City Attorney Kavanaugh Will Present One at Regular Meeting of the Council Next Wednesday - Sherman Act Used as Basis.

City Attorney Kavanaugh will present an anti-trust ordinance to the council at its regular meeting on Wednesday Since the question was first raised the city attorney has been making an investigation of the city charter in order to determine whether or not the power is granted the council to enact such an ordinance as is proposed and as a result of the investigation he has come to the opinion that the power is given and that the city has ample

The Sherman act, under which all the prosecutions against the federal trusts and combinations of capital have been carried on, will be used as the basis of the ordinance now under course. the ordinance now under course of com-pilation by Mr. Kavanaugh. Since there is no state statute providing a protec-tion against the illegal combinations supposed to exist in Portland the pro-posed ordinance will give the people of the city a means of redress from extor-

The first draft of the ordinance will in all probability be completed by Tues-day next. There seems to be no doubt but that the council will favor the in-strument as more than half of the members have already publicly signified their sympathy with the movement,

FEDERAL STATUTES

Italian Landed in County Jail for Transgressing Immigration Laws.

When Uncle Sam dees not want a foreigner to reside in the United States the foreigner usually learns about it, and the British steamer Maori King as can be testified to by Giovanni Gaglio, are riding their anchors waiting for who was arrested at Tualatin yesterday

who was arrested at Tualatin yesterday afternoon by a warrant from Washington, D. C. He was lodged in the county jail last night to be held until a board of inquiry can determine his right to be in the United States.

Gaglio landed at Philadelphia about a year and a half ago, and got ashore without being examined by the immigration officials. It is on this charge that the warrant on which he was arrested yesterday was issued. In Philadelphia Gaglio served a year in the Cherry Hill peniteatiary for presenting fraudulent naturalization papers in attempting to be admitted to American citizenship.

When he was released from the Phila-

citizenship.

When he was released from the Philadelphia penitentiary Gaglio thought the officials were through with him, and he came to Oregon. He went to Tualatin, near Forest Grove, but learned soon that the bureau of immigration had still further questions to ask him. He will be given a hearing as soon as a board of inquiry can be convened.

LITTLE CHANCE OF ENDING STRIKE

Reidy and Sullivan Reported Four-Master Heavily Loaded With to Be at Outs With President Sam J. Small.

(Journal Special Service.) Oakland, July 13 .- Labor Commissioner Neill and General Superintendent Jaynes and Assistant Superintendent Miller, of the Western Union, went into conference at Western Union headquar-ters here this afternoon. There is ap-parently little chance of a settlement of the strike. President Small of the telegraphers, has little confidence in the negotiations coming to a happy end-

Although it is denied by Konenkamp the understanding at headquarters is that the feeling is not the best between Committeemen Reidy and Suilivan and President Small. It is understood that the eastern men are not anxious for an extension of the strike.

TELEGRAPHERS' CRISIS IS EXPECTED TONIGHT

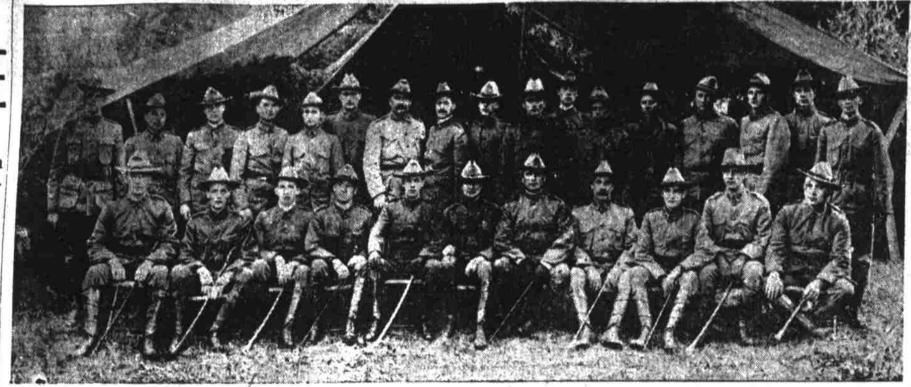
(Journal Special Service.) New York, July 13.-President Ahearn of the local telegraphers' union announced at 3 . o'clock that the local situation is critical, and declared that the operators in New York and Chicago are prepared to strike at a . moment's notice, and that radical action is expected in the next

