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The weather—Showers this afternoon and possibly tonight.



JOURNAL CIRCULATION YESTERDAY WAS 29,285

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MANDAMUS PROCEEDINGS AGAINST SCHOOL BOARD

ARCHITECTS DEMAND SUMMERVELL REPORT BE GIVEN TO PUBLIC

Mandamus proceedings will be instituted in the state circuit court today or tomorrow to force the school board of district No. 1 to make public the report of Architect Summervell, who acted as the jury in selecting the design of the new Albina High school.

In discussing the proposed mandamus proceedings Architect Kroner made the following explanation: "Representing a number of the competing architects in the High school contest I made an effort to see the report of Mr. Summervell. I applied at the office of the school clerk, where the records of the school district and the proceedings of the board are supposed to be kept open for public inspection and was told that a member of the board had the report in his pocket. I then went before the board in open meeting and requested that I be allowed to see the report and was put off with the promise that the matter would be taken up the next day and decided. This was two weeks ago and having had no report as to the result of the board's deliberations we decided to bring suit and find out if public officials in Oregon had the right to suppress public documents."

QUESTIONS INVOLVED

Is a public document public property? Is the report that is in the hands of the school board one that should be regarded as strictly official business? Should officials withhold reports of the character made by Architect Summervell? What constitutes a public document?

Was Jury Ignored? The trouble between the school board and the architects arose over the alleged ignoring by the board of the report of the jury in selecting the design for the Albina High school. A competitive contest for the design of the building and invited the local architects to participate in the competition. Among the requirements of the board was one that the first and second floors of all plans submitted should have not less than 16 classrooms each, and that no classroom were to be on the third floor. When the award was finally made it was discovered that the design selected was the only one submitted in which this particular specification was ignored—the plan selected having 12 classrooms each on the first

and second floors and six on the third. The selection of this plan for the first prize aroused the ire of the other architects, who at once claimed that the action of the board in ignoring this important specification constituted a violation of the requirements of the printed specifications. The legal fight promises to be hotly contested, as it is not thought that the board will quit until the question has been settled by the court of last resort.

SHINGLE NAIL IN HIS NOSE

Doctors Puzzled 12 Days by Case of a Little Child at Ogden, Utah.

Ogden, Utah, Aug. 24.—A child having carried a shingle nail an inch and a quarter long in the nasal passage for 12 days, baffling surgeons and preventing him from getting any sleep, Earl Rowe, the 2-year-old son of William Rowe, threw out the nail today during a coughing fit.

MILION FOR BALLOON PLANS

Mysterious Americans Hang on Zeppelin, Despite Refusal to Sell.

Geneva, Switzerland, Aug. 24.—It was learned today that Count Zeppelin was again visited two days ago by agents of the mysterious American syndicate which offered \$4,000,000 for the airship recently lost at Echterdunken. The Americans are now trying to secure possession of the new balloon under construction by Zeppelin, to be known as No. 5.

LUCKY GIRL FALLS HEIR TO MILLIONS

Chicago, Aug. 24.—Alice W. Page, a Chicago girl, has been adopted as a daughter by John H. Converse of Philadelphia, banker and financial manager of the Baldwin locomotive works. The young woman, who is 28 years of age, pursued Converse's career for two years before her death and Mrs. Converse made the request that her husband adopt the girl.

Sons of Veterans' Encampment.

Niagara Falls, N. Y., Aug. 24.—This city is special with hunting, flags and other decorations in honor of the annual national encampment of the Sons of Veterans, and the annual convention of the Ladies auxiliary. Convention headquarters were opened today at the Cataract International hotel. The sessions will continue until Friday.

RUSSIA DETERMINES TO TAKE FINLANDS CONSTITUTION AWAY

Helsingfors, Finland, Aug. 24.—Russia is hurrying troops into Finland in anticipation of a general revolt, according to information brought to this city today. So far, the mobilization has been carried on secretly, but the facts are now known and have aroused great excitement throughout Finland. Officials of this place are trying to minimize the extent of the military operations, but they cannot conceal their conviction that they believe that present conditions are threatening.

MYSTERIOUS BURNING OF TWO TOWNS

Mounted Men Destroy Lowry and Ataska, Situated on Minneapolis and St. Louis Extension in South Dakota.

