

**TASK OF STATING  
OFF SPECULATION IN  
LAND GRANTS SEEN**

**Terms of Grant in Coos Bay  
Case Do Not Require Act-  
ual Settlers.**

**CONGRESS FACES ISSUE**

**In Other Respects Coos Bay Grant Is  
Like That of the O. & C.  
Land Agreement.**

There is one material difference in the covenants of the original grant for 100,000 acres for the Coos Bay Wagon Road company and the grant of over 3,000,000 acres to the Oregon & California Railroad company, both of which are attracting a great deal of public attention because of the court decisions putting it up to congress to provide for the disposition of the lands.

In the O. & C. land grant case, the United States supreme court recognized the railroad company's equity of \$2.50 an acre in all the lands in the grant remaining unsold, and in the Coos Bay case Federal Judge Wolverton followed the principles laid down by the higher court and recognized the Southern Oregon company's equity of \$3.50 an acre in the unsold lands.

**Differences Pointed Out.**  
The important difference in the two grants is this: The original O. & C. Railroad company contains the provision that the lands must be sold to actual settlers in tracts of not to exceed 160 acres, and for more than \$2.50 an acre. The grant to the Coos Bay Wagon Road company provides that the lands must be sold in tracts of not more than 160 acres, and for not more than \$2.50 an acre, but nothing is said about actual settlers.

It is pointed out that this difference in the two grants makes it impossible for congress when it takes up consideration of the disposal of the lands in the Coos Bay case, to take up consideration of the disposal of the lands in the Coos Bay case.

Approximately four fifths of the stock in the Southern Oregon company, which owns land remaining in the Coos Bay grant, belongs to C. R. Smith of Coos Bay, Wash. He is at the head of the Menasha Woodware company and is known as "Woodware" Smith. The remaining one fifth of the stock is owned by 20 or 25 different persons.

**Much Litigation Follows.**  
The land had been involved in a great deal of litigation before the government brought its suit to have the lands forfeited. It is at the head of that the provisions of the grant had been violated.

Congress, in March, 1882, granted the lands to Oregon to aid in the building of a military wagon road from Roseburg, in Douglas county, to Coos Bay. It conveyed alternate odd sections on each side of the proposed road for a distance of three miles. There were 106,120 acres in the grant. On October 23, 1876, the Oregon legislature passed an act donating the lands to the Coos Bay Wagon Road company, which was to build the road.

In its complaint the government contended this road was longer than a trail in many places. To allow the company to dispose of the lands in tracts of more than 160 acres, Congress in 1874, passed an act authorizing the issuance of patents to the company. Patents were issued for 106,120 acres. Up to the time the government began its suit, however, only 8444 acres were sold, and most of these were sold in violation of the terms of the grant.

**Clear Title Given.**  
Purchasers of the land, however, were given clear title to the land by the act of congress passed in 1912, which provided that new suits should be brought to recover the lands unsold within one year.

The stockholders of the old Coos Bay Wagon Road company in 1875 were Dr. S. Hamilton, James Hamilton, J. Frank Hamilton, Aaron Rose, Thomas J. Beale, James H. Weston, David L. Watson, J. M. Eberline, A. T. Green, J. Green, Samuel C. Flint, and A. R. Flint, all of whom lived in or near Roseburg.

This company conveyed the land to John Miller, who was connected with the Southern Pacific Railroad company. He became involved in trouble with the company and the title was taken over by the "big four," who were Collins, Hanington, Leister, Stanford, Charles Crocker and Mark Hopkins, pioneer western railroad men and dominant forces in their day.

After much litigation, the title was passed from them to William H. Besse, a New England sea captain, and from him to the Oregon Southern company, which was owned largely by New England stockholders. They floated a bond issue of \$1,500,000, making a deed of trust on a mortgage of the land to the Southern Pacific & Trust company.

**Foreclosure Suit Brought.**  
Foreclosure suit on the mortgage was brought in the federal district court and the land was sold for \$120,000. It was bought by William J. Roth and William W. Crapo, representing the bondholders, who organized the Southern Oregon company. This sale was made June 23, 1887, and in addition to the land included the other property of the Oregon Southern Improvement company, among which was a ship.