NECK BROKEN BY FALL FROM ROOF

While shingling a one-story house that he was building for himself and his mother at Campbell and Church streets in lower Albina this morning. Thomas mcFadden, aged 24 years, fell 12 feet to the ground and broke his neck McFadden was subject to spasms and while working on the roof was seized by one of them. His mother and a young man who was helping to erect the house were present when the accident occurred. The body was removed to Corere present when the accident oc-rred. The body was removed to Cor-er Finley's undertaking parlors.

TWO NEW CONCERNS ARE INCORPORATED

Articles of incorporation of the Con-rete Pile and Equipment company were led in the office of the county clerk its morning by Thomas Bilyeu, J. M. rock and W. M. Gregory; capital stock, to cook Articles of incorporation of the Wil-lamette Motor Car company were filed yan his in the affice of the county clerk this morning by H. A. Burgess, G. Burgess poet as and M. G. Munly; capital stock, \$10,000. a judge. OFFICERS OF THE OREGON NATIONAL GUARD ENCAMPED AT SEASIDE



colonel McDonall, staff and line officers, who are participating in mane ivers and sham battles.—Photo by Frank W. Woodfield, Astoria.

GRAIN CHARTERS

While Others Take Cargoes.

AMERICAN BOATS . COME FROM FRISCO

oreign Vessels Wait for Wheat Shipments-At Same Time Other Vessels From Bay City Will Load All Available Supply.

With three British boats lying the harbor waiting for grain charters. three American vessels are on their way here to load with grain and will probably take out the bulk of the remaining wheat in this port.

The British ships Yola and Dalgonar charters. The Dalgonar is still discharging its cargo and is the only one upon which any activity is seen on deek. The Maori King, it is stated is unsuited for lumber and in consequence will not be able to receive charter for a shipment of this kind. This leaves the three British boats all in the same class so far as shipments are concerned. At the same time three American boats are headed this way and when they finish loading their cargoes of grain it is probable that most of the grain in this port will be on board. The Bar Francisco yesterday for Portland and will carry grain from this port. The ship expected to leave the Bar City last Monday, but has consumed a continued in the provided that was anticipated.

Two other steamers are en route to Portland to load wheat. The Johan Poulsen, under charter to W. F. Carroll, salled from San Francisco yesterday in ballast. The vessel swill arrive here the first of the week. The steamer Caseo will also leave San Francisco and the portland to make the portland to make the portland to make the portland to load wheat. The Johan Poulsen, under charter to W. F. Carroll, salled from San Francisco yesterday in ballast. The vessel swill arrive here the first of the week. The steemer Caseo will also leave San Francisco gesterday to propose the provided by the maneuvers.

The Ship expected to leave the Bar City last Monday, but has consumed a much longer time in discharging its cargo of coal than was anticipated.

Two other steamers are en route to Portland to load wheat. The Johan Poulsen, under charter to W. F. Carroll, salled from San Francisco yesterday in ballast. The vessel swill arrive here the first of the week. The steamer Caseo will also leave San Francisco was at the forts and scontaint at the forts and scond as the flore lines untended to get through the lines untended to get and at the forts and scond as the freight and the lines untended to get and an under coast defense problems had not to get an attempt to get through the lines untended in the standard method of the same description of the first charging its cargo and is the only one

terday in ballast. The vessel will arrive here the first of the week. The steamer Casco will also leave San Francisco Monday for Portland and will take out the third cargo of grain which she has carried from this port during

RESOLUTE GOES ASHORE

Lumber on the Beach

(Special Dispatch to The Journal.)
Hoquiam, July 13.—It is reported here today that the schooner Resolute, a four-master belonging to the E. K. WITH BOARI four-master belonging to the E. K. Wood Lumber company, went ashore near Dungeness while trying to sail out to sea. A futile effort has been made by two tugs to get her off, and it is believed that her deckload will have to be taken off before she can be floated. The Resolute is commanded by Captain T. Smith, and carries about 900,000 feet of lumber.

