

S. P. CO. WINS VICTORY IN BIG OIL CASE

Test Cases Involved in Title to 200,000 Acres in California Estimated to Be Worth About \$500,000,000

Washington, June 22.—The United States supreme court today decided in the Southern Pacific Railway company's favor in the two test cases of Edmund Burke and J. J. Lamprich, attacking the railroad's title to 200,000 acres of California oil land estimated to be worth \$500,000,000.

Besides Burke and Lamprich, there were involved in the litigation California, Detroit and Cleveland citizens, who sought mineral patents on the property which the company holds under old construction grants.

Seven Questions Answered. The court answered seven questions as follows:

1. Did the land grants to the railroad include mineral lands, known to be such prior to the issuance of the company's patents in 1897?
2. Does a patent under a grant excluding mineral land, issued, however, without any federal investigation, convey lands afterward found to contain minerals?
3. Is a mineral reservation of patents void?
4. If a mineral reservation is void, then is a patent conclusive evidence that land is agricultural?
5. Is petroleum a mineral within the land patent law?
6. Is a plaintiff barred from claiming land because he had no interest in it when the railroad secured its patents?
7. Is the railroad barred from denying the validity of the mineral reservation clause?

Government Gets Blame. The court expressed the opinion that the railroad's title to the land in controversy was at least better than that of "outside" persons advancing rival claims. The government was held, however, to have been practically negligent in granting patents to the land without investigating to determine whether they contained minerals.

In giving the "popular" construction to the case, Justice Dandewerter declared that petroleum is a mineral, and that congress has so classed it in legislation dealing with oil properties.

He pointed out that the issue involved was a grave one, inasmuch as it affected not only lands owned by railroad companies, but millions of acres sold by them to farmers and to city sites.

Referring to the original land grants to the Southern Pacific, he intimated that the secretary of the interior should have inquired whether the land was subject to entry before issuing patents.

The court would not rule, he added, as to whether or not the statute of limitations bars suit by the government to cancel patents of date later than 1901.

The lands in question were granted to the railroad on the theory they were agricultural. When it was found that they contained oil deposits, the suits ruled on by the supreme court today were brought to set the railroad patents aside, on the ground that, being mineral properties, the company was not entitled to them and individual preemptors had a right to file on them.

The decision of the court was unanimous. In holding generally in favor of the Southern Pacific company's title to the lands in question, the opinion said the government may still sue to invalidate the railroad patents for fraud, but that the railroad's title is safe against collateral attack by private persons to get mineral grants through the claim that their title is superior to that of the railroad.

Old Savoy Theatre, Tacoma, Is Burned

House Has Been Known as "The Flinx" Prosperous at One Time, But Fell Into Decay; No Insurance.

Tacoma, Wash., June 22.—Known as "the flinx," the old Savoy theatre building, erected 25 years ago, is in ruins, following a fire of unknown origin that gutted it late yesterday.

Originally a hotel, the building, which had known the varied fortunes of housing such theatrical stars as Bernhardt and Blanche Bates, and had later failed of audiences to support even stock and burlesque companies that tried their fortunes there, had long been unused. It was owned by Wm. McGeorge of Philadelphia, and was not insured.

Murder Is Confessed.

Trenton, N. J., June 22.—Frank Ford, a convict, confessed he was guilty of the murder of Manny Rellie at California, N. J., for which J. E. Schuyler, a fellow prisoner, has already done seven years under a life sentence.

CELESTINS VICHY

Owned by and bottled under the direct control of the French Government

Natural Alkaline Water

Used at meals prevents Dyspepsia and relieves Gout, Indigestion and Urlic Acid.

Ask your Physician

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O. W. R. & N. SHOPMEN HAVE GOOD TIME AT BONNEVILLE



Decorated engine and delegation from The Dalles.

More than 1000 persons attended the picnic of shopmen from the O. W. R. & N. company Saturday at Bonneville. Eighteen regular coaches and two private cars were crowded and one car of employees from The Dalles appeared on the grounds. The committee in charge of the outing was composed of: S. E. Westover, Eugene Tuck, C. H. Feldt, F. C. Drews, C. Quinting, C. L. Jones, W. M. Knight, E. E. Knight, V. Kearns, G. B. Desch, W. Perkins, H. Ackroyd, A. Bennett and E. M. Ringer. The engine was decorated with flags and bunting, and is said to have been the most elaborate of any similar excursion.

