

JURY TAMPERING CASE TO COME UP IN CIRCUIT COURT

Le Gette to Be Cited for Contempt — McGinn Scores Members of the Thompson Family in Legal Action.

The law in its true sense does not make a primrose path for men who trifle with women. There is only one standard of morality for men and women, and this defendant is reaping what he has sown.

This was the philosophy of Judge McGinn of the circuit court this morning in the breach of promise case brought by Helen M. Goodeve against R. H. Thompson Jr. In which the woman was given a verdict of \$50,000. Attorneys for the defendant were before the court asking to set the verdict aside on the grounds that it is excessive, and that one of the jurors conferred with the woman before the case was submitted to them.

"I have no sympathy for a man who treats a woman as this defendant has treated the plaintiff in this case," said the judge. "As far as the damages being excessive, I don't think they are. In regard to the visit of the juror to the woman and the actions of Wilbur Le Gette, I want to direct the jury, asking to set the verdict aside on the grounds that it is excessive, and that one of the jurors conferred with the woman before the case was submitted to them."

Le Gette to Be Cited for Contempt.

This poor little woman had to measure her life against the wealth of the Thompson family, and if she acted out of place in some instances, I am not inclined to censure her for it. We find the father of the defendant going to California, following her, tracking her, and pursuing her night and day."

The judge instructed Attorney Malory and Lusk, representing the Goodeve woman, to take the necessary steps to cite Le Gette for contempt of court, placing the reason for his actions with the juror.

Affidavits filed by the juror, William Wallis, and several other jurors, show that Le Gette had attempted to engage them in conversation and lead them to discuss the case. Eugene Palmer, foreman of the jury, states in his affidavit that Le Gette approached him several times, and finally proposed a sale of real estate, finally leading to a discussion of the case. Palmer telephoned Judge McGinn of this affair, but Le Gette did not bother him again.

Wallis swears in his affidavit that Attorney J. G. Arnold, senior counsel for Thompson, met him at Fourth and Stark streets on the night the visit to the woman was made. It is sworn by the juror that Attorney Arnold purchased him two cigars, and appeared every day last week. One day they were talking. It was only a few minutes later that the juror met Le Gette, who took him to the apartment house in which the Goodeve woman lived. The woman swears in her affidavit that Le Gette made repeated attempts to talk to her during the course of the trial, and on the night of the visit, telephoned her apartments several times, saying he had a message for her from Judge McGinn, and also asking her to meet a friend of Le Gette.

Says Meeting Accidental.

The woman says she forbade him to telephone her, and refused to answer the telephone when he called. It was about an hour after this refusal to answer the telephone that she met Le Gette and the juror at the entrance of her apartments. This meeting was accidental, she says. Wallis also swears he did not know he was to meet the Goodeve woman. Le Gette proposed they take a walk down the street, which they did. As they reached a schoolhouse Le Gette complained his shoes hurt his feet, and he then induced them to sit on the steps to rest his feet. They remained there no more than 20 minutes, swears the woman and the juror, while Le Gette says they were there for more than two hours.

Affidavits from the Thompson side have been filed, practically denying all the accusations made from the Goodeve side. An affidavit was filed by a man giving the name of William Goodeve, in which he swears he is not the husband of James Goodeve, who is supposed to be the former husband of the woman. He swears she lived with Goodeve a year, that he divorced her on account of an engineer. This happened in Nelson, B. C.

Judge McGinn asked all parties to be ready for trial next Saturday, warning each side that he proposed to center his attention on the charge of jury tampering, and also asking each party to have all witnesses ready on that occasion.

Woman Found in Gutter.

The police patrol was sent on a hurry call at 9 o'clock this morning to East Sixth and Ellsworth streets to investigate the report that a woman had been lying in the gutter since 3 o'clock this morning and was either dead or dying. Patrolman Butler was sent in the police auto and when he arrived he found Mrs. G. H. Thayer of 838 Milwaukee street, under the influence of liquor. She was taken to police headquarters.

Knights and Ladies of Security.