ALONG THE WATERFRONT

After discharging its cargo of cement at the local docks, the British steamer Strathnairn will go to Sound points to load.

The Columbia and Breakers

Strathnairn will go to Sound points to load.

The Columbia and Breakwater will both leave port at about the same time Monday night, the former for Los Angeles and the latter for Coos Bay. Both boats will be heavily loaded and will carry a large number of passengers.

The Redondo, which arrived in port yesterday, will finish discharging its cargo at the Pacific Coal company's bunkers today and will begin loading freight for the Sound. This is the first round trip to be made by the boat between Seattle and Portland. She will have on board a large consignment of hardware goods for Alaska points from the Marshall-Wells Hardware company. The freight will be transferred to the Pleiades at Seattle for its northern trip.

The John Poulsen and the Norwegian steamer Henrik Ibsen left San Francisco yesterday four hours apart. Both are enroute to Portland and will probably

engage in a test of speed against each other until the mouth of the Columbia is reached.

The steamer W. S. Porter sailed from San Francisco for Portland at 9 o'clock this morning. She will put in at Monterey for a day before continuing the trip

MARINE NOTES

Astoria, July 18.—Salled at 7:15 a.m., steamer Elmore, for Tillamook; arrived down at 10:30 a.m., schooner J. H.

down at 10:30 a. m., schooner J. H.
Lunsmann.
San Francisco. July 13.—Sailed, at 9
a. m., steamer W. S. Porter, for Portland, via Monterey.
Astoria, July 12.—Arrived at 1:30
and left up at 6:15 p. m., steamer Atlass from San Francisco; sailed at 2:20 p. m., steamer Yosemite, for San Pedro; left up at 2:50 p. m., steamer Columbia,
San Francisco, July 12.—Sailed at 2: p. m., Norwegian steamer Henrik Ibsen for Portland; at 6 p. m., steamer Johan Poulsen for Portland; arrived at 2 p. m., steamer Cosia Rica and tug Samson from Portland.
Astoria, July 12.—Condition of the bar at 8 a. m., smooth; wind northwest, 6 miles; weather cloudy.
Tides at Astoria today: High water—1:15 a. m., 8.4 feet; 3:14 p. m., 7.2 feet.
Low water—8:48 a. m., 0.2 feet; 8:58 p. m., 3.2 feet.

MRS. GIBSON IS COUNTRY SAFE GIVEN DIVORCE

Three British Boats Lie Idle Niece of Late Marshall Field Brave Defenders of the Coast Is Freed From Husband Who Abused Her.

Chicago, July 13 .- Because she told the court that her husband was cruel o her and that at times he treated her nhumanly, Mrs. Preston Gibson, niece inhumanly, Mrs. Preston Gibson, niece of the late Marshall Field, society leader and chum of President Roosevelt's daughter, Mrs. Alice Longworth, was granted a divorce today. The decree is of absolute separation and gives Mrs. Gibson the custody of her child for nine months of the year.

When Mrs. Gibson filed complaint against her husband and asked for a divorce society was amased. There had been rumors of some little domestic difficulties, but these had been quickly husbed and it was delieved that everything had been smoothed over.

Mrs. Gibson is an enthusiastic horse-woman and has exhibited in all the horse shows, capturing many ribbons in the biggest events.

NO SIGNIFICANCE

IN HIS VISIT

pay my respects. Although I will re-main in Portland tomorrow or Monday I will have no official business to at-tend to save routine matters. "The past four months have been very

busy ones for me and I am going to she has carried from this port during the past month.

She left the harbor here with her first grain cargo on June 5, consisting of \$60 tons of wheat. Her second shipment was made June 29, when she carried 200 tons of wheat and 250 tons of oats in her hold.

Scaside to rest up."

