

OPPOSITION NOT TO BE SHOWN

Harriman Application for Injunction Keeping Oregon Trunk Workmen From Dean and Smith Ranches Will Be Obeyed.

Instructions were wired attorneys for the Oregon Trunk Line at The Dalles today to make no opposition to the granting of temporary restraining orders keeping the Oregon Trunk workmen off the Smith and Dean ranches in the Deschutes canyon. Application for an injunction in this matter was made by W. W. Cotton for the Deschutes Railroad company Monday.

"There is no question but that the Deschutes railroad owns a right of way through those ranches," said "Tommy" Judge C. H. Garvey, sheriff, "and we have no desire to trespass upon it, and never have done so. Therefore, we have wired instructions to make no opposition to the granting of such an injunction. I am anxious to have the various cases centered as much as possible in the courts here and am not of a mind to extend the litigation more than is necessary."

In comparing the rival lines that are to be built up the Deschutes it is interesting to note that the specifications for the Oregon Trunk Line call for a roadbed 16 feet wide and a cut 18 feet at the bottom, while no curves will be greater than 5 degrees. The Deschutes road, on the other hand, it said, will have a 12 foot roadbed, 14 foot cuts and a curvature reaching 17 degrees at certain points.

102,000 WHO DO NOT DRAW

Coeur d'Alene, Idaho, Aug. 11.—Judge Witten and his corps of assistants are putting in the day opening the 102,000 applications for the drawing of the 1939-40 sheep ranches in the Coeur d'Alene valley which remained after the 2000 winners had been picked. These applications will be carefully examined to determine whether any applicant made more than one application. If any such are found their claims will be rejected. Tomorrow at 10 o'clock the drawing of the sheep ranches begins and will probably consume three days.

Miss Mary Donlan, daughter of Senator Donlan of Montana, will pick the winner of No. 1 in that reservation, after which the drawing will proceed rapidly, as about 6000 names will be drawn and the officials seem anxious to complete it this week.

Notices of claim numbers drawn have already been mailed to each successful applicant.

PINCHOT SPEAKS HERE AUGUST 20

Gifford Pinchot, chief forester, today informed ex-Senator F. W. Mulkey, president of the Oregon Conservation association, that he will be here August 20 to address the meeting, for which plans have been laid for some time.

Mr. Pinchot is now at Spokane, and from there will go to Seattle to speak. His address here will be along lines of conservation of the natural resources, and it will undoubtedly be listened to by one of the largest audiences ever assembled here.

Secretary A. B. Wastell of the association will begin to make all the necessary preparations for the meeting at once, now that the date has been set, and effort will be made to get the largest attendance possible. Nearly all the time of the meeting will be set aside for Mr. Pinchot, as the public is deeply interested in what he has to say on topics at this time of particular importance to this state.

ACCIDENTALLY KILLED; BURIED AT COLFAX

Colfax, Wash., Aug. 11.—The body of George Morgan, shot and accidentally killed with a rifle Sunday at Harry Trough's sheep camp on the Coeur d'Alene reservation, was buried here today.

Morgan worked for Trough for a number of years on his sheep ranch near Wapinitia, and had many friends about Colfax. In spite of his humble calling, he was a brilliant university graduate and was educated for a priest, but was never ordained. His death was caused by a rifle he was carrying being discharged by the trigger catching on a twig. The bullet entered first just above the right knee, coming out in the upper part of the thigh, and entered again just below the lower ribs, lodging in the lungs. After Harry Trough, who was summoned from Telson, but the injured man died of internal hemorrhage shortly after the physician arrived.



HEART DISEASE CAUSES DEATH

Funeral services over the remains of H. T. Mesinger, a prominent timber dealer of Portland, who died from heart disease at the Good Samaritan hospital Tuesday afternoon, will be held Thursday at 2 o'clock in the chapel of Holman & Co. undertakers, under the direction of the local G. A. R. posts, of which organization Mr. Mesinger was a prominent member.

Taken suddenly ill at his home, 307 Twenty-second street, Monday, Mr. Mesinger was removed to the hospital at the command of physicians. Being aged and not in good health, he could not withstand the shock and expired yesterday afternoon. He leaves a widow and two daughters.