During a term of years Elijah Smith and C. R. Smith gradually acquired control and a large majority of the stock of the Southern Oregon company. Several years ago Elijah Smith died and the title of the grant had been violated. The suit was brought by B. D. Townsend, special assistant to the attorney general, for the government and the defendant taken up by Glenn H. Husted, also special assistant to the attorney general. He resigned July 1 of last year, and since that time the case was handled for the government by Special Assistant C. J. Smyth and F. J. Rabb. John M. Geary and the late Rufus Mallory were the attorneys for the defendant. This case followed the government's suit to have the O. & C. land grant forfeited. The issues involved were practically the same.

At Judge Wolverton's decision the decision of the United States supreme court in the O. & C. case, the opinion is generally expressed here that the case will not be appealed. Mr. Geary's opinion could not be obtained as he is out of the city today.

**Judgment for Boy  
Reversed at Salem**

**Supreme Court Holds in Case of James  
O. Haynes Against O. W. B. & N. Co.  
That Company Was Not to Blame.**  
Salem, Or., July 13.—The supreme court held today against the plaintiff in the personal injury suit of James O. Haynes, by his guardian, O. S. Haynes, against the Oregon-Washington Railroad & Navigation Co. in which an error was committed by Circuit Judge McGinn in refusing to direct a verdict for the defendant. The plaintiff, a boy, was killed in an injury received by the boy, who was playing in an excavation on the right of way, about half a mile north of St. Johns, when the bank fell on him. The court holds that no obligation is imposed upon a railroad company to fence its track against a boy who is 12 years old, so its failure to keep its wire fences in proper repair cannot be regarded as a gross negligence. A property owner is not obliged to give trespassers warning of dangers or nuisances, says Chief Justice Moore, and the error in this case is not a matter of law, and the judgment will be reversed.

**Distributing Rates  
Are Suspended**

**Public Service Commission and Inter-  
state Commerce Commission Grant  
Chamber's Petition.**  
Both the public service commission of Oregon and the interstate commerce commission have acquiesced in the petition of the Chamber of Commerce and suspended the increase in distributive freight rates on steel products, announced by the railroads to have taken effect on July 1. The rate, according to the published tariffs, was to have included a raise of 10 cents per 100 pounds on such products from Portland to Spokane and an all-rail rate of 85 cents from eastern producing points to Spokane. The interstate commission suspended the rate increase until September 1, and the commerce commission until October 6. In the meantime, hearings will be held to demonstrate the fairness or unfairness of the increase.

**Drug Users Rob  
Doctors' Offices**

**Cases Reported to Police Indicate New  
Manner of Avoiding Law Against  
Narcotics.**  
Unable to purchase narcotics from drug stores without registered order blank from physicians, drug users are resorting to robbing doctors' offices in an endeavor to secure some of the drugs.

The latest robbery of a doctor's office occurred Saturday night, when thieves broke into the office of Dr. S. M. Gilbert, 516 Broadway building, and removed a large quantity of surgical instruments. The police believe that the robbery was for the sole purpose of securing drugs but the thieves, unable to find the narcotics, took all the instruments they could get into their pockets. A large number of valuable instruments were untouched, however.

Detectives Tichenor and Cahill are working on the case.

**Tentative Jury  
In Avery Case**

Corvallis, Or., July 13.—Twelve jurors in the case of George Avery, indicted for the murder of William Purdy, had been passed upon when court adjourned today for the noon recess. The chief difficulty is to secure men who have not had a close friendship for one or both parties to the case. No questions bearing on whiskey or prohibition have been asked by counsel, so that drunkenness has not so far been made apparent as defense. County Attorney Clarke is assisted by G. H. Hill of Albany. The jurymen passed are as follows: E. H. Abraham, Joseph T. Long, A. F. Luther, Henry Schoel, Thomas Laskey, E. J. Jones, E. F. Canon, J. Edwards, M. J. Lake, J. W. Buxton, George W. Smith, W. C. Crawford.