When asked for an expression on the Haywood case, Mr. Ruick said the trial is being conducted in a fair, dignified manner in which the defendant will be accorded all the rights granted by law. He expressed no opinion as to the out-He expressed no opinion as to the outcome of the trial. Mr. Ruick was also non-committal on the matter of Senator Borah's Indictment. He refused to confirm or deny whether an indictment had been returned against the junior lights senator. Idaho senator.

Charging his wife, Emma Ousterlink, with being a gross and habitual drunk-ard and with encouraging her boarders to become drunk, Emil Ousterlink yes-terday afternoon filed in the circuit court an answer to the suit for divorce begun some time ago by Mrs. Ouster-link. Ousterlink alleges that his wife shamefully neglected her household du-ties, allowed the house to go for days without cleaning and allowed their chil-dren to run about half clad. Ousterlink charges also that his wife Ousterlink charges also that his wife began keeping boarders about a year and a half ago, served beer and other intoxicants to them, encouraged them to become drunk, partook with them, and when her husband protested, told him she would rather put him out than dismiss the boarders. He says he is still willing to live with his wife if she will discontinue her drunken orgles, discharge the boarders and provide a proper home or himself and the children. Ousterlink does not desire a divorce, merely asking that his wife's suit be

merely asking that his wife's suit be dismissed. The litigants were married at Kewanee, Illinois, March, 1896.

BRIGHTON HANDICAP WON BY PETER PAN

(Journal Special Service.) New York, July 13 .- Peter Pan wins the Brighton handicap, Mc-Carter second and Montgomery

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MAN AT MARSHFIELD KILLED BY TRAIN

(Special Dispatch to The Journal.)
Marshfield, Or., July 13.—A. W. Kelly, a stranger here, was killed by a C. B. H. & E. train at 7:30 o'clock this morning. He had strayed from the hotel at Marshfield. He had been acting queerly for several days. A train barely missed him last night six miles from Marshfield. This morning he rose up in front of the train at the end of the Dayis slough bridge. He was struck in the chest.

TO PLEAD MONDAY

Henry Shaefer, arrested for beating his wife, was arraigned before Judge on the wharge of assault and battery. A determined effort is being made by the district attorney's force to convict Shaefer and have him sentenced to the whipping post.

STOEHR'S FEARS WERE ENTIRELY UNFOUNDED

On examination by various eminent specialists it was found that Robert Stochr's fears that he was losing his mind were entirely unfounded and that Walter F. Frear, the new governor of Hawaii, though born in California, began his education in Honoiulu and has passed most ef his life there. He is a poet as well as an eminent lawyer and a judge.

ANOTHER DAY

Send Hostile Fleet to the Bottom. ·

GUARDSMEN QUICKLY GRASP WAR GAME

Governor's Salute Is Broken Off to Destroy Invader-Green Recruits Make Veterans Take Notice.

Fort Stevens, July 13 .- Caught in the of runging the barricade at the mouth of the Columbia, the attacking fleet, represented by the government tug Guy Howard, was fired upon from the fort and the judges declared that the defenders were victorious in the sham battle late last night. The Howard ran out to sea about 11 o'clock and soon stealthily returned, in

o'clock and soon stealthily returned, in an attempt to get through the lines unseen. She was discovered by the soldiers at the forts and soon a shower of imaginary missiles were dropping around her.

Great interest is being taken in the mimic war which is being held at the mouth of the Columbia river by the regulars and Oregon national guards and a number of coast defense problems have been solved by the maneuvers.

According to the rules of the war game which is being played the defenders of the mouth of the river are forced to repel an imaginary attack with the passing in or out of any ship. The approach of any craft is the signal for bombardment and mixed crews of the regulars and militiamen manning the guns have sunk enough imaginary ships to week a world's power.

The largest realty sale reported yesterdly supported in police Kelly, who recently appeared in police Kelly, who recently appeared in police Kelly, who recently appeared in police to court upon the arrest of Fer-don and Seth Wells for practicing medicine without a license, alleges that upon calling at Dr. Panton's office yesterday afternoon to discuss the charges of unprofessional conduct lodged against him, the Henry & Son.