Nocturnal Visitants Completely Encircle the Places and Fire Every Building—Bank Among Those Burned.

Aberdeen, S. D., Aug. 24.—It is reported here today that the towns of Lowry and Ataska, on the Minneapolis & St. Louis railroad's river extension, were burned in a raid by a mysterious company of mounted men last night.

JACKIES' SECOND SYDNEY PARADE

Sydney, N. S. W., Aug. 24.—Business was suspended here again today while the citizens reviewed the troops and blue-jackets, who participated in a monster parade through the streets. Lord Northcote, the governor-general, with a party of notables, reviewed the soldiers and sailors from a stand before which they passed with guns at salute. The American boys were cheered loudly all along the line.

MULTNOMAH FAIR SITE IS CHOSEN

Gresham, Or., Aug. 24.—The cedar grove at the west limits of Gresham, owned by Mrs. N. L. Smith, together with six acres of open ground, making nine acres in all, has been purchased by the city of Gresham for a public park and the location of the Multnomah county fair.

SHOWER OF STONES IN SCHOOL YARD

San Francisco, Aug. 24.—Three school children who were playing in the yard of the Clement school in the mission district were injured today by a shower of stones thrown into the air by the simultaneous setting off of two blasts of dynamite at the Gray Brothers' quarries near the schoolhouse. The falling stones threw the 300 children who were in the yard into a panic.

J. G. MACK TEAM BEATS DALLAS TEAM TOSSERS

The Dallas, Or., Aug. 24.—In one of the best games seen for a long time on the local diamond the J. G. Mack team of Portland defeated the local team by a score of 5 to 1. But it took 19 innings to do it. Hoover and McCoy were the local battery and Hoy and La Follette were the battery for the Macks.

RED BULL CAUSES WRECK IN WHICH THREE PERSONS LOSE THEIR LIVES



John Nichols.

Engineer Jack Nichols, His Fireman, Frank Bolter, and Two Tramps Among the Dead—Several Portlanders Dead and Injured.

The dead: Jack Nichols, age 55, engineer, Portland. Frank H. Bolter, 32, fireman, Portland. Ray Swartz, 17, Junction City. George Bailey, 25, restaurant proprietor, Eugene. The injured: Verne Apperson, Eugene, back and arm injured. John Wright, Portland, leg injured. John Francis Wilburt, Pittsburg, Pa., left arm broken, back injured. Albert Rahn, Portland, left arm cut by glass. W. Richardson, Salem, right hip injured. Other passengers suffered minor injuries.

DELEGATES ARRIVE AT GOOS BAY

Ideal Weather Marks First Day of Southern Oregon and Idaho Development Congress—Governor Is Warmly Received.

Meeting Will Be Formally Opened Tonight—Transportation to Be Paramount Subject—Electric Line Is Advocated.

Marshfield, Ore., Aug. 24.—Ideal weather in a Goos bay country today greeted the delegates who are arriving to attend the first session of the Southern Oregon and Idaho Development congress. Governor Chamberlain and Judge Stephen A. Lowell of Pendleton were among the arrivals on the steamer Alliance this morning and will give a prominent part in the program for the meeting.



F. H. Bolter.

Roseburg and Portland and they were at the scene in a few hours. The mass of junk which was formerly an engine lies within two coaches of the rear of the train, with the smoking cars resting upon it. The tender, carried forward with the rest of the train, past the engine, is lying with its front end against a bridge across which the combined baggage and mail car, stripped of its trucks, is slung over, resting midway in an almost level position. Had it not been for this circumstance the whole train would have crashed down the embankment and a loss of life would have been much greater.

Frank H. Bolter was born near Brooks, Ore., where his parents still live. He was married to Miss Iona Wilkins of Portland and has six children. He was for some of his youth, but worked for the Southern Pacific for 10 years. No railroad man in the northwest was more popular with his fellow workers. He was easily the most popular fireman on the division. His home for the past few years had been at 204 Eugene street, where the parents of Mrs. Bolter also live. John Nichols was born in England 59 years ago. With Mrs. Nichols he came to Portland in 1882 and immediately went to work for the Southern Pacific as a fireman. Serving in that capacity for six years he was promoted to the position of engineer and had held that place on the Southern Pacific continuously for the past 10 years. He was recognized in the military as being a first class engineer and he was recognized in the police as being a first class fireman. Mrs. Nichols is the only relative left in America.

