

### JUSTICE DOWNS DESCRIBES HINDU RIOT IN TESTIMONY

Appears as Witness for State Despite Fact He Is Also Under Indictment in St. Johns Race War Trouble.

Justice of the Peace O. R. Downs of St. Johns, who is a veteran of the Civil war and wears a long gray beard, made an effective witness for the state this morning in the trial of Gordon Dickie, who is charged with being one of the leaders in the mob that chased Hindus out of the town on the night of March 21.

Although under indictment himself, the venerable justice of the peace declined to claim any exemption from the witness stand and gave a full statement of what he saw of the riot, declaring Dickie was one of the men participating in it.

"I took an oath to tell all the truth, and I am going to tell it," said Downs. "I am indicted myself, and my testimony is more against me than anybody else could possibly give, but that makes no difference. I knew they were breaking the law and I knew it was my duty to stop the thing."

In sharp contrast to the frank statements of Downs was the conduct of Mayor J. F. Hendricks, who was also called for the state. He appeared with Thomas O'Day as his attorney and refused to testify, on the ground he is under indictment himself and his answers might tend to incriminate him. He was thereupon excused by the court. Both he and Downs were indicted on the charge of neglecting to perform their duty in suppressing the riot. Now that Downs has made a free statement of what he saw, it is expected the charge against him will be dismissed later on by the district attorney.

Downs said he was in the doorway of his office in St. Johns when his attention was attracted to a crowd of perhaps 50 men, who brought several Hindus and seated them on a bench in front of his office while waiting the arrival of a car. Dickie was there, he said, and when one of the Hindus tried to rise from the bench Dickie pushed him back and said, "Keep quiet, you've got some, and you'll get some more if you don't keep still." One of the Hindus was wiping blood from his face. Dickie was one of the men who put the Hindus on the car, said Downs, and his impression was Dickie paid their fares out of town. He heard some one ask if they had money enough, and he thought it was Dickie who responded they had enough already.

Identifies Dickie. Maharaj Singh, one of the Hindus dragged from apartments over a butcher shop, identified Dickie as the man who appeared to be the leader of the mob when it broke into their rooms. He said the other men followed Dickie. He declared Dickie struck him, drew a revolver, and took \$16 from his pocket. About 16 men came into their rooms, he said. After they were taken from the house, said the witness, Dickie put him on the car and paid his fare.

The Hindu's testimony was given through Taranath Das, a learned Hindu interpreter, to whom the defense made objection last Saturday because of the alleged unreliability of all Hindus when called to give or interpret testimony in American courts. The defense wanted Captain William Gadsby, but Captain Gadsby was not willing to come and the objection to Mr. Das was withdrawn.

Charles Davis, a clerk in the Oregon Railroad & Navigation company's office, near the scene of the riot, said he saw a white man dragging a Hindu across the street. The Hindu broke away, and the white man knocked him down.

Dr. J. V. Scott, a dentist of St. Johns, told what he saw from his office window in an uptown building. He witnessed the knocking down of two Hindus by a white man, he said, and he saw the mob conducting its captives to the streets.

**CAPITALISTS WOULD BUY OLD CAR BARN**  
An offer for the old car barn property of the Portland Railway, Light & Power company at Twenty-third and Washington streets, has been made to President B. S. Josselyn by local capitalists, and a substantial offer has been put up, but President Josselyn has not yet fully decided to make the sale.

The company has been planning for some time to remove its car barn to a more suitable location than at the entrance to the City Park, but the plans have not been completed yet, and it is not considered likely that the old shop site will be disposed of until the new location has been fully decided upon.

The present site was ideal for the service in the early days of Portland, but with the system extended in every direction of the city it is no longer as handy as a number of sites now controlled by the railroad company and available for such a purpose.

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### TAFT WILL TOUR WEST TEN DAYS

Meanwhile Orders War Vessels to Pay the Presidential Honor to Roosevelt.

(United Press Leased Wire.) Washington, June 13.—A trip through the middle west in October was practically decided upon by President Taft today. He will spend 10 days west of Cincinnati.

Washington, June 13.—The presidential salute of 21 guns will boom out when the Kaiserin Auguste Victoria, bearing former President Roosevelt, reaches Ambrose light, just outside the channel into New York harbor. The unprecedented honor will be paid the former president at the personal order of President Taft.

The South Carolina and five torpedo boats will anchor off Ambrose light and the big guns of the South Carolina will fire the salute. The warships will then escort the liner to quarantine.

The Dolphin, bearing Secretaries Wilson and Meyer and Captain Butt, will accompany the war vessels to meet the Kaiserin Auguste Victoria.

### ROOSEVELT'S MEN QUALIFY SPEECHES

Pinchot and Garfield Say They Represent Not Roosevelt but Themselves.

