

Professor Knapp. Eastern Sunday School Leader, to Deliver an Address.

Professor E. C. Knapp of Hartford Connecticut, who was the leading speak er in the Oregon State Sunday school convention held last week at Eugene has been secured by Portland Sunday school workers for an address this evening. The meeting is to be held in the Taylor street Methodist Episcopal church, corner of Third and Taylor streets, at 8 o'clock sharp.

Professor Knapp is a Sunday school specialist. While still a young man he has had large opportunity for specializing in Sunday school work and is



Professor E. C. Knapp.

known all over the country as an all-around Sunday school man. As super-intendent of the Fourth church Sunday school in Hartford, Conn., he made a record which has been an inspiration to many other Sunday school superin-

to many other Sunday school superintendents.

This Sunday school in 3 months' time, under Mr. Knapp's direction, increased its enrollment from 566 to 1,420. It's cradle roll increased from 24 to 162, and its home department from 75 to 560. The average attendance increased from 271 to 600. In his address tonight, "Building Up a City Sunday School," Professor Knapp will tell how it was done.

Recently Mr. Knapp has become in-tructor in Bible school administration

structor in Bible school administration in the Hartford school of religious pedagogy, and also educational superintendent of the Connecticut Sunday School association.

A. H. Cross of Cleveland, Ohio, arrived yesterday and has been engaged by the Oregon Sunday School association to assist in building up the work of the association, especially in the city of Portland. Mr. Cross was trained in Sunday school work by the well-known Marion Lawrence, secretary of the International Sunday School association, and has for several years been association, and has for several years been association. ternational Sunday School association, and has for several years been associated with Mr. Lawrence in state work in Ohio and also as one of the superintendents in the famous Washington Street Sunday sechool in Toledo, Ohio. For three years he has been Sunday school secretary in Cleveland, Ohio. The topic upon which he will speak briefly this evening is "Pushing the Sunday School Movement in a Big City."

Every Sunday school officer or teacher and all interested in church work are engaged to make a special effort to be present at the meeting this evening.

tion of those who are called upon to use railroad freight car transportation. The purpose of the rules is to create a uni-form method of procedure in order that

form method of procedure in order that present abuses may be overcome and the prevailing car shortage done away with as far as possible. The rules as prepared and which affect both the shipper and the railroad company, are as follows:

First—At each station on every railroad in this state where an agent is maintained, and where freight is received and delivered, there shall be kept and preserved a register or record of all applications for cars by shippers, and said register or record shall give substantially the following information, to-wit:

stantially the following information, towit:

(a) Name and address of the applicant for cars; (b) number of cars applied for; (c) when cars will be required; (d) kind and size; (e) kind of
freight to be shipped; (f) destination
of freight; (g) date cars are furnished
and set for loading; (h) number furnished; (i) kind and size; (j) initials
and numbers furnished.

All applications for cars made at any
such station shall be immediately and
correctly recorded in such register or
record in chronological order of application. Such record shall be kept in a
suitably bound book and be subject to
the inspection of any bona fide shipper
during business hours.

Second—A record of car distribution
shall be kept at the office of each chief
dispatcher of all the railroads doing
business in this state, subject to the
inspection of any bona fide shipper during business hours. This record shall
be made up from daily reports of all
station agents on such division and
shall contain the information set forth
in the preceding rules. It shall be so
kept as to show the shipments of principal commodities. The names of all
persons ordering cars on such division
shall appear in alphabetical order and
must show cars loaded for foreign
roads, whether on company cars or
foreign cars.

NOTED JAPANESE AT SEATTLE CONVENTION

(Journal Special Service.)

Seattle, Wash., July 2.—Miss Y.
Kajiro and Mr. T. Sawaya, the first
of the foreign delegates to reach the
United States to attend the Christian
Endeavor convention to be held in Seattle in July, arrived in the city on board
the Nippon Yusen Kaisha liner Shinano
Maru. They were received at the dock
by F. Edgar Barth, chairman of the
committee of 1987, and Dr. Frank L.
Horsfall, chairman of the reception

Federal Prisoners Declare That No Attention Is Paid to Their Complaints Jailer Mitchell Denies the Charges Against Him.