The Knights and Ladies of Security held a very entertaining social in the hall in the Royal building last night. Over 400 were present and a good program was given. The program was: Solo, J. Williams Jr. reading, Anna Pulliam solo, Pulliam solo, vocal duet, Misses Goldstrand, addresses, J. D. McCormack and Ed Schallenger. Dancing followed the program. Fifty applications for membership were received.

Economists are busy with the problems of today, and Scientific Management, they say, has come to stay. But when it comes to cutting down both bills and household fuss, I tell you what, POST TOASTIES are just the food for us.

Written by S. S. HAYDEN.
Station A, Lincoln, Neb.

One of the 50 Jingles for which the Postum Co., Battle Creek, Mich., paid \$1000.00 in June.

ADAMSON DECLARES WAR ON STIMSON

House Chairman Writes Stinging Letter to Secretary—
Water Question Is Up.

(Special to The Journal.)
Washington, D. C., Aug. 2.—Chairman Adamson of the house interstate commerce committee, yesterday sent a stinging letter, dealing with the question of granting individual rights to take up water, to Secretary of War Stimson.

The letter was in answer to one written by Stimson protesting against the omnibus waterpower site measure reported favorably by the committee.

Adamson, declaring war between the house and the war department, made this statement:

"Your letter presents a singular admixture of correct statements long well known, unwarranted conclusions and erroneous opinions of both law and fact," he wrote.

SENATORS GIVE POWERS WARNING

Must Be No Encroachment on
Continents of North and
South America.

(Special to The Journal.)
Washington, D. C., Aug. 3.—Diplomatic Washington is agog today with interest over the possible effect of the warning issued yesterday by the senate against encroachment upon the continents of North and South America.

It is understood that the measure has not been introduced by the administration. It, however, passed the senate with only four opposing votes.

Senator Cummings opposed the resolution on the grounds that it did not specifically enough draw a line between foreign powers and foreign corporations.

PICNIC CROWD WILL SEE FISH HATCHERY

The Portland Press club's railroad excursion to Bonneville tomorrow will draw a large attendance, judging from the advance sale of tickets, and the prediction of fair weather by Forecasters Beals. Everything is in readiness for one of the most successful picnics ever given by a Portland organization. No more attractive spot than Bonneville, on the Columbia river, could have been selected. It is assured. The spacious park, the shady groves and the majestic river will be the attractions to hundreds who would escape the monotony of city life for a day.

No restrictions have been made in the sale of the tickets. The general public is invited.

The list of races, games and contests is a long one. Lute Pease, house manager of the Press club, has suffered an attack of the writer's cramp in his efforts to tabulate the list that has been provided by the club's picnic committee. Every event will have a prize, and in some contests there will be as high as three prizes. Bets are now being laid on the outcome of the match baseball game to be played by the Press club and Portland A. C. club. Fat men have, by a system of rigid training, brought their weight down a few notches in anticipation of the running race. Womenfolk will have an opportunity to show their agility in the running events that have been planned for them. One of the chief attractions will be the state fish hatchery at Bonneville. The thousands of tiny finned creatures that are being cared for there will be shown to the guests, and the plan of nurturing the small fry will be thoroughly explained by the attendants at the hatchery. Refreshments may be secured on the grounds, and an orchestra will furnish music for the dancers and the edification of the onlookers.

The O. W. R. & N. company's train will leave the union depot at 9 o'clock a. m. Tickets are on sale at the rooms of the Press club, offices of the railroad company at Third and Washington streets, and the union depot.

5,000,000 TROUT FRY WILL BE DISTRIBUTED

Following up the policy of the state fish and game commission of planting the trout fry raised at the Bonneville fish hatchery as quickly as possible, Chief Deputy Game Warden Craig distributed about 150,000 of the young fish in the streams about Corvallis yesterday. This morning a similar amount was brought from Bonneville and this afternoon the shipment will be divided, part going to Canby and points as far west as Seaside, and part to Tualuma. Over 5,000,000 of the young trout will have been released in the streams and lakes of the state by the end of summer.