**ROPE SAVES MAN'S LIFE**

Albert Toothill, an engraver employed by a Portland newspaper, talked off Alder street in the dark about 11:15 o'clock last night and would have probably been drowned but for prompt action on the part of Patrolman Milton of the harbor patrol, who brought him to the police emergency hospital by Engineer Jackel of the harbor patrol, where it was found he was lithe to the worst for his experience save for bruises.

**Special Trains to Run**

Fully 300 people of the Willamette valley are expected here Thursday to view Liberty Bell. To bring these people, the Southern Pacific has arranged a special train leaving McMinnville at 7:15 a. m., stopping at Forest Grove to pick up the Washington county delegation and arriving here at 9:15. During the half hour the bell will stop at Salem, crowds from all the nearby communities will gather round it. Special trains from Monmouth carrying at least 600 people, have been arranged for, and while the historic bell is at Eugene from 7 to 11:15 p. m., crowds from the country round will surround it there. A special train on the Southern Pacific's Wendling and Oak Ridge branch will bring them in.

The youths are obtained through the cooperation of Mrs. Margaret Thornton of the juvenile court and the Associated Charities.

**WIDOW OF THE LATE  
TEASDALE STRUBLE  
DIED EARLY TODAY**

**Mrs. Elizabeth Struble Passes  
at Her Family Residence  
Following Long Illness.**

**FUNERAL ON WEDNESDAY**

**Services Will Be Held at Holman Un-  
der-taking Parlor; Interment at  
River-view Cemetery.**

Mrs. Elizabeth Randolph Struble, widow of the late Thomas Teasdale Struble, died at her residence in the Teasdale apartments, 30 North Twentieth street, at 6 a. m. today, following nearly a year of declining health. She was 65 years of age, and was born at Mount Vernon, Ohio, April 8, 1847. Her parents were Benedict and Abigail Randolph Shipley, pioneers of Pennsylvania. She was united in marriage on September 8, 1868, in Chesterville, Ohio, to Thomas Teasdale Struble, a native of Newton, New Jersey. In the town of her marriage her four sons were born.

In the early spring of 1913 Mrs. and Mr. Struble removed to Portland, Or., of which city they both were continuous residents until their death. Mr. Struble died at his residence, 228 Sixth street, September 23, 1909. The latter was a member of Garfield post, G. A. R., and Portland lodge, A. F. & M. S. Surviving Mrs. Struble are her four sons, Walter Burr, Wallace Randolph, George Kuric and Joseph Holt, residents of this city; a brother, Henry T. Shipley of Williamsport, Pa.; one daughter, Mrs. Anna A. McMahon of Indianapolis, Ind.; Mrs. Matilda Davis of Oak Park, Ill., and Mrs. Laura Struble of Portland, Ore. She leaves six grandchildren, four granddaughters, one great grandson and eight great granddaughters.

The funeral services will take place from Holman's undertaking parlors on Thursday, July 15, at 2 p. m., and the interment will be in River-view cemetery.

**Man Is in Jail;  
Detectives on Trail**

**Steve Benson, Accused of Larceny by  
Bait, Arrested for Drunkenness by  
Motorcycle Officer.**  
When Motorcycle Officer Long, the new guardian of the peace at Linton, arrested Arthur Stephenson, tele Benson, Thorval Thompson and Shanning Samuelson last night near Whitwood court on the Linton road for being drunk, little did he know that he had arrested a man for whom the detectives had been searching several hours.

The detectives did not know it, either until this morning, when Steve Benson, a member of the party, was recognized while in jail as the man charged with larceny by bait. It is alleged that Benson, an employe of the White Star saloon, 90 Third street, was given \$50 to bring back in change yesterday, and he failed to return.

Following the morning, the men Long had to hire a rowboat to get his prisoners across the Willamette river, where they could be locked up in St. Johns jail pending their removal to Portland.

