

STATE TO MAKE TEST OF ROAD PATENTS OF WARREN COMPANY

Investigation Authorized by Highway Commission on Bitulithic Pavement Rights

WOULD AVOID ROYALTIES

Action Will Be Taken Before Laying Stretch of Mile and One-Half Roadway at Independence.

Salem, July 7.—An investigation into the validity of the patents held by the Warren Construction company on bitulithic pavement was authorized by the state highway commission Thursday.

Recommended by Lewis.

This move was taken on recommendation of Engineer Lewis, before undertaking the laying of a stretch of a mile and half of experimental paving at Independence, using three types of pavement, two of which might conflict with the Warren patents and render the state liable to payment of royalty or infringement proceedings unless it was determined beforehand that the patents will not hold good.

The board's decision to undertake the investigation was based on reports of the Seattle case, in which Warren Brothers enjoined that city, and on reports of other cases in which it is said bitulithic pavement has been laid without paying royalty to the Warren company.

Warren Not First.

The allegations in the Seattle answer to Warren Brothers' complaint were in substance that Frederick Warren, who was granted the basic patent in May, 1903, was not the first inventor, that the same mixture had been used more than two years previous to the granting of the patent, that the mixture had been previously patented by other parties, and that it had been described in detail in a large list of publications which are appended to the Seattle answer.

The document also names many cities in which the pavement is said to have been used previously.

Attorney General Brown declared it to be the biggest subject that had ever been passed up to him for an opinion.

Question Vital Now.

State Engineer Lewis said it was of vital importance to the road building plans of the state to have the matter settled as soon as possible, especially in view of the fact that the government now proposes to appropriate \$150,000,000 among the various states for road work of which Oregon will get \$1,221,750.

The experimental pavement which he proposes to lay at Independence will be a mile and a half long with a half mile each of bitulithic, asphaltic concrete, and of bitulithic with a half inch top of asphaltic concrete. Opinions will be asked from the attorney general on all three types.

Appeals for Families.

Assem. Or. July 7.—An appeal to all of the commercial bodies of the state to assist in the extension of the Oregon Patriotic league started for the purpose of assisting the families of enlisted men, has been sent out by Governor Withycombe.

In his letter the governor announces the appointment of an executive committee for the league, headed by A. L. Mills, president of the First National bank of Portland, as chairman.

With each letter a number of registry cards are sent, which the governor asks commercial organizations to distribute among fraternal and religious societies. Opinions will be asked from their ranks to represent them in the statewide organization.

Woman of 26 Elopes With Youth Only 16

Warrant Out Charging Mrs. Thelma Rodgers, San Jose, Cal., With Contribution to Delinquency of a Minor.

San Jose, Cal., July 7.—(I. N. S.)—Mrs. Thelma Rodgers, 26 years of age,

who eloped with Amador Bernal, a 16-year-old school boy, Tuesday, is being sought by Sheriff A. B. Langford. A warrant charging her with contributing to the delinquency of a minor was issued by Justice of the Peace F. E. Brown yesterday.

Mrs. Rodgers is believed to be in Monterey. She left her husband, Phillip Rodgers two weeks ago and on Tuesday telegraphed to young Bernal to meet her at the depot here. Since that time Mrs. Rodgers is supposed to have been in Monterey, where she had relatives.

Not Guilty Pleaded By Alleged Forgers

Judge McGinn Overrules Demurrer to Indictment Against Homer N. Ford and Elizabeth G. Frary.

Homer N. Ford and Elizabeth G. Frary, known as Mrs. Ford, who are under indictment for forgery, entered pleas of not guilty before Judge McGinn yesterday afternoon and the time for their trial was fixed for July 24.

Before they pleaded, Judge McGinn overruled a demurrer to the indictment. The demurrer was based on the grounds that the indictment does not conform to the statute and that the facts stated in it do not constitute a crime.

The indictment is based on allegations that the true wife of Ford is Mrs. Caroline Ford and that Elizabeth Frary signed her name as Mrs. Elizabeth Ford to a deed to certain property a forgery was committed. Ford repudiates his marriage to Mrs. Caroline Ford.

Says Wife Wants to Marry Another Man

Portland Dentist, Suing for Divorce, Alleges He Has Been the Victim of Cruelty by His "Better Half."

On the grounds that his wife has been cruel to him and that she has stated she wants to marry another man, Paul A. Trullinger, a dentist, filed suit yesterday afternoon for divorce from Louise M. Trullinger. They were married at Oregon City in 1909.

Other suits for divorce filed were as follows: Ava Louise Lee vs. John M. Lee, married in Montana in 1909, one child, daughter, Mattie Townsend vs. C. A. Townsend, married at Independence, Or. in 1903, one daughter, cruelty.

On the grounds of cruelty, divorce was granted to Hilda S. Ray from John Ray. They were married in Vancouver in 1912 and have one child.

Circuit Court in Session at Hood

Men Charged with Theft of Copper Wire and Man Alleged to Have Received It on Trial.