Following the sensational charge against Jailer Mitchell of the county jail come complaints about the food furnished the federal prisoners awaiting trial and serving sentences at the jail. The prisoners say they have complained through deputies to Marshal Reed against the quality of food served them, but so far as they could learn the marshal has not taken any action to improve their fare.

Marshal Reed said today that he had nothing to do with the feeding of the prisoners. He says he inspected the food, however, on complaints received from the prisoners and found that it was not good. He said that the quality of the food is up to Sheriff Stevens; that he has nothing to do with it.

Marshal Reed said today that his duties extended no further than to see that the accounts for the food were properly verified, which he includes in his expenses every month.

Revolt at The Food. Many of the men confined in the jail say the food served the federal prisoner inmates is unfit to eat. Stories are told to the effect that federal prisoners often revolt at the sight of the food served them and beg the county and state prisoners to exchange their cheaper meals for those furnished by the government. In one of the letters in Assistant United States Attorney James Cole's possession it is stated that instances are known where the federal men would eat the leavings of the county prisoners in order to appeass their hunger.

The food served the federal prisoners costs twice as much as that given the

osts twice as much as that given the county inmates, yet it is said to be inferior in quality and very often unfit to eat. The prisoners say the meat given them is often foul smelling and that their stomachs revolt at the odore arising from it.

As a result of the report of the conditions in the county jail, Sheriff Stevens said today that he had decided to stop the petry graft of the trusties in charging a commission for buying articles outside the jail for the other prisoners. Sheriff Stevens said he understood the trusties received 5 cents whenever they made a purchase for another prisoner. The prisoners allege that they are charged a commission of 20 cents on the dollar whenever they make outside purchases.

In order to prevent any chance of grafting Sheriff Stevens said this morning he would put a stop to the practice so no chance could be afforded for complaint. Petty Graft Is Stopped.

so no chance could be afforded for complaint.

"These charges are false and made to vent the petty spite of some of the federal prisoners," declared Jailer Mitchell this morning. "The only thing that is true is that I sell letter tablets at 10 cents each. The prisoners ask for paper frequently, and I cannot give it away to all of them. So I bought a lot of tablets, paying 7 cents each at wholesale for them. I keep them here for the prisoners' convenience, and not to make money from them.

"The charges were made largely by Toots' Bryant, because I would not grant him special privileges.

Mitchell Demies Grafting.

Mitchell Denier Grafting. "There has been no grafting either on my part or on the part of the trusties." Mitchell led the way to Bryant's cell and asked if any tribute had been levied by the jailor. Bryant replied that Mitchell had not, but that he had paid 20 cents on the dollar for everything bought for him by Hans Holt when Helt no grafting either or

was a trusty.
"Why did you not complain of that
when Holt was here?" asked Mitchell.
"I did not want to," replied Bryant. Trusties Paid for Shopping.

FOR SHPPERS

Trusties Paid for Shopping.

"The trustles who go down town so do shopping for the prisoners are entitled to something for their work. It is much cheaper for the prisoners to pay a trusty a small sum to do their errands than to send for a messenger boy.

Gournal Special Service.)

Francisco, July 2.—Following a on of the campaign committee of armen's strike committee not to rwith President Calhoun of the rwith President Calhoun of the campaign graft and the stores will deliver them here at the jail. It costs them nothing to use this method, and it is open to all.

"The trusties Paid for Shopping.

"The trustles who go down town so do shopping for the prisoners are entitled to something for their work. It is much cheaper for the prisoners to pay a trusty a small sum to do their errands than to send for a messenger boy.

"Beeldes, no prisoner by the trusties," continued Mitchell. "Any prisoner who wishes may send out his orders by letter, and the stores will deliver them here at the jail. It costs them nothing to use this method, and it is open to all.

"All charges of gambling, graft and shopping for the prisoners are entitled to something for their work. It is much cheaper for the prisoners to pay a trusty a small sum to do their errands than to send for a messenger boy.

"Beeldes, no prisoner who wishes may send out his orders by letter, and the stores will deliver them here at the jail. It costs them nothing to use this method, and it is open to all."

"All charges of gambling, graft and "All energes of gambling, graft and immorality are without foundation and I merely ask an opportunity to prove that nothing of the kind has ever ocuntred here. As far as Puter is con-cerned, he has had absolutely no privi-leges except such as United States Marshal Reed has directed."