SAM BLYTHE, "WHO'S WHO AND WHY" MAN, IN CITY

Samuel G. Blythe, author of the "Who's Who and Why" column in the Saturday Evening Post, political writer and well known correspondent, is visiting in Portland as guest at a Multnomah hotel. Mr. Blythe is spending considerable time traveling in search of material for publication, and a visit to Portland is always included in his itinerary through western territory.

FINZER TO LEAVE O. G. AFFAIRS TO THE GOVERNOR

Final Order Mustering Out the
Second Battalion Not to Be
Issued Till Governor Hears
the Case.

It is probable that Governor West will be called upon to decide whether the Second Battalion of the Third Infantry, Oregon National Guard, shall be disbanded as was ordered yesterday by the general staff, owing to the refusal of the men and officers to obey Brigadier General Maus' order to march from Gate to Oakville during the recent Washington maneuvers. Governor West is expected to return from Boise Monday.

Adjutant General Finzer said today that he did not believe he would issue the final order mustering out members of the battalion until the return of Governor West from Boise, as he desired that the governor should be fully acquainted with the facts surrounding the case. This is in connection with the unanimous vote for full inquiry taken last night by the Scout Young camp, Spanish War Veterans, makes it almost certain that the governor, as commander-in-chief of the guard, will have to settle the matter.

Acting Governor O'Connell at Salem today said that he did not intend to have anything to do with the affair, as he was of the opinion that it should come before Governor West for consideration.

Wants No Interference.

Adjutant General Finzer today says he will oppose any attempt at interference on the part of the Spanish-American War Veterans or other body unless evidence should develop tending to show that the staff acted improperly in ordering the battalion disbanded. He said he believed the governor would approve the action taken by the general staff, and that the battalion would be mustered out and a new battalion organized in the near future.

"The general staff, of which I am senior officer, did not order the battalion disbanded until it had made a careful inquiry," said General Finzer. "We considered the evidence laid before us and it showed clearly that the men refused to obey orders. The order of disbandment followed and was signed by every member of the general staff, Colonel James Jackson, inspector general, Colonel Sam White, judge advocate general, Colonel Fred C. Hammond of the coast artillery corps, Colonel John Poorman of the Third Infantry, Major Loren A. Bowman of the Third Infantry and Captain Hiram Welch of the field artillery and myself."

"We acted under article 25 of the military code, which gives the general staff authority to transfer, attach or disband any companies of the National Guard for good and sufficient cause."

May Reenter Service.

According to the adjutant general, should the officers and men of the battalion be mustered out they will not be dishonorably discharged and, for this reason, will be eligible for reentry into the guard at some later date, provided officers of the guard in authority favor their reenlistment. The disbandment order affects 175 men and officers who formed the four companies, G, H, I, and J, comprising the Second Battalion of the Third Infantry. The men enlisted in the battalion who were not at the maneuver camp this year, and they will be used as a nucleus in the formation of another "Second Battalion" to replace the present one if the staff orders stands.

With Finzer favoring the proposition of putting the matter up to West, it is believed that the decision of the Scout Young camp last night to ask the governor to make a full inquiry will be granted.

Committee Appointed.

At the meeting last night the camp selected George H. Mott, L. V. Hyde, Harvey Wells, W. T. Phillips and H. D. Williams to confer with the governor and see if such an investigation as proposed could be held. The committee will visit the governor at Salem as soon as he returns from Idaho.

"It is not the intention of the camp to call upon the governor to interfere in the case," said Mott, the chairman of the committee, today. "What we want is nothing more than a comprehensive investigation. Many members of the battalion also members of the camp, but action by the camp was not taken at their instigation. We believe that the general staff acted hastily, and hold to the opinion that the fullest possible hearing should be granted the men, something that has not been done."

Only Thing to Do, Says Finzer.

Mr. Finzer said that the committee had evidence tending to show that the general staff acted without making a comprehensive investigation, and hinted that the governor would be given information concerning the case that for the present is being withheld.

In this connection Finzer today said that the men were not called upon to testify before the general staff. "When they refused to march, the men were asked at the time whether they refused to obey the order, and they said they did not," he said. "What further evidence was needed? We took the only proper course. Had we not acted, the war department, which has received a report of the mutiny, might have stepped in and arrested itself."