Mr. Mesinger and family came to Portland four years ago from Boston, Mass. Mr. Mesinger has since been actively engaged in the timber and lumber business.

**TEST LOW
CLOTHES**
166-170 THIRD STREET

SHOOTING PIGS SHOW NO SIGNS TO TALK TO BANKERS

State Bacteriologist Says McCarthy Probably Did Not Have Plague.

"There is not one chance in a thousand that there being bubonic plague in Portland," declared Dr. Ralph C. Matson, state bacteriologist, today. "The guinea pigs that were inoculated Sunday night to determine the disease of which John McCarthy died show absolutely no signs of having contracted the dreaded malady."

Some slight evidence of blood poison was found in the pig this morning, and Dr. Matson declares that it is highly probable that a virulent attack of blood poison killed McCarthy.

"From a clinical standpoint," continued Dr. Matson, "the autopsy held on the remains of McCarthy supports the theory of his having succumbed to an attack of the plague, but there are many other diseases that could have killed McCarthy's body in the same condition that it was found after death, and coupled with the fact that the guinea pigs show no signs of the disease, I think it the remotest possibility that the man died of the plague. It is true that this malady sometimes takes five days to develop after inoculation, but that also is a remote possibility."

The inoculated animals are examined several times a day by the state bacteriologist and a careful watch will be kept on them until the full incubation period of five days has passed.

FINCH HANGS TO HOPE OF DELAY

Probable His Case Will Be Taken to Federal Supreme Court.

James A. Finch, although disheartened by the decision of the supreme court refusing to reverse his conviction and sentence to be hanged for the murder of Ralph B. Fisher, clings to the hope that he will yet escape the hangman.

This morning he talked about his case with a friendly pipe and laughed good naturedly as he was asked what future steps he intends to take. All such questions he returned the same answer:

"I must refuse to say anything about the decision, or say what I can do. I cannot discuss that at all. Perhaps my attorney can tell you."

On different features of his case Finch was quite willing to talk. He said he naturally had been hoping for the best, but the second of the case, he considers, was not in good shape. For this he blames the attorneys who presented him at the trial. He has intended to have other attorneys, he says, and this was one reason he made as great an effort to secure a change of attorneys as he could. He has a case of rank mismanagement, he declares, and a virtual denial of his constitutional right to be represented by counsel.

Will Try Again.

John A. Jeffrey, who has represented Finch in the supreme court, himself broke the news of the affirmation of the judgment to his client yesterday afternoon. He said that Finch was disappointed, but felt that the fight has not yet ended. Jeffrey announced that he will file a motion for a rehearing in the supreme court and expressed confidence that he will succeed. He says that the court overlooked the significance of some of the points of law which he relies to secure a change of view in the supreme court are the introduction in evidence of the photograph of Fisher, which he claims was error, and the conversation between Edward H. Martin and the reporter for The Journal regarding the notarial seal which Finch claims was buried at him by Fisher before he fired the fatal shot. Jeffrey says the court took an entirely wrong view of this conversation, misapprehending its effect.

Jeffrey stated that he had not formulated any plans beyond the motion for a rehearing, and would not say as to whether the case might be taken to the United States supreme court. But Finch in his conversation plainly indicated that he thinks he has a chance to go before the nation's highest tribunal when the Oregon courts are exhausted.

Yesterday afternoon, after he had heard of the action of the supreme court he declared that he would carry the case to the United States supreme court and that it would be at least three years before "they could get him."

To the newspaper men this morning Finch was more guarded. But the thought in his mind was shown by repeated reference to the provision of the United States constitution guaranteeing a speedy trial by an impartial jury and safeguarding the right to be represented by counsel. Finch says that some of the best evidence in his behalf, not known to him at the time, but known to his attorneys, was not used because of the incompetency of his attorneys.

This evidence, the condemned man says, bears on the shots heard in Fisher's office, all going to support the testimony of other witnesses that there was an interval between the first shot and the succeeding ones. He holds that this supports his story of self defense, and renders improbable the narrative of Miss Verna Burkhardt, the only eye witness who testified that he fired the shot in his chair at the first shot, the angle of the bullet holes in the walls showing that the shots were fired at different angles.

"This is the real point in the case, showing that Miss Burkhardt was mistaken," says Finch. "If these witnesses were in the courtroom, and the attorneys knew about them, but failed to call them. After the trial these men came to me and told me about it, but I knew nothing of it at the time."