**Owners of Land  
Freed of Blame**

**Coroner's Jury Exonerates Company  
for Death of Aged Woman in Un-  
covered Well.**  
Mrs. Mary Jones, wife of C. L. Jones, who was drowned in an uncovered, abandoned well on Portland Heights, near Fifteenth and Spring streets, Friday, cannot hold her death, according to the verdict of a coroner's jury last night. Dorr E. Kenney & Co., owners of the property where the well is located, were exonerated from blame, although the jury recommended that the well be filled up or properly protected.

**Portland Boys Go  
To Lebanon Farm**

SIX Portland boys left Portland yesterday for the Big Brother farm near Lebanon, Or., where they will be guests of Chester A. Lyon. Heard to heart talks, mountain hikes and games will feature the outing which is intended primarily for dependent youths between the ages of 10 and 15. The farm will take care of 20 boys in the year. Each will be furnished a tent and all expenses will be paid by Mr. Lyon, aided by other charitably disposed persons.

**Jitney Case Is  
Under Advertisment**

Salem, Or., July 13.—The Portland jitney bus case, entitled A. A. Thielke et al vs. Mayor H. H. A. et al, for Portland, is now under advisement as being made to secure an injunction restraining the enforcement of the ordinance restraining Jitney buses, was argued today before the supreme court and taken under advisement. It was argued by counsel for the applicant for the injunction that the ordinance is unreasonable, discriminatory and void.

Dr. Ghendiev protested his innocence. Mrs. Anastasiew, arrested with him, is the wife of one of the men convicted and sentenced to death.

**Mayor Albee Urges  
Half Holiday That  
All May See Bell**

Mayor Albee urges all to see the Liberty Bell. He has issued the following: "It is a patriotic demonstration: Portland will be honored next Thursday by the presence of the Liberty Bell, one of the most highly prized possessions of the United States. An opportunity never before presented and one that will never again come to many thousands of Portland citizens, will be offered. No one should fail to see this bell, around which cling so many tales of the history of American liberty. Its trip from its home in Philadelphia has been one continuous, patriotic demonstration of people everywhere exhibiting the wonderful heart-bolt this relic has upon them. I sincerely trust that every one in Portland was ready to start for Philadelphia on the 11th of June, to see the bell, and to the end that this may be possible to all alike, it is urged that the occasion be regarded, insofar as is possible, as a half-holiday. H. R. ALBEE, Mayor of City of Portland."

**MRS. EMMA GOLUB IS  
ADJUDGED AS INSANE;  
FINDINGS ARE SIGNED**

**Proceedings Begun After Fe-  
male Socialist Leader Had  
Attacked Police Captain.**

County Judge Cleston this morning signed findings of Dr. William House that Mrs. Emma Golub, I. W. W. leader and Socialist candidate for various offices at recent city, county and state elections, is insane. Mrs. Golub will be taken to the asylum at Salem when attendants come for her.

Insanity proceedings were begun against Mrs. Golub after she had attacked Arthur Stephenson, tele Benson, Thorval Thompson and Shanning Samuelson last night near Whitwood court on the Linton road for being drunk, little did he know that he had arrested a man for whom the detectives had been searching several hours.

The detectives did not know it, either until this morning, when Steve Benson, a member of the party, was recognized while in jail as the man charged with larceny by bait. It is alleged that Benson, an employe of the White Star saloon, 90 Third street, was given \$50 to bring back in change yesterday, and he failed to return.

**Hotel Declared Disorderly**

That the Richelle hotel, Sixth and Couch streets, has been run as a disorderly house is the finding of an advisory jury in abatement proceedings in Circuit Judge Gatens' court this morning. The jury recommended that the owner, Mrs. Connelly, be placed under \$500 bond to keep the place orderly and that the present tenant, Louise Gantner, be allowed to retain custody of the premises. Judge Gatens said he will follow the advice of the jury.

**CHAMBER CONTENTS  
PORT CHARGES MUST  
BE STANDARDIZED**

Portland representatives were excluded from this hearing, but the union leaders within a few days will transfer their investigations to this port. It has long been known that the wages paid here for handling cargo are far in excess of those at any other Pacific port. Whether the solution of the problem will be in the raising of wages at other ports or the reduction of wages at this port remains to be worked out.