"If course," the governor believes that we were too drastic, or it is shown otherwise, otherwise the battalion will be mustered out. That is final."

(Salem Bureau of The Journal.)
Salem, Or., Aug. 3.—Acting Governor O'Connell received a letter from Adjutant General Finzer today informing him of the action of the general staff of the Oregon National Guard in voting to disband the Second Battalion of the Third Infantry because of certain officers at the annual maneuvers. He enclosed a copy of the resolutions passed by the staff. In his letter General Finzer said: "I hope you will approve the action of the general staff as it seems to be the only way to justify the existence of a military force in the state of Oregon."

Acting Governor O'Connell will take no action but will leave it to Governor West, who is expected back Monday.

PACIFIC POWER CONDEMNS LAND OF GIBRALTAR CO.

(Special to The Journal.)
Hood River, Or., Aug. 3.—The Pacific Power & Light company through its attorneys, John A. Laing and W. V. Strong, of Portland, had filed suit in the circuit court for Hood River county against the Gibraltar Development company for the purpose of condemning a strip of land owned by it for a company upon which the light company can anchor its large cable to be laid across the Columbia river from the Washington side to connect Hood River with the power plant at Huzum.

GASTON CATHOLICS HAVE NEW CHURCH

Dedication Will Be Held Sunday
With Archbishop
Christie Present.

(Special to The Journal.)
Forest Grove, Or., Aug. 3.—Members of the Catholic church throughout Washington county are joining with the parishioners of Gaston in making preparations for the dedication of the new church building at Gaston, which will occur Sunday, August 4.

Archbishop Christie will dedicate the church, which will be known as St. John, and will preach the dedicatory sermon. High mass will be sung by Rev. Father Lappan of Hillsboro. Members of Catholic societies from Portland will attend the exercises in quite large numbers, and many visitors are expected from other sections of the state. The women of Gaston will serve dinner to all who may attend the exercises.

ADVENTURERS GO TO SHARK ISLAND

Two Schooners Leave Victoria
in Search of Hidden
Treasure.

(United Press Leased Wire.)
Victoria, B. C., Aug. 3.—Bound for the famous Tiburon Island in the Gulf of California, which is said to be rich in gold and other minerals which have been successfully held by the natives on the island, who are said to be cannibals, two little schooners, the Tenderfoot and the Drift, of the Victoria Yacht club, left port last evening on their long voyage. They will stop at San Francisco, San Pedro, San Diego, Encinita, La Paz and other ports on the way to Tiburon (Shark) Island.

Harry Bird, A. Birch and H. Nell are taking the Tenderfoot south, while Joseph Davidge and three others will navigate the Drift. The Drift was formerly a Seattle boat.

DENVER ELKS WIN FIRST PRIZE FOR MILEAGE

Denver won first prize of \$350 for the greatest aggregate mileage, registered at Headquarters during the recent Elks' convention. Los Angeles was awarded second prize, \$250, and Omaha took third money. The local convention commission finished its computations yesterday, more than 20 lodges being considered as possible contenders for prizes.

The mileage of the different winners was as follows: Denver, registered, 139 miles from Denver to Portland, aggregate mileage, 123,621; Los Angeles, 31 registered, 1247 miles from Los Angeles to Portland, aggregate mileage, 113,477; Omaha, 42 registered, 1800 miles from Omaha to Portland, aggregate mileage, 15,600.

Though lodged further from Portland than any of these sent delegations, the numbers were fewer, so that the aggregate mileage did not pile up so high. Lodges outside of the continental United States, those in the Philippines, Hawaii and Porto Rico, were not considered in the competition, hence would not have been prize winners even had their mileage been within the qualifications.

Every state and territory and all of the island possessions of the United States were represented in the registration lists. About 45,000 persons registered, and about 12,000 of them were women. It is estimated that 10,000 or 12,000 Elks, most of whom arrived Thursday morning for the big parade, did not register, because of lack of time.