#### POLICE ARREST MANY FOR INTOXICATION

All Former Records Were Broken in Past Two Weeks, When Jail Overflowed.

Arrests for drunkenness and disorderly conduct continue numerous. All previous records are being smashed. Fortythree arrests were made last night and this morning on separate charges of drunkenness and drunk and disorderly, which was only exceeded by two arrests Saturday night and Sunday morning.

There are a number of idle men in the city who have been discharged from the logging camps and railroads. The approach of July 4 has a stimulating influence and laborers now in the city, while waiting for that occasion, are spending their money in downtown saloons. The city jail was filled to overflow-ing. Some 40 were discharged upon de-positing \$2 bail each.

MOVING PICTURES OF

LATE ROSE SHOW

Beginning tomorrow night the attraction at the Marquam theatre will be the American Specialty company, which will appear for five nights with Thursday, Saturday and Sunday matinees. The company has 15 big acts in its repertoire, each of which is said to be a specialty. be a specialty.

One of the acts which will appeal especially to Portland people will be the moving pictures of the Portland rose show. The pictures represent every feature of the big parade and other parts of the show.

DR. KORINEK MADE STATE VETERINARIAN

reach the Christian (Special Dispatch to The Journal.)
Salem, Or., July 2.—At a meeting of the domestic animal commission held this morning Dr. C. J. Korinek of Salem was elected state vertical of the Frank L. Frank L. reception He was highly recommended by both Democrats and Republicans.

PLEADS NOT GUILTY

Ed Hodges, alias Ed Smith, accused of stealing a horse from Dr. Sandford Whiting on June 10, pleaded not guilty before Judge Sears in the circuit court this morning. The date of the trial has not yet been fixed

## TOO LIBERAL NO FOR SEATTLE

Minister Hotly Assails C. E. S. Wood for Recent Address There.

(Special Dispatch to The Journal.) Seattle, July 2. John P. Hartman resident of the board of regents of the state university, and Registrar Herbert Condon, of the same institution, seem to join with others in the city in thinking that the choice of Judge C. E. S. Wood of Portland as the commencement speaker was somewhat unfortunate.
Judge Wood's views of religion and
politics were evidently a little too broad
to suit some Seattle citizens. Following his commencement address there
came a vitriolic denunciation Sunday
night from Rev. E. E. Thompson, pastor of the First Presbyterian church at
Ballard. Ballard.

Ballard.
Judge Wood's address, according to
Mr. Thompson, teemed with atheism, infidelity and anarchy. He objects to the
speaker's acceptance of evolutionary
doctrines and denounces him for speaking of Christ in the same breath with
Buddha, Socrates, Darwin and several
others

others. Charges Anarchy, Toc.

According to Thompson, Judge Wood discards Christ as the son of God. Then, he declares, as if not satisfied with the destruction of the Bible, its God and His Christ, Wood turns upon the civil government and advocates anarchy, because of some of his remarks upon the suppression of free speech.

There can be no defense, says Thompson, "for such statements coming as they did and when they did and from a man who has been mentioned as a possible candidate for a seat in the senate of the United States.

Registrar Condon seems shocked by Judge Woods' utterances, although it has been generally understood that the state university was a non-sectarian school, where all theories might be presented, where speakers might present their views, no matter what they might be, leaving students to accept and reject what they chose. Charges Anarchy, Too.

Montavilla Property Owners Told Why Hibbard Street Went to This Bidder.

street, Montavilla, was awarded the contract by the city authorities at 80 cents a lineal foot when the usual price is from 50 to 60 cents, Assistant City Engineer Hansen this morning said:

said:

"Hibbard street is four miles from the nearest lumber mill, and the long haul influenced the contractor to bid higher than the engineer's estimate for sidewalks. This is the only part of the contract which exceeded the estimates by 10 per cent, but in view of the fact that other parts of the contract were bid in at the engineer's estimate or lower made his tender the lowest, and he was consequently awarded the contract.

"Gravel beds are near the work, and the contractor's bid and engineer's esti-mate were \$2 per cubic yard. "The contractor bid 5 cents above the estimate on the box gutter, but was 15 cents below the estimate on the below he estimate on the file The bid and the estimate were the same

The bid and the estimate were the same on the cuts.