Hattie and Julia Buck have purchased to week a world's power.

sked for an expression on the case, Mr. Ruick said the trial conducted in a fair, dignified which the defendant will be all the rights granted by law. The efficiency of the Oregon guardsmen in handling the big guns in the forts is surprising to the regular officers and the way in which the "tin" soldlers take hold of their duties is a constant source of delight to the grizzled old veterans in the rank. There was some sneering and an air of lofty superiority on the part of the regulars when the guardsmen first took quarters at the fort. These have gradually vanished as the truth has dawned upon the old troopers that the "kids" would put up a fight that would raise some dust if they were ever called into an actual engagement.

CONGRESSMAN ELLIS WILL TOUR RESORTS

Pendleton Representative-Elect Says Everything Is Business on Other Side of Mountains.

Congressman W. R. Ellis of Pendle ton is at the Imperial for a short visit in the city. Mr. Ellis is now on his way to Newport for a short outing, but intends to make a tour of the various summer resorts and of Puget sound points before starting for Washington to assume his duties in congress.

Mr. Ellis has just returned from a trip through the interior and eastern Oregon district and has much to tell of record conditions there but little of

eneral conditions there, but little of of there is no politics over the other "There is no politics over the other side of the mountains," said the congressman-elect. "It is all business. I could not find any politics during my trip, but I could find good jobs for four or five hundred men who want work. Everyone is hustling to get his crops out of the way, but cannot find men enough to do the work as rapidly as it should be done. The abundance of the crops, the prosperity of the farmers and the scarcity of help are the things most apparent on a trip through the country." the country.

of a week or ten days. ALLEGED WIFE BEATER

whipping post.

UNKNOWN CHINAMAN

An unknown Chinaman, in trying to alight from an eastbound Washington street car this morning at 10:30 o'clock, fell and struck on the back of his head, rendering him unconscious. The man was taken to the Good Samaritan hospital in an ambulance, where he is hovering between life and death. A number of Chinamen went to the hos-pital this afternoon to try to identify

& ARE NOT FAIR

Oak Grove People Say Railroad Charges Too Much for Transportation.

(Special Dispatch to The Journal.) Salem, Ore., July 13 .- Alleging that the rate between suburban points and Portland are excessive and discriminatory, B. Lee Paget, president of the Oak Grim War Simulated So Fully That Grove Improvement association, in behalf of 150 members, has called the state railroad commission's attention to the fare charged on the Oregon City car line between Portland and Oak Grove. line between Portland and Oak Grove. He states that a strong petition presented to the company by a large delegation of citizens has been without avail. "aithough the president of the company practically admitted to us." said Mr. Paget, "that we were at a disadvantage in this respect as compared with other localities."

with other localities."

The complainant alleges that Oak Grove is situated one and one-half miles beyond Milwaukie, the cash fare being 15 cents without transfer privilege and the result is that the round trip to any point in Portland to which it is necessary to take a car from the center of the city costs 40 cents, while 20-ride coupon tickets can be purchased from Portland to this point for \$1.70, or 8½ cents. A ride on these does not allow transfer privileges, which again indicates discrimination.

FRANSFER RECORD WAS BROKEN YESTERDAY

More Than Fifty Thousand Dollars in Sales Recorded for the First Time This Week.

The total value of transfers filed for record yesterday was \$64.198, which was the first day during the week that the \$50,000 had been reached.

The largest realty sale reported yesterday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that of a \$65.000 less of the great Ferday was that the great Robson on a warrant charging him with assault and battery issued upon complaint of Dr. J. D. Kelly, a former don's 'medical experts."

Kelly, who recently appeared in police. the first day during the week that the \$50,000 had been reached.

rattle and Julia Buck have purchased from John J. Hawes a 50x65-foot lot on Flanders street, between Twenty-first and Twenty-second, for \$5,500.

M. L. Copper has purchased from J. I. Kinci.de three lots on East Yamhill, between East Twenty-third and East Twenty-fourth streets, for \$2,400.