FUNERAL OF GIRL AUTO VICTIM HELD FRIDAY

The funeral of Miss Grace C. Dow, stenographer at the Oregon hotel, who was killed last Wednesday morning when an automobile driven by K. V. Leidy, of the Bridge street road, ran over her, was held yesterday afternoon from the Dunning & McKee parlors. The interment was in the Lone Fir cemetery. Due to a request by her brother, John Dow, of Astoria, the body was held over the body and that the investigation be dropped, no inquest was held and therefore no responsibility for the death has been placed.

BROWNSVILLE PASTOR IS MARRIED AT BOISE

(Special to The Journal.)
Boise, Idaho, Aug. 3.—At 1 o'clock this afternoon Rev. A. L. Chapman united in marriage Rev. Ellsworth E. Coulter, pastor of the Christian church at Brownsville, Or. to Miss Frances C. Leidy, of the Bridge street road. The ceremony was performed.

KEEP BABIES AT HOME TILL EPIDEMIC PASSES

(United Press Leased Wire.)
Redlands, Cal., Aug. 3.—Pointing the carrying of infantile paralysis to Redlands, the board of health here is today on record with a request to the parents of young children to keep their babies at home until the epidemic which is prevalent in Southern California abates.

Mormon Refugees Arrive.

(United Press Leased Wire.)
Globe, Ariz., Aug. 3.—Fleeing across the border for protection from the Mexican rebels, 129 Mormon refugees from Colonia Dublin, in Sonora, Mexico, arrived at Globe, Ariz., today. Preparations were made at once to take the Mormons to other Arizona cities in special cars attached to a freight train. One hundred will go to Thatcher, 19 to Safford and 10 to Pima. They will be cared for by Mormons in these towns.

Seattle Visitor Here.

Harry E. Lippman, formerly a widely known newspaper man of the north-west, but now one of Seattle's most prominent citizens and proprietor of the local insurance business of the Sound City, arrived in Portland today on a week-end visit to Mayor Ruesslight, a friend of long years' standing. Mr. Lippman is a non-resident member of the Portland Press club.

WOUNDS 2 IN HOTEL DINING ROOM, THEN 'BOTTLES UP' NEWS

Stage Line Owner Captured
Only After He Has Been
Dropped by Bullet in a Desperate Fight.

(United Press Leased Wire.)
Denver, Aug. 3.—Fighting desperately with a sheriff's posse until dropped by a bullet, George Ballew, owner of a stage line, who last night entered the dining room of the South Platte hotel at South Platte, Colo., 20 miles south of here, and shot and seriously wounded Mr. Charles Wallbrack, owner of the hotel, and wounded James McWhorton, a Kansas City tourist, was captured in the mountains near there shortly before noon today and brought here. Ballew is seriously wounded.

After shooting Mrs. Wallbrack and McWhorton, Ballew set fire to the hotel and then terrorized the town for two hours by firing up and down the streets. Then he went to the telegraph office and ordered the operator not to send out any news of the affair under penalty of death. The operator obeyed the command until this morning, when he sent out an alarm. Ballew is believed to be insane.

TRAGEDY OF "THE RODS" ENACTED AT PENDLETON

(Special to The Journal.)
Pendleton, Or., Aug. 3.—Horribly mangled and decapitated, the body of an unidentified man was found in the railroad yards late last night. According to testimony at the coroner's inquest this morning, the man was shot and had been drinking heavily yesterday afternoon. Indications are that he attempted to climb upon the brakes of the east-bound freight while it was watering here at 9:40 and had been thrown on the tracks. The body was discovered half an hour later by the local engine crew. Other hobs identified the victim by the gold teeth as a man who had been with them in the "jungle" near this city for a day or two. No papers were found on the body.

WASHOUTS NEAR BAKER DELAY EASTERN TRAINS

Baker, Or., Aug. 3.—Oregon-Washington Railway & Navigation trains operating in both directions are stalled by washouts at Weatherby, this side of Huntington. Repair gangs will probably clear the way late this afternoon, according to a report at noon. Rain continues to fall. Damage to the crops may be extensive.