The day was full of athletics and dancing. The committee of officials did the judging: J. F. Graham, superintendent of motive power; J. T. Langley, assistant superintendent of motive power; T. M. Ramsell, master car keeper; W. R. Ladd, master mechanic; and M. J. Buckley, assistant general manager.

The results of the field day events follow: Married men beat S. M. P. office men by a score of 7 to 6. Blacksmith shop defeated the machine shop by eight runs in the tug of war. Women's ball driving contest, won by Mrs. V. Tuck, Mrs. E. H. Briggs of The Dalles, second. Fat men's race, J. T. Langley, first; M. J. Buckley, second; J. C. Crampton, third. Three-legged race, B. Williams and H. Ellers, first; C. Bennett and T. Wald, second. Ladies' race, Mrs. F. Tott, first; Miss Madge Crampton, second; Miss E. E. Beers, third. Men's race, F. S. Buckley,

first; L. E. Chord, second; F. Shafer, third; H. Arndt, fourth. Girls' race, Hattie Peterson, first; Minnie Yung, second; Ethel Krumpel, third. Boys' race, George Perdy, first; L. Clark, second. Pie-eating contest, Manna Wiley, first; H. Helge, first. V. Beaker, second. Apprentices' race, L. Long, first; H. Eller, second. Mr. and Mrs. F. A. Leavitt won the prize walk and Mr. and Mrs. F. Lislet, second. Miss E. Donaldson was declared the best dancer of the hesitation waltz.

Music was furnished by the shopmen's band, a newly formed organization.

Character witnesses for E. C. Herlow, a charge of larceny by bailor of \$500 from Mrs. Wm. William Grace, were asked on cross-examination by Deputy District Attorney Maguire this morning if they had ever heard of Herlow misappropriating \$4000 of the funds of the Chapin-Herlow investment company, embezzling \$700 of funds from the Chapin-Herlow mortgage company, or taking from his own unknown amounts from the partnership funds of Chapin and Herlow, paid \$1500 in three payments of \$500 each to his sister or mother in repaying \$500 loaned to the Chapin-Herlow Mortgage & Trust company, and as treasurer of the First Presbyterian church collected money for the church, spent it for personal expenditures and drew checks to the church against the Chapin-Herlow Mortgage & Trust company, on whose books he charged the amounts so drawn to automobile hire.

The character witnesses so far examined, E. J. Jaeger, Samuel Rosenblatt and H. D. Rammedell, denied knowledge of any such transactions. It is expected that evidence of the alleged transactions will be offered by the defense in the afternoon.

Contrary to the character witnesses called. The state completed its case this morning.

ROADS LOSE IN RATE DECISION ON SHORT HAUL IN U. S. COURT

(Continued From Page One)

as the Pacific coast cities which enjoyed the so-called "through" or "terminal" rates. On December 9, 1911, the commerce court enjoined this order of the commission. A bitter fight resulted, the interests of the Pacific coast cities allying themselves with the railroads against the shippers in the interstate commerce cases. The case finally reached the supreme court last year and was argued in February, 1913.

The intermountain cities claimed that they were being discriminated against in favor of the Pacific Coast. Spokane, for instance, was charged the rate for the through haul from the coast to the Pacific Coast plus the local rate from the coast inland. Merchants in Spokane and the other intermountain cities claimed they could not successfully meet in competition with the Pacific Coast cities.

The commission permitted the railroads to charge from 7 to 25 per cent more on rates to intermountain cities than to Pacific coast cities, but prohibited them from shipping freight from points west of the Missouri river at lower rates to the Pacific coast cities than to the intermountain cities.

The commerce court concurred with the commission in holding the long and short haul clause valid, but enjoined the commission's order permitting the railroads to charge more on rates to intermountain cities than to Pacific coast cities, but prohibited them from shipping freight from points west of the Missouri river at lower rates to the Pacific coast cities than to the intermountain cities.