W. E. Purdy has sold to E. R. Saun-Twenty-fourth streets, for \$2,400.

W. E. Purdy has sold to E. B. Saunders, a quarter-block on Vancouver avenue, near Failing street, for \$2,000.

The Walter Hardy residence at Firland, Mount Scott, has been sold to H. E. Noble for \$2,500.

Swift & Co., have added 60 acres to their Peninsula holdings by purchasing the Truman tract for which \$150 an acre was paid. This purchase gives the nacking plant an outlet to Columnia. packing plant an outlet to Colum-boulevard.

WELCOME TO GARFIELD ON KLAMATH PROJECT

People Will Make the Most of the Secretary's Brief Stop on His Inspection Trip.

(Special Dispatch to The Journal.) Klamath Falls, Or., July 13 .- The people of the Klamath project are preparing to welcome Secretary Garfield. He will enter Klamath county from Med-

will enter Klamath county from Medford, visiting Crater lake and the Klamath Indian agency.

A gasoline launch left this city yesterday, its owners contemplating hauling it to Crater lake, where it could be in readiness for the secretary's visit. Committees from the Water Users' association, the Inland Empire club and the chamber of commerce will meet the secretary at the upper extremity of Upper Klamath lake on the afternoon of July 19, and conduct him to this city. July 19, and conduct him to this city. July 20 will be spent in an inspection of the federal reclamation project, and a public reception and banquet are planned for the evening of the same day.

DREDGE OPERATIONS OBSTRUCT THE FERRY

Judge and Mrs. Ellis will remain in Portland until tomorrow night, when they will leave for the coast for a visit There will be no ferry at Albina for at least a week because of the operations of the dredge operated by the Port of Portland commission. The big dredge has been moved up the river, where the cable of the ferry Mason interferes with its operation, and the county was notified that unless the cable was taken out the dredge could not be used. The cable has been taken out and the ferry will remain tied up to the shore for a week.

PERSONAL

Senator Fulton is at the Imperial for a short visit in the city. Senator Fulton has returned recently from a tour of the interior part of the state where he has been in the interest of his candidacy for renomination on the Republican ticket for the United States senator-

ship.

Frank Curl, of Pendleton, manager of Kerr Gifford & Co., for that district is at the Imperial for a short business visit in the city. Mr. Curl states that the wheat crop of the Umatilla country promises to be the largest of recent years. the wheat crop of the Umatilla country promises to be the largest of recent years.

Thomas Thompson, a well-known wheat farmer, horseman and business man, of Pendleton, is at the Imperial for a short business visit in the city.

(Special Dispatch to The Journal.)

Mashfield, Or., July 13.—J. U. Thrash was killed at One Mile lake by a dynamite blast late yesterday afternoon. He had gone back to examine a blast that had a slow fuse. His body was blown to fragments.

ITALIAN MURDER TALE BELIEVED TO BE HOAX

Nicodemo Claro, Self-Confessed Slayer of His Sister-in-Law, Still Incarcerated in City Prison-No Reply to Cablegram Sent to Italy-Advices Awaited.

murderer of Nuza Bluggesi, his 19-yearold sister-in-law, whom it is alleged he slew in Mammola, Italy, on January 16, and who was arrested early yesterday morning by Captain Bailey and Sergeant Johnson upon information furnished by Giuseppe Biuggesi, the brother of the murdered woman, is still incarcerated

United States immigration officials and the Italian government. C. F. Candiani, the Italian consul-general in this city, cabled to the chief of police of the province of Cossenta yesterpolice of the province of Cossents yester-day for confirmation of the prisoner's story that he is wanted for murder at Mammola. Up to noon today no reply had been received to the message and the rumor that Claro and his friends are working a deep game to secure his return to Italy at the expense of the government will not down.

n the city prison pending action by the

Amenable to Alien Law.