EVIDENCE OF PETER COOPER HAIN'S INSANITY GROWS MORE APPARENT

New York, Aug. 24.—Captain Peter C. Hains, U. S. A., slayer of William T. Amis, has either gone stark mad today or is doing some thing so odd and strange that he has attracted the attention of the police. He seems to have forgotten all about the killing of Amis and is possessed with the single idea that he must report to his superior officer at Fort Hamilton before noon today, when his leave of absence expires.

The arrangement of the brothers took place in a room at the Hotel Hamilton. The adjournment was until Friday. After the adjournment, Attorney John T. Melrose said he was positively convinced his client was insane. When Captain Hains was told this afternoon that he was in the custody of civil authorities, he was positively convinced that the military had conspired to deprive him of his liberty. He said no appeal had been made to anyone for aid.

Attorney Melrose denied that the army is raising a million-dollar fund to be used in the defense of Captain Hains. He said no appeal had been made to anyone for aid.

ANNIVERSARY OF VANDAL'S DEED

Ninety-four Years Ago Today British Tried to Burn Washington.

Washington, D. C., Aug. 24.—Ninety-four years ago today a British army under the command of General Ross entered the city of Washington, and after defeating some American soldiers, set fire to the city. The capital was abandoned to the invaders, President Madison and his high officials of the government fled, leaving the city before the arrival of the British in revenge for a Washingtonian having attempted to kill General Ross, whose life was saved at the expense of his horse. The British attempted to burn the capital. This building was saved by the fact that it was built of brick and not of wood. It many valuable historical documents were saved. The torch was applied also to the White House, the treasury and the war and state departments, and before the British evacuated the city and the flames were extinguished, property valued at \$2,000,000 had been destroyed, and in addition several scores of Americans were killed or wounded.

FEUDIST'S SON FACES THE LAW

Special Judge to Try Beach Hargis, the Kentucky Patriotic.

Jackson, Ky., Aug. 24.—When the trial of Beach Hargis, charged with the murder of his father, was called today it was announced that a special judge would be appointed by Acting Governor Hicks to try the case. The slain man's father, whom he shot and killed, was Judge James J. Hargis, the famous leader of the Hargis clan in the feud which made Hargis a well known name in the state. Judge Adams, who is sitting in the court here now, is unwilling to try the case because of a prosecuting attorney who presented Judge Hargis on various charges of conspiracy to murder. The slain man's father, when the judge refused to give him money he was drinking at the time. The trial is expected to be one of the most sensational of the long list of exciting cases heard here.

MONEY IS GOOD; SERVICE BETTER

Bryan Issues a Statement Urging Formation of Clubs Everywhere.

Chicago, Aug. 24.—William J. Bryan, with a party of leaders, left here at noon today for Indianapolis to attend the Indiana notification conference tomorrow. Bryan today issued a statement urging the organization of "Knights of the Service" clubs in every town and village. He said the best contribution that can be made to the country is the service of the citizen and the outlook, and that well started and in such good shape.

Underwriters at Frisco.

San Francisco, Aug. 24.—A party of 45 delegates from the National Life Underwriters' association convention held at Los Angeles last week is here today. The party includes Charles J. Edwards of Brooklyn, the newly elected president of the organization. The delegates were taken to 25 automobiles for a tour of the city this morning and ascended Mount Tamalpais this afternoon.

St. Louis Paper Sold.

St. Louis, Aug. 24.—By a deal made today the E. G. Lewis Publishing company of St. Louis purchased the owner of the St. Louis Star-Chronicle, controlling the interest formerly held by Nathan Frank.

THREE BOYS DIE IN FATAL POOL

Quicksands Claim Brothers and Their Faithful Chum Commits Suicide.

Fayetteville, Ill., Aug. 24.—Three boys are dead today, the victims of the quicksands of Silver Creek. Chris Schaeffer, 17 years of age, was accidentally caught by the sands, his 10-year-old brother, August, died in an effort to rescue him, and George Schaeffer, 16 years old, deliberately jumped into the same because his life was not worth living without his two brothers.

Treasury Statement.

Washington, Aug. 24.—The Treasury statement for the week ending August 21, 1908, shows receipts, \$1,154,000; expenditures, \$1,250,000.