GRILL IS SAID TO BE RUNNING SANS LICENSE

The Pittsburg grill, at Sixth and Stark streets, it is said is being conducted without a license.

The place is under a receivership, the place being represented by DelBoest as receiver. Robert Gardner, one of the proprietors of the place, has the license locked in a safety deposit vault and refuses to place the permit in the grill room.

Wednesday night the police closed the place, arresting the receiver and sheriff's keeper, as the furniture is under attachment. This arrest was made on the ground that the place has no license. The grill was opened Thursday and has been open since, despite the fact that Gardner has the license in the vault. Gardner came into the circuit court this morning, asking that the receiver be discharged, as he has sufficient funds and is willing to pay the receiver's claim, which claim is by the Mount Hood Brewing company for two months' back rent. Judge Gantenben refused to discharge the receiver, leaving the matter to Judge Gatens, who named the receiver. The latter judge will not be in court for 10 days. In the meantime the grill will operate without a license.

PHRENOLOGIST IS INDICTED BY JURY

A phrenological contest was what W. H. Scholling represented to Mrs. Minnie Scholz he was going to hold in Portland. Prizes ranging from \$50 to \$100 were to be offered for the best shaped children's heads. It cost Mrs. Scholz only \$3 to enter her three children in the contest.

As the contest did not come off as scheduled, Mrs. Scholz made a complaint to the police, and an investigation brought on the arrest of Scholling, who was known as Professor Waldemath Hosen Scholling with offices in room 608 Dekum building. The grand jury indicted him this morning for obtaining money under false pretenses. Indictments were also returned against W. H. Lindsey for contributing to the delinquency of a minor, and Joseph Brown and James Monroe for assaulting Thomas Howell with a dangerous weapon.

WASHINGTON JURISTS "PINCHED" FOR SPEEDING

Tacoma, Wash., Aug. 3.—Three judges of the Washington supreme court and Attorney General W. V. Tanner, Deputy Prosecutor Remen of Tacoma and Chaucer R. A. Stone, were arrested yesterday for exceeding the speed limit on the road to Mount Tacoma. The party was bowling along at 34 miles an hour.

3064 PERSONS GIVEN EMPLOYMENT FREE

The report of the city free employment bureau for July, filed today at the city hall, shows that 3064 men and women were furnished with positions during the month.

Protest Is Filed.

B. M. Lombard and other property owners yesterday proposed change of grade at East Thirty-seventh street and Sandy road. The change is contemplated for the purpose of permitting the tracks of the O. W. R. & N. to be lowered and an overhead viaduct at the crossing to be constructed.

ADMITS COMPANY DIDN'T COMPLAIN

Witness C. F. Swigert's Testimony Tends to Brace
City's Defense.

No complaint or protest was ever made by the company against the estimates of the city on excavation, admitted Charles F. Swigert in testifying in the case of Robert Wakefield & Co. against the city for payment of \$408,000 for building the Mount Tabor reservoir. The company claims that it was delayed, and put to additional expense on account of the city changing plans. The testimony given is intended by the city to show that the company had no grievance or complaint about delays or changes occasioned by the city.

These estimates, it is held, were made by Assistant Water Engineer Taylor after careful computation of all features of the work. Swigert also admitted the engineer's final estimate was correct. After giving this testimony, Judge Cleland asked several questions of the witness, seeking to ascertain why the company did not make estimates of its own.

"Was it possible for a civil engineer to make estimates of the excavation?" he asked.

"Yes, a competent engineer could make them, if he had the data the city possesses," replied Swigert.

"Did the city refuse you permission to use the data?" was then asked, to which the witness replied that it had not, but the company considered it had all the data at hand in the bid plans.

"Why did not your engineer make an estimate?" again inquired the court.

"We had no right to assume that the original plans and estimates were correct," answered Attorney Covert for the company.