Hood River, Or., July 7.—Willis Lucas, John Miller, Frank Thompson, Richard Hayes and Frank LaMester are due for trial at the present circuit court session, of a charge of stealing large quantities of copper wire from the pole lines of the Western Union Telegraph company and the Pacific States Telegraph & Telephone company. LaMester was shot in the arm by the officers while trying to make his escape at the time of the theft. H. Gross, second hand dealer will be tried on a charge of receiving stolen goods in the purchase of the copper wire. Mr. Gross will be defended by Attorney A. F. Reed of Hood River, and John Logan of Portland. T. H. Lowery was indicted today by the grand jury on the charge of attempting to commit an assault upon Margaret Davenport, the 9-year-old daughter of Mr. and Mrs. Davenport, residents of the valley. Attorney J. H. Hazlett was appointed by the court to defend him.

Former San Diego Mayor Ordered Held

San Diego, July 7.—(U. P.)—One of the strangest court cases in local history came to light yesterday, when Sheriff Conkline wired Tacoma officers to arrest and hold William Carlson, former mayor of San Diego, who Wednesday sued the Maxwell Motor company for \$10,000 damages for the recent death of his son, William Carlson Jr., in an automobile race. Carlson is under indictment by the 1914 grand jury here, on a charge of obtaining money under false pretenses. He disappeared on the night of his indictment two years ago. As deputy sheriffs scoured the U. S. S. Buffalo Wednesday, expecting to find Carlson among

the refugees from the west coast of Mexico, word came from Tacoma that he had brought the million dollar suit there. Carlson was indicted following a grand jury probe of his real estate activities here. It is alleged he gave deeds to properties upon which his contracts had expired.

Youth Ends Life to Join Dead Mother

Little Jimmie Saint Dizier, 15 Years Old, Called Home to Death Bed of His "Pai"; Father Fighting in France

Los Angeles, July 7.—(P. N. S.)—Little Jimmie Saint Dizier, a 15-year-

old school boy, is dead here by his own hand and wish.

Jimmie was called home from Berkeley, where he was attending school, to his mother's sick bed. She passed away shortly after he arrived. The two were great pals, and little Jimmie was inconsolable.

"Mamma is dead. I don't want to live any more. I want to die with her," the boy sobbed.

He slipped from the room and swallowed poison, dying soon after.

Jimmie's father is "Somewhere in France," while the bodies of the two "pals" lie side by side, and who knows, the father may be with them at this very minute.

When writing or calling on advertisers, please mention The Journal.

Suit for Control of Union Oil Nears End

Evidence Concluded and Briefs Will Be Filed by Both Sides and Then Followed by Oral Arguments.

Los Angeles July 7.—(P. N. S.)—The suit for control of the Union Oil company, a \$50,000,000 corporation, between stockholders and the Lyman Stewart interests, is nearing a close.

W. L. Stewart, president of the company, J. R. Martin, John Earl Jardine, James Currie, E. W. Clark and A. C. Slater were on the stand yesterday and were questioned as to a number of

statements by John Garrigue, former treasurer of the company.

The evidence was then closed and attorneys on both sides will file briefs. After the court has had time to study the briefs, oral arguments will be heard.

Reduction of Ferry Rate Is Proposed

Hourly Service Between White Salmon, Wash., and Mocl River, Or., Is Asked in Petition to Commissioners.

White Salmon, Wash., July 7.—A petition is being circulated locally for presentation to the county commis-

sioners, asking for a reduction of rate on the ferry operating between White Salmon and Hood River on the Oregon side. Hourly service is proposed, with a charge of 50 cents for automobile and driver, or team and driver, and 10 cents for each passenger not to exceed \$1.00 for any one load.

It is argued that by inaugurating the hourly service the cost of operation can be materially reduced.

Crawford Case Postponed.

San Francisco, July 7.—(P. N. S.)—Another postponement was taken yesterday in the case of "Dr." Sherman Q. Crawford, pseudo-naval officer, whose marriage after an elopement to Margaret Abercrombie, society belle and sister of Baroness von Brincken, resulted in his being charged with bigamy.

Nickel Plate Road Sold in New York

Railroad Brings \$8,000,000, of Which \$6,000,000 Is Paid in Cash and Balance in 4 Per Cent Notes.

New York, July 7.—(U. P.)—Sale of the New York, Chicago & St. Louis, or "Nickel Plate," railroad for \$8,000,000 was announced by the New York Central yesterday. O. P. Van Swearingen and N. G. Van Swearingen, represented the purchasers.

Two million dollars of the purchase price was paid in cash and the remainder in 4 per cent notes of \$150,000 each.

Our Semi-Annual Furniture Sale Continues Tomorrow---Suites and Separate Pieces Reduced

LAST DAY FOR HOT POINT SPECIAL \$25 ALL STEEL VACUUM CLEANER AT \$19.50--BASEMENT

Meier & Frank Co. THE QUALITY STORE OF PORTLAND. Picnic Needs, Pathoscope Free! Children's Movie, Ice Cream Full Brick 39c, 50c-65c Veiling Yard, Only 19c.