As far as the government officials are concerned no proceeding toward the return to Italy of Claro on a charge of return to italy of Claro on a charge of murder will be taken. According to his own statement Claro entered this coun-try surreptitiously as a stowaway and is amenable to the law of 1903 dealing with aliens who effect an entry in this The local immigration authorities are awaiting advices from Washington relative to the calling of a special board of inquiry to inquire into the matter. Unlike criminal proceedings it is incum-

Nicodemo Claro, the self confessed aurderer of Nuza Biuggesi, his 19-year legal entrance to the United States. It is unable to do this the board can hold that he is illegally in the country and who was arrested early yesterday

of the local consul general in the event of a cable from Mammola that Claro is wanted, to have two gendarmes take the prisoner into custody upon his ar-rival in New York.

Too Willing to Beturn.

A peculiar feature of the case and one that seems to strengthen the theory that there is something wrong is the reported statement that Claro this morning, although reiterating his confession of yesterday, declares that he is perfectly willing to return to Italy, as he will have no difficulty in proving that he did not commit the murder.

It is understood from a reliable source that Bluggesi, whose sister Claro is said to have murdered and who informed against him, has been spected out of town by friends of the prison. According to one of the Italians who adjudiced in prosecuting Claro he might be assassinated by the Black Hand or some similar organization existing in Italian provinces. A peculiar feature of the case and one at seems, to strengthen the theory

some similar organization existing in Italian provinces.

There has been some talk of instituting habeas corpus proceedings in the federal courts to secure Claro's release, on the ground that he is held without due process of law. No action along these lines has been taken as yet, but an attorney has been consulted with a view to freeing the prisoner.

STATE CHEMIST SAYS BAKERIES USE INJURIOUS COLORING MATTER

Bert Pukington, state chemist in the employ of the Pure Food and Dairy commission, is examining colored cakes sold by different bakeries in the city. A large number have found their way to the laboratory on lower Washington street and the investigation has been going on quietly for a number of weeks.

Prosecutions will undoubtedly follow and some of the largest and best known bakeries in the city will be charged with

ASSAULT CHARGE DAVIS HEADED AGAINST DOCTOR

Prominent Member of Medical Board Examiners to Stand Court Trial.

Dr. A. C. Panton, chief surgeon of the Portland Railway, Light & Power company, a member of the board of medical examiners, and one of the most prominent physicians in the city, was taken

sional conduct lodged against him, the latter without provocation brutally beat him.

Dr. Panton declares that Keily with a great display of hostility declared he would "fix him." and he thereupon knocked Kelly to the floor with a blow on the jaw. In falling Panton avers that Keily's head struck the corner of a safe in the room, causing a small scalp wound, and his fingers were also jammed in the safe door. Fred Wise, Dr. Panton soffice assistant, corroborates the story told by his employer.

Dr. Panton was released upon deposit of \$100 bail and the case will be heard in municipal court Monday morning. Mrs. Kelly who accompanied her husband to the office, claims that she attempted to force an entrance to the room where the trouble occurred but was unable to open the doors.

Dr. Kelly was connected with Fer-don the medical faker who was forced to leave Portland about three weeks ago after having been tried and convicted in police court of practicing medicine without a license. As a result of the testimony adduced at the trial it is understood that steps were taken to have his license revoked by the state board and it was in regard to this matter that he called on Dr. Panton yesterday.

Dr. Kelly brought to The Journal the

Dr. Kelly brought to The Journal the following written statement:

"In justice to myself, I ask the publication of my connection who Fer-don and the unprovoked assaults on me by Dr. Panton. I but recently arrived in Portland from an eastern state with the intention of locating in some part of Oregon. I came across Fer-don's ad in a daily paper while looking for a location which is often found in those columns.

"I called unon Fer-don and he informed "I called u on Fer-don and he informed me that he was going to open offices to be run on the lines of the St. Louis people who have employed a regular physician who is registered in that state for years and is not molested by the examining board. Upon this information I took, the position but left him after the first week and before he had been exposed as I found he had deceived me and was a fraud.

the first week and before he had been exposed as I found he had deceived me and was a fraud.