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'PAINLESS PARKER' TO INITIATE MEASURE TO OUST DENTAL BOARD

New Bill Intended to Divest State Body of What Is Termed "Czarlike Powers"

PETITIONS OUT TUESDAY

Dentist Declares He Will Work Day and Night to Get Proposed Act Before People.

Charging that the members of the Oregon state board of dental examiners are the "czars" of the profession in Oregon and that the board is misusing its authority in acting in "restraint of trade" in trying to keep dentists out of the state, Dr. E. R. Parker, better known as "Painless" Parker, has prepared an initiative bill which, if passed, will abolish the commission and set up entirely with the examination system of admitting dentists to practice.

The petitions are now in the hands of the printer and will be on the streets for the necessary signatures tomorrow. No trouble is anticipated in procuring the required 10,000 signatures by the July 2, the last date for filing the petitions to get the bill on the ballot at the November election.

Dr. Parker's bill provides that all other acts regulating the practice of dentistry in the state now in effect shall be repealed and that the following persons shall be entitled to practice dentistry in the state of Oregon:

Provisions of Proposed Bill. "First—A graduate of any reputable dental college in good standing, which requires a course of study of at least two school years, having a yearly course of study of not less than six months."

"Second—A person licensed to practice dentistry under the laws of any state of the United States."

The proposed bill further provides that:

"Any person desiring to practice dentistry shall file his or her name with the secretary of state, together with a copy of his or her diploma or previous license and an affidavit of at least two citizens of the state of Oregon attesting to the applicant's good moral character."

"Any person attempting to practice dentistry without having complied with the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not greater than \$100 or imprisonment not longer than three months in the county jail. Prosecutions under this act shall originate in the justice or district courts. The county attorney shall enforce the provisions of this act."

Ethical Dentists Turned Coars. "This system of having a board of examiners appointed from within the membership of the dental society puts the practice of dentistry in Oregon in the hands of a closed corporation," said Dr. Parker this morning. "Naturally they do not court competition, and they have the power to shut other dentists from practice on the pretext that they have not passed their examinations."

"These men are veritable czars and are driving dentists away and keeping members of the profession from settling in the state. The board should be abolished and some fairer and more rational system instituted. For this reason I have prepared my initiative bill and will work morning, noon and night to get the necessary signatures and put the measure before the people."

Dr. Parker, who is a graduate of the Philadelphia Dental college, and who is licensed to practice in a number of states and several provinces in Canada, has been refused a license by the state board on the ground that he did not pass the necessary examinations five years ago. He is preparing to institute mandamus proceedings against the board requiring it to produce his examination papers in court.

Trade unions of Spain are to hold a congress in Madrid next month.

Other dentists returned were: Frank Smith and Frank White, burly; Arlie Kelsey, larceny; Archie McCoy and Elton Hitecock, larceny; William Conley, forgery. Seven other not true bills were returned.

Campbell Returns From Conference

Assistant General Manager of Southern Pacific Is Glad to Be Home Again in the Rose City.

Glad to be home after his four months' sojourn among the disputing engineers in Chicago, D. W. Campbell, assistant general manager of the Southern Pacific, was trying to get his desk clear this morning in time for a meeting of directors of the Northern Pacific. He was here for more than two weeks being gone over the lines and stopped several days in San Francisco. He expects to go back to Chicago for the adjourned conference.

A strike vote was ordered by the engineers' committee, the result of which will be made known to the managers in Chicago on July 4.

Mr. Campbell began to inspect the properties under his enlarged jurisdiction as soon as he struck Ogden on his way home. He has for more than two weeks been going over the lines and stopped several days in San Francisco. He expects to go back to Chicago for the adjourned conference.

New Postoffice Station. A new postoffice station at East Twenty-eighth street and Sandy road, to be open for business July 1, has been established. It will supersede the Rose City Park station, which will be closed June 30. Carriers from it will distribute the mail through Laurelhurst and terrace north and west of that tract in addition to the territory formerly handled by the Rose City Park office. Ten carriers and two clerks will work there. J. J. Story will be in charge and W. P. Swope becomes superintendent at Arleta. O. A. Apple becomes assistant at the new station, which will be known as Station H.

Engagement Is Announced. London, June 22.—The engagement was announced of the late H. O. Havener's daughter, Edith, to the Earl of Euston, who will be Duke of Grafton when his father dies.