Finch's attorney now has 30 days in which to file a motion for a rehearing. After the mandate of the supreme court arrives the death sentence will be again imposed by the presiding judge, but the motion for rehearing will act as a stay of execution until the supreme court passes upon it.

TELLER HERE TO TALK TO BANKERS

Ex-Senator From Colorado Is Member of Commission to Devise Means for Obviating Financial Panics—Visits City Council.

Although 79 years of age and having spent 35 years in public life, ex-Senator H. M. Teller of Colorado never attended a city council meeting until this morning, when, as a guest of Mayor Simon, he occupied a chair of honor in the council chamber. In introducing him to the council, Mayor Simon referred to Senator Teller as one of the leading men of the country, whom he had had the pleasure of becoming acquainted with during his term of office as senator for Oregon.

Ex-Senator Teller arrived here yesterday from Seattle and will leave for his Colorado home tomorrow. He is to some time again have the opportunity to come this far west, for he likes the state and particularly the Pacific northwest.

"While my visit here at this time is on business, it is also one of pleasure," said the senator. "I have been to see the exposition at Seattle, and so came to Portland on my way back. You have a country here that some day I believe will be the best part of the states, a country distinctly overflowing with opportunity for financial success. I would not mind coming here to live myself, for I feel yet quite young; my health is fine, the best in 30 years, and I might say, was never better. Ten years ago I decided to accept no more invitations to dinner, and as a result I have a stomach that takes its work well and you know upon this depends largely one's health."

Come to See Bankers.

"As to my business, I am here to interview your bankers and hear what they have to say about improving our monetary system. As you know a commission was appointed about a year ago to look into the possibilities of devising some method whereby frequently recurring financial panics might be avoided or at least their attending evils minimized. I was placed on a subcommittee of this commission, and the work now occupying my attention. Others of this committee are in the west, working in the eastern and middle states.

"There are many views on how to bring about a change, but it will take some time before the consensus of opinion of the people and the financiers can be obtained. Naturally, each man has his own ideas on this big question but many have no ideas at all. However, in my travels, I have met a number of bankers who are giving it their deepest study. We expect to hear from them and secure pointers that will doubt be of great value in our effort to solve the puzzling problem."

Aldrich a Big Man.

"The commission, as well as the subcommittee headed by Senator Aldrich, who I will say, is a much abused man, both by press and public, has been doing a great deal of work here. Our committee has held several meetings in New York, but there is little probability of a report to congress before next spring. Besides having obtained a great deal of information from the east, we also have been pretty well acquainted with the banking systems of Europe.

"We look for no radical changes, expecting perhaps a greater elasticity in currency. That this might be desirable was indicated not so many months ago when you people out here in the Pacific northwest managed to get along very nicely with clearing house certificates issued by mutual consent."

Talk of Central Bank.

"Very strong pressure is being brought to bear for a central bank such as that of England, Belgium or Sweden, but I do not know as it would work here because of the vastness of the country. A central bank located in New York would be too far distant from this coast to be of much service in case of emergency, as it would take 10 days to transport the funds."

"I don't know that we will recommend a central bank. We are seeking the opinions of the best bankers in the country on this and are taking into consideration public opinion, although in an entirely informal way."

Dr. Teller said he did not think anyone is pleased with it. However, he believes the change will not make any material difference in the affairs of the country, the biggest harm having been done when everybody was waiting to see what would happen.

Drifting back to matters monetary, which, by the way, is one of the senator's pet topics, he said that while many favor the establishment of a central bank, the system would not apply here as well as elsewhere on the coast. There are many objectionable features, he said, that will be found upon investigation in detail.

"Unwarranted speculation, accumulation of the money in New York, and inability to withdraw it on short notice, brought on the panic and shortage of actual money in the west," he continued, "but for the present the country appears to be in very good condition. The crops are good and there is a general feeling of good faith. One thing that should not be lost sight of is that no monetary system will work without the support of the banks and bankers of the country."

Although not actively engaged in politics Senator Teller takes a live interest in everything political all over the country. He follows closely every political move and listened with eagerness to everything along political lines that his brief stay here would permit him to hear. But he did not deem it proper to discuss such delicate matters for publication thinking that what he had to say might embarrass both himself and his friends.