**Woman Sues for Divorce**

Helen L. Bihn this morning sued Oliver J. Bihn for divorce alleging cruelty.

**Diplomat Arrested  
With Beauty in Plot**

Sofia, July 13.—(U. P.)—The arrest of Dr. Ghendiev, former foreign minister of Bulgaria, and Elina Anastasiew, a beautiful society woman, on charges of conspiracy to assassinate Czar Alexander several months ago, created a sensation here today. They were taken into custody after two Bulgarians accused of plotting against the czar, had been held as a member of an alleged drug ring to evade the Harrison anti-narcotic law, was arrested by Detective Swenne and Maloney on a charge of forgery. It is charged that Robinson forged five checks totaling \$30.

**HELLIG'S ORCHESTRA  
OF THREE FAILS TO  
MAKE APPEARANCE**

**Musicians Refuse to Play  
With Less Than Five Men  
in the Pit.**

**ECHO OF OLD TROUBLE**

**Audience Is Introduced to Novelty of  
Undisturbed Conversation  
Between Acts.**

Only the calls of the candy boys interfered with the 'teen-act's buzz at the Hellig last night. The conversational chatter excited by the auditors' epigrams of George Bernard Shaw was totally uninterfered with by music. The orchestra pit was empty. In natural tones, without orchestral let or hindrance, whether or no it appealed to the audience, was made the most of the evening.

**Jesse James Not There**

Dallas, Texas, July 13.—(U. P.)—Jesse James, one of the leaders of the famous James boys' gang of Missouri, was in Texas in 1885, and could not have had anything to do with the \$200,000 treasure chest unearthed near Bedford, Iowa, which resulted in the four men being charged with murder, according to W. W. Bowen, here today.

**Chamberlain Starts  
On Trip Tomorrow**

Senator Chamberlain will leave tomorrow night for Wallawa county. He will go as far as Joseph, near Wallawa lake. Then he will go to Burns and spend some time in Harney county. His trip is for the purpose of getting into persons touch with all the interests of the state.

**Three Persons Are  
Hurt in Accidents**

Three people were injured in accidents yesterday afternoon and last night. None was seriously injured. While crossing East Eleventh street, between Stephens and Commercial streets, at 6 o'clock yesterday afternoon, Edward Smythe, 499 East Eleventh street, was struck by an automobile driven by C. P. Scott. He sustained a fracture of the head and bruise about the body. He was cared for at the Emergency hospital.

**Iowa Editors See  
Rose City Today**

Twenty-five Iowa editors, headed by E. E. Taylor of Traer, Iowa, are being entertained in Portland by the Chamber of Commerce and shown the beauties of Portland and its environs. They arrived early this morning on the routing of the private car "Oregon" and will start for Eugene tonight. Mr. Taylor formerly resided at Sutherlin, Or.

**On Trial for Crime  
Committed in 1868**

**Four Men Charged With Murdering  
Cattlemen and Son and Burning  
\$50,000 on Farm in Iowa.**  
Bedford, Iowa, July 13.—(U. P.)—The clans were gathered here today for one of the most unique trials in the history of American courts when four men must face charges of murder as the result of a crime committed in 1868. All are now old men. That a wealthy cattlemen and his son were killed and \$50,000 buried on a farm near here, became known only when suit was brought by Samuel Anderson, claimant of part of the treasure.

**PASTEUR TREATMENT  
BEING ADMINISTERED  
TO EIGHT PERSONS**

**Those Under Special Care  
Are Victims of Bites From  
Mad Dogs and Coyotes.**

**FOUR CHILDREN BITTEN**

Catline had been tied to a post, but Got Away and Attacked Children.  
Eight persons are today being administered the Pasteur treatment as a result of being bitten by mad dogs and coyotes within the past two weeks. In several instances the treatment today is the first that has been given these patients.