"Property owners can see that the contractor elected to charge more for hauling the lumber and less for the gravel. The property owners' assessment is thus equalized and where they are paying a little more for the sidewalks they are paying less for the other work."

#### SPECIAL USE PERMITS GRANTED BY FORESTER

(Journal Special Service.) Washington, July 2.—Special use per- MANY VISITORS AT mits have been granted in Oregon by the United States forest service as fol-Goose Lake national forest-To W

R. Bernard of Lakeview, Oregon, 320 acres of land for purposes of pastura. On June 14 D. M. Bryan of Lakeview, Oregon, was granted a permit to enclose 80 acres for pastire in Geese Lake national forest, Oregon.

On June 15 the Stanley-Smith Lumber company was granted a permit in Cascade national forest, Oregon, to construct and maintain three reservoirs, dams and conduits, to supply water required for fluming logs and lumber. On June 18 Joseph R. Keep of Portland, Oregon, was granted a permit to build a dam about 10 feet high on Camas creek, Cascade national forest (north), Oregon, to lay approximately two miles of pipe line from the dam to the head of the log chute in the southwest ¼ of section 11, township 5 south, range 10 east, to provide water for the donkey engine and camp, situated at the head of the log chute; and also for the purpose of fire protection at the kill below.

One June 17 the Aurelia Mining company of La Grande, Oregon, was granted a permit to construct a telephone line five miles long in Blue Mountains national forest, Oregon, for the purpose of communicating with outside points. R. Bernard of Lakeview, Oregon, 320

FOUR INCORPORATIONS FILE ARTICLES TODAY

Gevurtz Brothers Among Those Who Visit the County Clerk's Office With Papers.

Articles of incorporation were filed in the office of the county clerk this morning by four firms, with capital stock aggregating \$90,000. The firm of Gevurtz Brothers was incorporated by Celai, I., Philip and Lillian Gevurtz, with a capital stock of \$50,000.

Incorporation articles of the Owens Construction company were filed by Thomas Owens, Hugh C, Gearin and F. Marion Dolph. Capital stock, \$25,000.

Charles E. Warrens, I. L. Huff and J. S. Warrens filed articles of incorporation of the Warrens-Huff Lumber company. Capital stock, \$10,000.

Articles of incorporation of the Olympia Beer agency were filed by F. M. Kenney, B. W. Davis and F. G. Dockebach. Capital stock, \$5,000. aggregating \$90,000. The firm of

ALLEGED HORSE THIEF

## LOWER COURT

Supreme Court Upholds the Judgment in Case Against a Portland Bank.

(Special Dispatch to The Journal.) Salem, Or., July 2.- Justice Eakin tolay affirmed the judgment in the case George H. Williams et al., plaintiff and respondent, H. C. Leonard, Intervening plaintiff and respondent, against Commercial National bank of Portland, defendant and respondent, and Wells, Fargo & Co., defendant and appellant, on appeal from the circuit court for Multnomah county, Aifred F. Sears Jr., judge,
This is a suit by Williams and others
to collect from the defendant, Wells,
Fargo & Co., judgments rendered in
favor of plaintiffs severally, against
the defendant, the Commercial National
bank. In the lower court a decree was
rendered for the plaintiffs and Wells,
Fargo & Co. appealed,

Damage Case Goes Back.

Chief Justice Bean reversed and the manded the case of Eliza Carroll, administratrix of the estate of Leonard Carroll, deceased, appellant, against, the Grand Bonds Electric company, the case was on appeal from Union county William Smith, Judge. Leonard Carroll was killed August 28, 1905, by an electric wire belonging to the defendant company. The administratrix seeks to recover damages for his death on account of the negligence of the company. In the lower court the defendant's motion for non-suit was granted.

Justice Moore affirmed the judgment of W. L. Bradshaw in the case of Patrick Fogan, respondent, vs. W. N. Wiley, appellant, on appeal from Wasco county. This was a suit to reform a promissory note given by defendant to plaintiff August 21, 1904, but, by mutual mistake, dated years prior thereto, and to recover the amount specified in the instrument.

Justice Eakin affirmed the decision of Judge W. R. Ellis, judge for the circuit court of Morrow county, in the case of D. E. Gliman, appellant, against Emmet Cochran, respondent. This is an action to recover upon a promissory note by an indorsee taking the same after maturity.

Decisions in Brief. Damage Case Goes Back.