Notary Public.

(By Journal Licensed Salem Wire.)
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Facts for Weak Women

Nine-tenths of all the sickness of women is due to some derangement or disease of the organs directly feminine. Such sickness can be cured—is cured every day by

Dr. Pierce's Favorite Prescription
It Makes Weak Women Strong.
Sick Women Well.

It acts directly on the organs affected and is at the same time a general restorative tonic for the whole system. It cures female complaint right in the privacy of home. It makes unnecessary the disagreeable questioning, examinations and local treatment so universally insisted upon by doctors, and so abhorrent to every modest woman.

We shall not particularize here as to the symptoms of those peculiar afflictions incident to women, but those wanting full information as to their symptoms and means of positive cure are referred to the People's Common Sense Medical Adviser—1008 pages, newly revised and up-to-date Edition, sent free on receipt of 21 one-cent stamps to cover cost of mailing; or, in cloth binding for 31 stamps.

Address Dr. R. V. Pierce, Buffalo, N. Y.

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The Bush Temple Conservatory uses the Bush & Gerts Planes.

PROMPT ACTION Averts Disaster

Blaze Under Oil Tanks Threatens Destruction of Steel Bridge.

With a huge blaze burning in a cressant across the track beneath two oil tanks in the railroad yards near the Astoria docks, many lives, vehicles and streetcars on the steel bridge were imperiled last night, a disastrous accident being only averted by the prompt action of Roundhouse Foreman Brent and a gang of traction hands.

The origin of the fire is unknown, but it is believed that sparks from an engine that had a quantity of oil which had leaked from cars to the ground. Before the blaze could be extinguished the flames spread directly underneath tank cars No. 50668 and 5068, both of which were loaded.

The cars were almost underneath the bridge and the flames arose in the air to a great distance. Fear was entertained that the fire could reach the contents of the tanks and cause an explosion. The workmen who were about to go home after finishing their day's work, were hastily summoned and a force of 20 worked with shovels and water.

Railroad men present stated that an explosion of the oil tanks would have wrecked the bridge, as the framework of that section, the one nearest to the railroad yard in a gradient to the street.

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WOULD COST ALL FRAMES

Combustible Buildings Are Again Subject of Councilmanic Deliberations.

An ordinance providing for the removal of buildings used for theatrical purposes, including assembly halls and similar places as well as show houses, was introduced in the city council this morning, amended by Councilman Cellars, and re-referred to the committee on health and police.

The ordinance is intended to eliminate frame structures not built of fireproof material. All such structures, now standing are given until April 1, 1941, in which to conform to the new law. Councilman Baker, who is largely interested in the theatrical business, declared that the ordinance is satisfactory to him and that it is generally understood among showmen that it will be passed. It is intended to cover buildings such as the Exposition rink and others where public gatherings are held and admission fees are charged.

NIGHT SESSIONS IN SCHIVELY TRIAL

(Special Dispatch to The Journal.)
Oldfield, N. H., Aug. 11.—Allen Allen, chairman of the investigation committee, stated this afternoon that if the Schively impeachment trial is held, it will make a motion before the senate that night sessions be held and the trial hurried as much as possible. It is whether or not the case would be non-suited is merely a matter of conjecture. The defense will find that a number of cases pleaded will waver at the final vote.

Speaker Melge stated today that if the house members vote pay for themselves for the time since the legislature adjourned last month that he would not object. But he said that he would sign the senate payroll for the time the senate has not been in session.

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Whalebone A Great Discovery

The New Whalebone Set of Teeth, which are the lightest and strongest set of teeth known; this corn off the cob; guaranteed for 20 years, \$10. The genuine whalebone plates are made only by the Chicago Dentists; all others claiming to make these teeth are imposters.

Guaranteed for Twenty Years and Bite Corn Off the Cob

\$1000 REWARD
We will forfeit \$1000 to any charitable institution for any dentist who can make a crown or a bridge at \$10 per tooth as good as those made by our expert crown and bridge makers at \$5.00 per tooth.

\$5.00--Roofless Plate--\$5.00
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Large Size, \$1.75 per case of one dozen
Small Size, \$2.00 per case of two dozen

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