Bride Refuses to Prosecute Husband

Woman Convicted Male Deceit, Her Decline to Press Bigamy Charge Against Him at San Francisco.

San Francisco, Cal., June 22.—Though the police finally succeeded in convincing her today that her husband had deliberately deserted her, Mrs. Frederick K. Hamilton, in a state of collapse and under a doctor's care at the Hotel St. James, Oakland, still refused to swear out a bigamy warrant against him.

Charges were made that it was only the name he gave—Kosta Hamilton—and the description of the man which convinced the authorities that the man was not her husband, but that she was looking for him here and making inquiries in Boston, whither the Stockton couple was supposed to have gone. If they succeeded in catching him, they said, accusations would not be lacking to place against him.

Hamilton's refusal to prefer charges, the police had the warrant charging the missing man with passing a bad \$10 check at the Hotel Carlton, and with that they were looking for him here and making inquiries in Boston, whither the Stockton couple was supposed to have gone. If they succeeded in catching him, they said, accusations would not be lacking to place against him.

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Arrested in Grill on Vagrancy Charge

Six Women Interrupted at Midnight Luncheon at Richards' By Squad of Police.

K. D. Smith, steward of the Richards grill, will be tried Wednesday in the municipal court by a jury on the charge of conducting a disorderly house. He was arrested Saturday night at 11:30 o'clock by Police Sergeant Harms and a squad of patrolmen. Six women were arrested with him at the time. The women gave the names of Winnie Brandt, Grace Schwartz, John Dixon, Hazel Thompson, Alice West and Florence Wilcox.

They are charged with vagrancy, and will be heard this afternoon at 2 o'clock. K. S. Miles, who chanced to go in the grill when the raid started, was also arrested and will be heard this afternoon. He is wanted chiefly as a witness. The women were held in jail until yesterday afternoon, when they were released upon agreement to appear in court.

Car Shortage Avoidable. G. F. Richardson, superintendent of transportation of the Southern Pacific company, arrived from San Francisco this morning for conferences on the car situation with local traffic officials. "If we can only get the ships to help us with the export loading and unloading, we would have no such thing as car shortages," said Mr. Richardson today. "That's one of my reasons for making this trip, to impress upon everybody at this time the need of cooperation. This applies to our traffic men, local station agents, shippers and everybody, but mostly to the shippers."

Will Improve Barview. Barview, Or., June 22.—G. C. Morris, assistant superintendent, and W. H. Jenkins, traveling passenger agent, of the Southern Pacific Railway company, who accompanied the G. A. R. special to Tillamook, on its return, stopped over here about two hours Saturday, and when asked about more improvements along the beach here, stated that as soon as the road began paying a little better the company would give the much needed improvement of depot and platforms.

Drunken Brawl Fatal. Sacramento, Cal., June 22.—Dennis McCarthy, 30, a Southern Pacific shopman, is today dead and his friend Herbert Kunz, is in jail charged with murder, as the result of a drunken brawl. Bad whiskey is blamed by the police.

Lumber Dealer Killed. Pescadero, Cal., June 22.—When the Pescadero automobile stage started to coast backward down a hill, E. G. Ely, San Francisco lumber dealer, jumped out and was caught under the wheels and killed.

GRAPE JUICE MAKER EXPECTS TO LOCATE PLANT IN THIS STATE

Pioneer Manufacturer of Bryan's Favorite Beverage Believes Success Possible.

SOIL AND CLIMATE RIGHT

Prediction Is Made That Sale of Unfermented Juice Will Increase to Immense Proportions.

Believing that Oregon and the Pacific northwest offers a splendid field in which to manufacture and sell grape juice, and that the grapes can be grown in abundance and to perfection in both Oregon and Washington, Frank A. Brock of Vineland, N. J., one of the earliest manufacturers of grape juice in the country, having started the business in 1886, has moved to Oregon and expects soon to be found manufacturing Mr. Bryan's favorite beverage out here.

"At Vineland, N. J., my former home, I began making grape juice 35 years ago," said Mr. Brock. "Operating at first on a small scale, I gradually enlarged my plant until in recent years I was doing quite a business. Not long ago I was seized with the fever to come west, and in spite of the fact that I was well established in New Jersey, I sold my fruit farm and with my family started on the long journey to Portland. We are delighted with the climate and the prospects, and we are here to stay."