(United Press Leased Wire.) Cleveland, Ohio, June 13.—James R. Garfield and Gifford Pinchot today denied the assertion that they tried to launch a new party in St. Paul Saturday when they appeared at the national conservation banquet.

Pinchot said the "special interests" were equally strong in the Republican and Democratic parties.

Garfield said: "I believe the time has come when that which the people are thinking should be said. We did not represent Roosevelt—only ourselves."

### OREGON CITY RESIDENTS WANT FARE REDUCED

(Special Dispatch to The Journal.) Oregon City, Or., June 13.—As a test case, M. E. Dunn, a local confederate, will tomorrow file complaint with the state railroad commission asking for a rate and equitable adjustment of the rates on the Portland Railway, Light & Power company's line between Oregon City and Portland. The complaint sets forth that on the Springwater division of the Portland company's line, the fare from Jennie to Portland, a distance of 14 miles and a quarter, is 20 cents; that from Oregon City to Portland, a like distance, the fare is 25 cents.

### TWO OPINIONS ON CORONATION OATH

(United Press Leased Wire.) London, June 13.—Premier Asquith announced today in the house of commons that he was formulating a bill modifying the coronation oath, eliminating some of the phrases objectionable to Catholics. The Protestant forces of the kingdom are preparing to oppose the plan.

### YOUTH DROWNS IN YAMHILL RIVER

(Special Dispatch to The Journal.) McMinnville, Or., June 13.—Nathaniel Miller, 23 years old, was drowned yesterday while bathing in the Yamhill river near the Whitson bridge. No body witnessed the fatality. He is supposed to have been taken with a cramp. His parents live in Ohio. He was visiting relatives here. The inquest will be held this afternoon.

### Senate Passes Sundry Civil Bill

(United Press Leased Wire.) Washington, June 13.—The senate today passed the sundry civil bill, which carries \$117,000,000. Senator Clay's motion to eliminate from the bill the provision for an appropriation of \$50,000 for the new tariff board was defeated by a vote of 44 to 13.

### Prominent Surgeon Wounded

St. Louis, Mo., June 13.—Dr. John M. Grant, one of the most prominent surgeons in America, was shot and fatally wounded today by a man as yet unidentified. Dr. Grant's assailant entered his office and shot him twice. A. W. Rayne, a driver, was arrested soon after the shooting, on suspicion.

### COURT GIVES MRS. STEVENS AN EQUAL SHARE IN ESTATE

George T. Myers, Father, Cut Her Off With \$20,000 of \$300,000; She Will Get as Much as Brother.

Former County Judge Webster's decision setting aside the will of George T. Myers, once state senator and wealthy salmon packer, was upheld by Circuit Judge Bronaugh this afternoon in a decision on appeal from the county court. This establishes the right of Mrs. Georgia Frances Stevens, only daughter of Myers, to an equal share with her brother, George T. Myers, Jr., in an estate valued at \$300,000 or more.

By the will of the elder Myers his daughter was cut off with \$20,000, and this came from property left by her mother, which her father felt in honor bound to give her. All the rest he devised to his son. Mrs. Stevens contested the will and overturned it in the county court on the ground that her father harbored insane delusions, he having accused her and Dr. S. R. Robinson of having caused the death of his wife by improper treatment.

The case was tried in the county court over a year ago and attracted much attention, many prominent residents of the city being called on each side. A small army of witnesses testified to the eccentricities of the elder Myers in his declining years and his bitterness of mind toward his daughter, for which they could see no foundation. The proponents of the will showed that during this time Myers was conducting his business as usual and attempted to prove the treatment of Dr. Robinson was unskillful, in order to show that Myers had reason to complain.

Judge Bronaugh declared he was unable to arrive at any other conclusion except that Myers was unbalanced in mind. Disinterested witnesses and many of them, gave such testimony, and the judge further held that nothing was shown to discredit the professional treatment provided by Dr. Robinson. Mayor Simon and Martin L. Pipes represented the younger Myers in the litigation, while Henry E. McGinn and H. H. Northup appeared for Mrs. Stevens. The case is to be appealed to the supreme court.

### WHITE REPEATS TALE OF SENSATIONAL BRIBERY

(United Press Leased Wire.) Chicago, June 13.—Charles A. White, who confessed that he had been bribed to vote for William Lorimer for United States senator, was the first witness in the trial of Lee O'Neill Brown, Democratic house leader of the Illinois legislature, indicted for bribery.

The actual trial began today. State Attorney Wayman recited most of the facts covered in White's confession in his opening statement. After briefly outlining the case he called White to the stand.

The defense objected to parts of White's testimony which did not bear directly on the case, and upon the charges in the indictment.

White, told of having received payments in Springfield and in Chicago. He said the money had been given him for his vote for Lorimer.

The court, in the course of the day, ruled that the "jackpot" fund used for bribing the state legislators had no specific bearing on the alleged Lorimer bribes, and therefore was inadmissible in the Browne trial.