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**Laundrymen to  
Meet in Portland**

**National Convention to Be Held in  
Portland July 19 to 22; Big En-  
tertainment Planned.**

**MASONIC MEETINGS TONIGHT**

The following Masonic meetings in Portland are announced for tonight: Washington commandery, Knights Templar, East Burnside and Eighth; Hawthorne lodge No. 111, Masonic Temple; Follow Craft degree, spending communication; Imperial lodge No. 159, Masonic Temple, informal; Corinthian chapter, Order Eastern Star, Masonic Temple; Multnomah chapter, Order Eastern Star, Kenton; Sellwood chapter, Order Eastern Star, Sellwood.

**Fined for Speeding**


Charged with making 40 miles an hour on East Thirteenth street near Spokane avenue Sunday night, F. J. Carpenter, chauffeur for E. Cookins-lam, was fined \$10 by Municipal Judge Stevenson this morning.

**Successor to All**

The automobile is now successor to many modes of transportation. The big price reductions make it possible for one to own one. Turn to The Journal's automobile classified advertising columns and become reassured. (Adv.)

**Violation of Food Law Alleged**

William Richterich, a dairyman, charged with attempting to sell for food purposes the carcass of a cow that had died from "milk fever," will be tried before Municipal Judge Stevenson Thursday. Richterich was arrested by Market Inspector Malton yesterday, at First and Sheridan streets.

**"To our grand old Liberty Bell"**  
—BETTIE BUBBLES.  
  
NOTE THE HARMONY:  
**ve Liberty Bell**  
"First for Liberty"  
**Celso-Kola**  
"First for Thirst"  
—5c at all fountains  
**HERE'S a straight tip from Bettie Bubbles about the**  
**H** number of gallons that will flow thru the Never-Emptying Celso-Kola Bottle:  
**"At the rate of one gallon a minute (which is about the actual time it takes), 60 gallons would flow through each hour, or 18,000 gallons in 300 hours."**—BETTIE BUBBLES.  
See the handsome prizes and the flowing bottle in various downtown shop windows. You'll find estimate cards at all fountains. Get one, fill it in and leave at any fountain, and you have the same chance as anyone else to get one of the following handsome prizes donated by the progressive merchants named:  
\$25.00 Brass Bed..... Powers Furniture Co.  
\$25.00 Violin..... Graves Music Co.  
\$2.50 Muriel Cigars (100 Best Size)..... Hart Cigar Co.  
12.00 Ladies' Traveling Bag..... Hat and Fine  
12.00 Portland Trunk Mfg. Co. Hat and Fine  
12.00 Folding Camp Stove..... Western Hardware & Auto Supply Co.  
12.00 Hand Carved Meerschaum Pipe..... Celso-Kola Co.  
..... Sig. Siebel & Co. 2d St  
3.00 Pair Moccasins..... 2.50 Pair Moccasins  
12.00 Case of White Rock (100 Pints)..... Schumacher Fur Co., 232 Third St.  
10.00 Pair Gold Slippers (size to suit)..... 1.50 Box (20 Pkgs.) Scottinuts..... Scottinut Co.  
10.00 Silk Umbrella..... 1.50 Can Monte Cristo Coffee (3 Lbs.)  
12.00 Silk Umbrella..... Butterfield & Pettibone  
5.00 Silver Plated Fruit Compot..... F. J. C. Co.  
7.00 Case (24 Pks.) Non-Alcoholic Apple Juice..... Blumauer & Hoch  
5.00 Electric Rod and Reel..... Hudson Arms Co.  
5.00 El Grillovivo "Hot Point" Electric Cooker..... Stubb's Electric Co.  
5.00 German Character Doll..... Celso-Kola Co.  
3.75 Carton 50-50 Cigarettes (25 boxes)..... 50-Fifty Cigarette Co.  
2.50 Pair Moccasins..... 2.50 Pair Moccasins  
2.50 Baseball and Bat..... Schumacher Fur Co., 232 Third St.  
1.50 Can Monte Cristo Coffee (3 Lbs.)..... Scottinut Co.  
1.50 Can Monte Cristo Coffee (3 Lbs.)..... Scottinut Co.  
1.50 Can Monte Cristo Coffee (3 Lbs.)..... Scottinut Co.  
In bottles for family use at American Soda Works. East 264, C-2649, or at Celso-Kola Company, Main 211, A-2004.