"This fact of me quitting him after a few days and from my own investigations I believed would be sufficient to satisfy the board, hence my call upon Dr. Panton, but, when I asked him for the facts as to what had been done by the board in my case he began calling me the most abusive language he could command. Then I said, doctor, are you in the habit of abusing people who call on you at your office that displeases you? Instantly he became a wild man He locked the door and made a rush at me. When I saw he was bound to attack me I informed him it was no honor to him, as I have been under a doctor's care and very sick for nearly two months.

"This seemed to please him, for he struck me on the back of the head and knocked me down and struck me time and sgain, covering me with blood. When I got on my feet I started for the door but he stepped in front of me and with eyes flashing said, your life is in my hands and I feel like killing your right here. I believe had it not been for my wife pounding on the door demanding admittance he would have killed me.

"Dr. J. D. Kelly."

SLOW SHOT OF GIANT

killed me,

KILLS J. W. THRASH

Willis Dewey Contradicts Story Told by Haywood Witness.

Boise, Ida., July 12 .- At the afternoon ession of the Haywood trial Judge Wood admitted the record showing that O'Neill, editor of the Miners' Magasine, under the name of John M. Hogan, was convicted of the murder of a fellow miner in Dakota, in 1880. The jury rendered a verdiet of "guilty of manslaughter in the second degree, with a recommendation of mercy." O'Neill was sentenced to one year and six months in Datroit prison, which he served. etroit prison, which he served

Detroit prison, which he served.

Roy Kingsberry Wallace, clerk of the Federal Smelting company, identified the records of the company showing that Orchard worked as a miner in the Tiger and Poorman mine in 1899. A number of unimportant witnesses along this line were examined but little new was developed.

were examined but little new was developed.
Willis Dewey, now working at the Vindicator, swore he was in the union hall at Gem, April 2s. 1899, when W. F. Davis handed out guns and ammunition and told them they were going to blow up the Bunker Hill mill at Wardner. Davis, he swore, gave the order, after they left the train, for all men with rifles to go in front. Davis was at the front of the entire matter, no swore, thus contradicting Davis who deswore, thus contradicting Davis who de-clared he did not participate in the riot.

LID NOT ON, BUT THREAT IS MADE

(Special Dispatch to The Journal.)
Aberdeen, Wash., July 13.—Nothing has been done by the city council towards putting the lid on here, although it has been decided that the restricted district must conduct itself in a more seemly manner in future. The council instructed the chief of police to do all things necessary to improve conditions in that locality and to notify saloons and other resorts that they must obey the law or lose their licenses.

MINNESOTA MAN IS DROWNED AT HELENA

(Special Dispatch to The Journal.)

Helena, Mont., July 13.—Graduated from the University of Minnesota last June and coming here three weeks ago to accept a position with the Missouri River Power company, R. M. Hoagland, of Minneapolis, was drowned last night by being swept over the dam. His body has not been recovered. Hoagland was assisting in placing flashboards on the dam when he fell into the river. His father, Roger Hoagland, has been notified.

NEW ATTORNEY IN LAND GRANT CASE

(Washington Bureau of The Journal.) Washington, July 13.—Attorney-General Bonaparte today appointed A. Modonald McBlair special assistant attorney-general to investigate the Oregon land grant case, in addition to B. D. Townsend, assistant federal attorney of North Dakota, who is now engaged in investigating these cases.

ASTORIA TRACTION FRANCHISE EXPIRES

(Special Dispatch to The Journal.)
Astoria, Or., July 13.—The franchise
anted by the city council about two
months ago to S. D. Adair and associates for a streetcar line over the hill to a connection with Young bay draw-bridge and on to Warrenton, Flavel and Fort Stevens, has expired through the failure of the interested parties to ac-cept the franchise in writing and de-posit the \$1,000 forfeiture required by

ne ordinance, Fisherman Drowned.

(Special Dispatch to The Journal.)
Astoria, Or., July 13.—Charles A.
Anderson, known as "Steamboat" Anderson, a fisherman, was drowned Thursday night through falling from a soow in Cathlamet bay above Tongue point.
The body was recovered. It is reported the had between \$2,000 and \$3,000 deposited with a Portland saloonkeepen.