### CHASE GROWS WARM FOR LAKE MURDERER

(Special Dispatch to The Journal.) Lake View, Or., June 13.—The thrilling man hunt for Harold, the supposed murderer of the Newell boys, is becoming warmer. Latest reports from the sheriff's posse are that Harold has been located in a neighborhood on the east side of Lake View.

Evidently he is attempting to escape in the direction of Juniper mountain. A hard fight will be necessary to effect a capture, it is thought, as Harold is well armed. Every effort will be made to bring him back alive.

Henry Newell, a younger brother of the dead men, returned from school at Corvallis today. Allen, a shepherd, who claims to have seen the shooting, has been brought to Lake View as a witness.

### WARRANT OUT FOR THE ARREST OF CRITTENDEN

A complaint has been made with the district attorney against J. D. Crittenden, an advertising solicitor, in which he is accused of the larceny of a diamond ring. The value of the ring is \$112, and is the personal property of Miss Gladys Brown, daughter of the chief of police from Kelso, Wash.

### PORT OF PORTLAND SHALL NOT LEASE CITY'S DRYDOCK

Judge Bronaugh Makes Decisive Decision on Proposal to Give Monopoly of Drydocking to Oregon Company.

The Port of Portland has no legal authority to lease the city drydock to a private corporation, however desirable it may regard such an arrangement. This is the effect of a decision rendered by Circuit Judge Bronaugh this afternoon overruling the demurrer to the complaint of Captain Albert Crowe, who asked for an injunction restraining the Port of Portland from leasing the dock and thus giving a monopoly to the Oregon Drydock company.

This decision is decisive of the case, as there is no disagreement regarding the facts. In an affidavit filed by the Port of Portland members they declared they did not intend to relinquish the right to make regulations in leasing the dock, but this does not affect the decision, which holds the right to lease does not exist because it is inconsistent with the act conferring authority to own and operate a public dock.

Among other things this act provided that nothing in it shall be construed to authorize the Port of Portland to carry on the work of cleaning, painting and repairing ships that enter the dock, but provided that such work, under direction of the port commission, shall be open to the various mechanics of the city.

These provisions of the act are alleged in the complaint and are held by Judge Bronaugh to show the legislative intent was that the dock shall be open for the doing of such work. The Port of Portland is thus held to occupy a sort of trust relation which it cannot delegate, and leasing would be inconsistent with the powers and requirements laid down.

Raphael Citron argued the case for the plaintiff, being associated with Henry E. McGinn in opposing the leasing of the dock. Williams, Wood & Lintieum and Isaac D. Hunt appeared for the Port of Portland.

### MONTO OBTAINED HIS DIVORCE ON CHARGE OF DESERTION BY HIS WIFE

The records of the circuit court show that James Monto obtained a divorce from Hester Monto on July 17, 1908, the decree being granted by Judge Thomas O'Day. The complaint merely charged desertion, but when the case was tried Monto said his wife left him because she wanted to run around with other men. There was no quarrel and no trouble, he said.

Three months before she left, Monto said, he furnished a cozy four room flat. But she began staying out late and told him she wanted to go and live with her mother, so she could run around when she pleased. He told her to go ahead, and she went. That was on April 11, 1907.

### 200 MILES OF STREETS WILL BE OILED SOON

Before the day is ended 200 miles of city streets will have been oiled. By the end of next week Superintendent Alex Donaldson expects to have the work of oiling 200 miles of streets completed. The cost so far has been about \$25,000.

"I hope to be given a larger appropriation by the city council next year," said Superintendent Donaldson today, "so that we can cover more territory and oil a larger proportion of the face of each street. Most of the streets have been treated with the oleaginous dust destroyer for only 12 feet of their width. By extending the oil strip so that it will cover 10 feet on each side of the center line of the streets we will be able to secure better results."

### HAMILTON WILL NO LONGER HEAD SCHOOL

George W. Hamilton, who has been at the head of the trades school of the Portland city schools for the past two years, failed of reelection at the annual election of teachers held by the school board two weeks ago. While refusing to give the reason for dropping Professor Hamilton from the roll of teachers, a member of the board indicated that it was because of his lack of tact in handling his subordinates in the department. It has been known for some time that Professor Hamilton and other teachers in the trades schools were let out, but it was not thought that the school board would go so far as to dismiss the principal of the department.

### Wrecked Auto Attached

All that remains of the automobile in which Mabel Monto and "Frisco" Day were carried to death from the trestle over the Oregon slough Friday night has been attached by the Hollenbeck Motor Car company.

The company says \$75 is due for repairing the ill fated car and storing it. Constable Wagner was given the attachment papers to serve. Mrs. H. N. Green is owner of the machine.

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Remember, prizes will be awarded to the neatest correct answers received, and you must find at least 7 of the faces. The contest will be judged by the representatives of our leading newspapers.

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