Decisions in Brief. Other decisions were rendered as follows:
S. S. Boothe, appellant, against J. W. Scriber, respondent, on rehearing; former opinion adhered to in per curiam

mer opinion adhered to in per curiam decision.

C. J. Stubbings, respondent, against Frank Wilson and Fred Wilson, appellants, on appeal from W. L. Brdashaw; judgment of lower court affirmed by Justice Eakin. This is a creditor's suit to uncover property alleged to have been fraudulently conveyed. Plaintiff won in lower court.

Judge Slater in the case of Portland Iron works, appellant, against C. W. Willett, respondent, in an opinion ordered the costs retaxed.

N. C. Longfellow, appellant, against John W. Huffman and Arneld Huffman.

Relative to a complaint that the contractor who is improving Hibbard by Chief Justice Bean.

## DREW SMALL FINE

Judge Wolverton Assessed Northern Pacific \$250 for Violation of Law.

Judge Charles E. Wolverton fined Northern Pacific Railway company \$250 this morning for violating the 28-hour law in regard to the transportation of livestock. The case on which the company was fined related to the transportation of a load of cattle from Kent, Washington, to Portland. The stock should have been fed and exercised at Centralia, but, according to the allegations of the company, through the neglect of the train dispatcher at Tacoma, no order was filed notifying the agent at Centralia. Judge Wolverton announced that he made the fine \$250 instead of the maximum of \$500, because it was the company's first offense. livestock. The case on which the com-

HISTORICAL SOCIETY

The number of visitors at the Oregon Historical society's rooms during June shows considerable of an increase over that of the preceding month, and a greater registration than any month of the year. During the month 2.036 persons left their names, the best day being the 19th, when 187 people called. This was during the Pioneers' reunion. One hundred and seventy-six towns in Oregon are represented on the register, and the visitors numbered 546. Thirty-three states and three foreign countries were written on the roll of visitors,

PEDESTRIAN ROBBED BY PICKPOCKET

T. Humphries was robbed of \$256 by, a pickpocket last evening while standing at the corner of Third and Burnside streets. Detective Hellyer is detailed to investigate the case.

The Alder care was entered some time after 1 o'clock this morning, the till pried open and \$20 taken. Police are investigating.

Building Permits.

Building Permits.

N. F. Kolb, repairs to dwelling, Vine, between Winters and Wabash, \$150; C. W. Hughes, one-story dwelling, East Seventeenth, near Alberta, \$1,000; W. B. Malleis, 1½-story dwelling, East Twentieth, between Ivon and Division, \$2,000; C. S. Henney, two-story dwelling, East Forty-fifth, between Park and East Harrison, \$1,1000; Clara A. Gardner, one-story dwelling, Harlem avenue, between East Fifteenth and East Sixteenth streets, \$400; Gearin, repairs to brick store, Washington, between Thirteenth and Fourteenth streets, \$200; W. O. Barns, two-story dwelling, East Salmon, between East Twenty-fifth and East Twenty-sixth, \$3,600; W. O. Barns, and East Twenty-fifth and East Twenty-fifth and East Twenty-sixth, \$3,600; W. O. Barns, two-story dwelling, East Salmon, between East Twenty-fifth and East Twenty-sixth, \$3,600; J. C. Flanders, one-story concrete warehouse, Raleigh, between North Thirteenth and North Fourteenth, \$10,000; C. G. Keers, two-story dwelling, Weidler, between East Twenty-second and East Twenty-fourth, \$2,700; S. W. Sanden, two-story dwelling, Grand avenue, between Shaver and Mason, \$2,000; Ed Lursen, 1½-story dwelling, Ivon, between East Thirty-eighth and East Thirty-ninth, \$1,600; I. A. Yerex, 1½-story dwelling, Council Crest, \$3,000.

STATE TEACHERS ELECT OFFICERS

(Special Dispatch to The Journal.)

Salem, Or., July 2.—The annual election of the State Teachers' association
was held this morning and resulted as
follows: R. F. Robinson, Portland,
president; W. W. Wiley of Tiliamook,
if irst vice-president; E. T. Moores of
Salem, second vice-president; George W.
Jones of Salem, secretary; Miss Caspar
of Salem, treasurer.

Albany and Eugene are making bids
for next year's session.