"I intend to investigate the grape growing industry in Oregon and Washington, and if I find that grapes can be grown here suitable for making grape juice, I shall remain in the business that I have followed for more than a quarter of a century. I am confident that viticulture can be made a success in Oregon. The soil and climatic conditions in certain sections of the northwest seem to be adapted to growing grapes of the best commercial varieties."

"The manufacture of grape juice has developed into a large and profitable industry in many sections of the country, especially in the middle Atlantic states of New Jersey, New York and Pennsylvania, and I see no reason why it may not become an important business in the Pacific northwest. The consumption of the unfermented juice of grapes is rapidly increasing in this country and in my judgment the time is near at hand when its manufacture will become very general."

La Grande Welcomes State Merchants

Delegation From Portland and Western Oregon Received With True Old-Fashioned Hospitality.

La Grande, Or., June 22.—Three hundred merchants from all parts of Oregon and in La Grande today for their eighth annual convention. The moment the special train carrying the Portland and western Oregon delegation arrived at the depot the festal air of the city and its band was out to meet the visitors, and for an hour the air was thick with kangaroo court sentences. After a stormy breakfast, at which Salem and Portland delegates yipped and sang and cut up, the convention was called to order. Second Vice President Fletcher is in attendance.

The morning session was devoted principally to the formal opening. President Halsten of the local Merchants' association called the meeting to order, and then turned the convention over to President Stockton. Until noon felicitations and speeches of welcome and acceptance were in order. The afternoon and evening important business matters and speeches will be heard. Reports from each of the 30 associations will be heard this afternoon. A literary entertainment will start on the stroke of midnight to night.

Butternut Bread is baked by the U. S. Bakery, Cor. E. 11th and Flanders. Order at your grocer.

AMUSEMENTS

HEILIG 11th and Harrison Main 1, A-1122.

ALL WEEK AFTERNOONS, 2:30

"THE PERFECT WOMAN"

ANNETTE KELLERMANN

In the Fantasy Photo-Play "NEPTUNE'S DAUGHTER."

POPULAR PRICES Lower floor, 50c.

Reserved Seats Now Selling.

BAKER THEATRE Main 8, A-3000

Every day from 12 noon till 11 p. m. \$200, 000 sensation in films: Beverly B. Dobb's

"A-Top of the World"

In motion. Wonderful, thrilling and amusing scenes, animal, trap, and human. The land made famous by Rex Beach and Jack London.

EXTRA!

KEBA MEKKEH, pioneer of the old Oregon Trail, with 1200 feet of interesting film and short lecture at 1:30, 4:30, 6:00, 7:30 and 9:00 p. m.

All for 20c, lower floor, 10c balcony.

PANTAGES

NATINEE DAILY 2:30

BROADWAY AT ALDER

"The Merry Musicians." Frank Davis.

"Beauty Chorus." Nat. Cole. Miss Daisy Har-

monster. Bill. "That Girl." Daria's

Pantagroup.

Portland's Great Amusement Park.

Complete Change of Program.

McElroy's Band, under direction of W.

Vandeville entertainment.

Hawaiian Troubadours. Eight in number.

Performances at 2:30 and 5.

West or shine in the open-air covered

ambulance.

ALL PERFORMANCES FREE.

Care at First and Alder, Lunches Mor-

tion Bridge.

The Oaks

Portland's Great Amusement Park.

Complete Change of Program.

McElroy's Band, under direction of W.

Vandeville entertainment.

Hawaiian Troubadours. Eight in number.

Performances at 2:30 and 5.

West or shine in the open-air covered

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ALL PERFORMANCES FREE.

Care at First and Alder, Lunches Mor-

tion Bridge.

Auto Party Injured. Belmont, Cal., June 22.—Their automobile skidding and overturning, Miss Eselle Bates, Berkeley, suffered a fractured skull, Frank Hurthen, concussion of the brain, and three other members of the party minor injuries.

COFFEE

Pioneer Manufacturer of Bryan's Favorite Beverage Believes Success Possible.

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