Savings on Vacation and Every-Day Needs

Tickets for children's matinee at Oaks Park Wednesday, July 12th, 3:30 P. M., on sale Book Shop, Basement Balcony, 10c, inclusive of park admission.

T. F. Crowley Sample Neckwear Half! Every woman who wears dainty neckwear appreciates the originality and exclusiveness of Timothy F. Crowley neckties. Regularly 25c to \$22.50 Tomorrow 12 1/2c-\$11.25

FOR MEN! Tomorrow a sale of Summer needs for men that's a winner! Light-weight union suits, silk sox, ties, shirts and new Summer hats, all at savings it will pay you to take advantage of Saturday.

65c to \$1.00 Shell Combs and Barrettes Only 39c. A big cleanup of fine shell goods Saturday! Both amber and shell colors are included—the combs in pretty shapes with long, comfortable teeth in back combs and side combs that will stay in—the barrettes with safety clasps.

Girls' \$9.50-\$10.95 Smart COATS \$7.49. A special Saturday sale of fine coats! Sizes 6 to 14 years. Coats made of finest quality navy serge, heavy diagonal cord, velours, silk poplin, chevrot and novelties, in several smart, youthful styles. Saturday only \$7.49.

Fishing Tackle Reduced Supply Your Over-Sunday Needs Tomorrow! \$1.50 Bamboo Fishing Rods for \$1.15, \$2.50 Bamboo Fishing Rods for \$1.80, \$4.00 Bamboo Fishing Rods for \$3.00, \$7.00 Bamboo Fishing Rods for \$4.50, \$2.00 Steel Fishing Rods for \$1.35, \$1.25 Single-Action Reels for 80c, 60c Multiplying Reels 45c.

\$5 Hammocks \$3.89. Full length, closely woven hammocks, 84 inches long, with wide fringed valance, a splendid assortment of colors and patterns to select from. Strong, durable reinforced cords at each end.

Men! Tomorrow 3 Sales in 1! \$18.75. is the wonderfully reduced price we've put on three fine groups of men's up-to-the-minute suits to make this the greatest clothing event of every age, including lots of "Pinch Backs" for the young fellows. Good \$25 and \$30 Values. Three great lots as follows go at this sale price: LOT 1—A special purchase of Adler-Rochester \$25 and \$30 fancy suits. All new and desirable. Many tailored on advance Fall lines.

Iowa Corn 3 Cans 25c. Dozen 95c. Latest pack No. 2 cans. Eastern Hams, sugar-cured, well smoked, lb. 19 1/2c, Victor Coffee, roast or steel cut, 2 lbs. 55c; lb. 28c, Grape Fruit, selected California, 64-to-case size, each 5c, Royal Banquet Butter, made in our own creamery, fresh, per roll 65c, Boiled Ham, surplus fat removed, sliced, pound 35c, Frankfurters or Weiners, fresh, Sat., lb. 15c, Victor Bacon, selected 6 to 8-lb. strips, half strips, the pound 25 1/2c, Pastry Flour, Royal Banquet, No. 9 sacks 30c, Ripe Olives, California, No. 2 1/2 cans 25c, No. 1 cans for 15c, Smoked Shoulders, sugar-cured, medium weight, the pound 12 1/2c, Solid Tomatoes, Carnation, No. 2 1/2 cans, dozen 95c, 3 cans 25c.

Boys' to \$16.50 2-Pants Suits of Famous Make \$8.45. The Manufacturer Rushed to Us by Fast Express 403 Suits—His Surplus Stock. One restriction was placed upon us—the maker's name was not to be used for advertising purposes. But you'll recognize the brand by the correctness of the workmanship, the fit and goodness and style that are tailored into the garments. They are the standard of America in boys' clothes.

Union Painless. The Union Painless Dentists are incorporated under the laws of Oregon, and the company is responsible for the guarantee that goes with all the work that leaves their office. This affords the public absolute protection against inferior workmanship and materials. A complete set of teeth makes one look natural. It is astonishing how good teeth will change a person's appearance. Then, too, not only are good teeth essential to masticate food, but they aid in the proper articulation of words. Plates \$5.00. READ THESE PRICES: Porcelain Crowns \$3.50 to \$5, Gold Fillings \$1.00 to \$1.50, 22-K Gold Crowns \$3.50 to \$5, 22-K Gold Bridge \$3.50 to \$5, Extracting \$1.00 to \$2.00. A great number of people must have plates. Sickness, neglect or other causes have rendered their own teeth useless. In that case we can fix your teeth with a plate that will prove a blessing. It will look well and feel perfectly comfortable. It may be necessary to extract a few useless teeth or stumps. This we will do without causing you the slightest pain. When you have a few sound teeth we will build a bridge, without plates, that will match your natural teeth perfectly and prove just as serviceable. All our work shows skill and intelligence. Union Painless Dentists 231 1/2 Morrison, Corner Second—Entire Corner. LOOK FOR THE BIG UNION SIGN DR. WAINSTONE, M.D.