"I don't think you had such right," replied the judge. Attorney Tomlinson then led Swigert through a series of questions, inquiring if he were familiar with that part of the contract which requires the contractor to familiarize himself with all phases of the contract, and also sets forth that all plans, data and additional information are on hand at the office of the water engineer. The witness said he took it for granted that the engineer had such data, but never questioned the city's estimates, assuming they were correct. Finally the witness testified that the company never gave notice to the city that the contract would be abandoned, continuing the work on the theory that the final payment would be made on the actual cost of the work.

Swigert further testified that his company never asked for any extensions of time, and that he was not attempting to claim for extra, or never questioned the city's estimates on excavation.

EARLY IRISH SETTLER AT LA CENTER DIES

(Special to The Journal.)
La Center, Wash., Aug. 3.—Michael Kane, a pioneer resident of this place, died at his home Wednesday morning, July 31, after an illness of five years. He was conscious up to 10 minutes before his death.

Mr. Kane was born in Clare county, Ireland, in 1833. From there he came to America, arriving at New York in 1852. From New York he went by ship to Nicaragua, crossing and again taking a ship. He came to Portland in 1853, from there he came to this place in 1859 and taking up a homestead in the wilderness about mile north of what is now La Center, built the log cabin in which he has lived ever since.

In the summer of 1871 Mr. Kane was married in Salem, Or., to Anna Flanagan of Vermont, who has been dead for a number of years. Mr. Kane is survived by a brother, Thomas Kane, a daughter, Mrs. Mary Basham, and two sons, J. C. and P. M. Kane, all of whom live in the neighborhood. The funeral took place yesterday morning, interment being in the Catholic cemetery at Pioneer, Wash.

For six years after Mr. Kane settled here the nearest trading post was St. Helens, Or., from which provisions were brought by means of a row boat. Mr. Kane was chairman of the first school district that was formed in this section of Clark county, and up to the last few years had taken an active interest in all school work, and when the new schoolhouse was built four years ago Mr. Kane wrote a sketch of school district No. 19, to be used at the laying of the cornerstone.

Sewer Hole 30 Feet Deep.

A new record for depth in Portland sewer construction was achieved yesterday when the contractors at work on the East Stark street trunk sewer excavated down 30 feet between East Twenty-fourth and East Twenty-sixth streets.

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LEISY HELD NOT RESPONSIBLE FOR COSTELLO'S DEATH

Police Patrol Driver Exonerated but Coroner's Jury Finds
He Did Not Exercise Due
Precaution.

Douglas E. Leisy, the police patrol driver, who on Thursday night while responding to a hurry call on the east side, ran into Maurice N. Costello, of 493 East Eighth street north, as he stepped from a streetcar at Union avenue and Sacramento street, fatally injuring the man, was, by the verdict of the coroner's jury, exonerated from all criminal responsibility, although the jury declared that due precaution had not been exercised by the driver.

Costello was going to his home shortly after 7 o'clock, and had just stepped from the car when the huge police auto, driving at the rate of about 22 miles an hour, bore down on him. According to the testimony of some of the witnesses before the coroner's jury, which met yesterday afternoon, Costello was about half way to the curb when he heard the police auto, with siren blowing, approaching. Apparently confused, he attempted to retrace his steps, but was unable to avoid the collision and was hurled to the sidewalk.

Slover Satisfied With Verdict.

When Leisy was called to testify, he stated that he did not know he had struck the man until attention was called to the fact by Patrolman Blair, who was on the seat with him, and when he learned that the man had been hit, he hastened back, helped the man into a stooper and rushed him to St. Vincent's hospital, where he died shortly afterward.

The testimony of Chief of Police Slover to the effect that Leisy is a very careful driver and that in several years' experience he has never had an accident, and after the findings of the jury had been returned Chief Slover stated that he was satisfied with the verdict and believes it to have been a just one.

During the hearing of the case before Deputy Coroner Dunning it became necessary for Dunning to require severely Attorney Will R. King, who appeared with Dr. Fenton in behalf of the family.

King and Dunning clashed on several occasions, due to questions King asked witnesses, and was finally told by Dunning that his assistance in the case was no longer necessary and that Dunning intended to conduct the investigation in a manner in which he thought proper.

Leisy to Take Vacation.

Attorney Walter Wolf appeared in behalf of Leisy and