

July Clearance Sale

From July 6th to 31st, we will make it a special inducement for you to buy your shoes and Oxfords from us. On all broken lines of shoes and Oxfords we will make BIG REDUCTIONS, and you will save money by purchasing at this sale.

The best of shoes at bed-rock prices.

DINDINGER, WILSON & CO.

GOOD SHOES CHEAP. 'Phone Main 1131.

HE IS INCORRIGIBLE

YOUNG BOY ACCUSED OF STEALING A GOLD WATCH.

is a Saloon Loafer and Has Been in Minor Troubles Before—Was Apprehended With the Assistance of a Lady Friend—Defendant is in Jail—He Claims Ahat He Traded a Hobo Out of the Timepiece—Strong Circumstantial Evidence Against Him.

Roy Hutchinson was arrested last night on an information charging him with larceny from a dwelling, and lodged in the county jail. He is accused of stealing a gold watch belonging to Mrs. William Baker.

It is stated by the authorities that while the boy is the son of honest and highly respected people, he himself is a ne'er-do-well, and has spent the most of his time loafing around saloons. On several occasions he has been in trouble for petty offenses, but has been allowed to escape prosecution on account of his youth and out of regard for his parents.

A short time ago the watch was missed from Mrs. Baker's house under circumstances which pointed strongly toward Hutchinson as the thief. City Marshal Carney was asked to investigate the matter. He gave a young fellow named Bowman \$5 to assist him in ferreting out the author of the crime. Bowman had a conversation with a girl with whom Hutchinson has been keeping company, in which he divulged to her that Hutchinson rested under suspicion of the authorities.

The girl informed Hutchinson that he was suspected, whereupon he went to Carney with the watch and said he

had obtained it from a hobo. He declared he had given the tramp a cheap watch and a small amount of money for Mrs. Baker's timepiece. He was not then arrested on account of the objection of Mr. Baker, who asserted that he did not care to prosecute a young boy. Carney saw Mrs. Baker later on and told her that she should take action, as the boy is an incorrigible and has been allowed to escape punishment for a number of offenses.

Mrs. Baker then swore to an information laid by Deputy District Attorney Collier and Deputy Sheriff Davis placed Hutchinson under arrest last night.

Hutchinson was arraigned in the circuit court before Judge Ellis on the charge of larceny from a dwelling this morning, and entered a plea of not guilty. His bail was fixed at \$250. He was unable to secure bonds and was returned to the custody of the sheriff. His trial will take place at the next jury term.

WEATHER REPORT.

Past Week Has Been Very Warm and Very Moist.

Following is the weather report for the past week, furnished by Observer H. F. Johnson:

	Max.	Min.	Rain.
July 1	.87	62	.03
" 2	.81	62	
" 3	.89	58	2.00
" 4	.83	58	trace
" 5	.92	55	
" 6	.97	60	trace
" 7	.94	62	
" 8	.89	64	

SPECIAL POLICEMAN.

O. W. Coffman Went on Duty at Noon Today.

O. W. Coffman, appointed a special officer by City Marshal Carney yesterday evening, in accordance with action taken at the last meeting of the common council, went on duty at noon today. His shift will be from noon until midnight daily. Coffman will remain in the employ of the city during the next 60 or 90 days.

Operation for Appendicitis.

C. B. McKennon, of La Grande, was operated on for appendicitis at St. Anthony's hospital this morning by Dr. M. K. Hall, of La Grande, assisted by Dr. W. G. Cole.

Life Diploma to Miss Baum.

Miss Sadie Baum, one of the efficient teachers in the Pendleton public schools, this morning received a life diploma from the state of Oregon, of which she is justly proud.

Vote for King of the Carnival.

I vote for _____ to be king of the Eagles' Carnival, Pendleton, July 11-16. This coupon is good for five votes and must be voted at this office not later than 6 p. m., July 14. All candidates for king must be members of the local aerie of Eagles.

DECISION BY ELLIS

SUSTAINS POSITION OF THE DEFENDANTS.

Irrigation Districts Must Acquire Water Rights Either by Purchase, Lease or Condemnation Before They Can Assume to Control or Regulate Water—Opinion Rendered in Action Brought by Irrigation District to Restrain the Aggressions of Private Users of Water.

In an important and far-reaching opinion delivered from the bench in the circuit court this morning, Judge Ellis holds that an irrigation district must acquire by some legal procedure the vested rights which existed in individuals prior to the formation of the district. The decision was rendered in the suit of the Little Walla Walla Irrigation District against O. N. Preston and others, residents of the district. The district was represented by Attorneys Stillman & Pierce, while Halley & Lovell appeared as counsel for the defendants.

The parties to the suit had locked horns upon the question of the powers of the irrigation district to control the water in its territory. The attorneys for the plaintiff contended that when the organization was completed it carried with it power to control or regulate the water within its boundaries used for irrigation purposes, while the attorneys for the residents took the ground that before this could be done the district must acquire by legal process the vested rights which existed in individuals prior to its organization. The court holds with the defendants.

This question is touched upon both by the constitution of the United States and of the state of Oregon and by the settled precepts of the common law, to the effect that private property shall not be taken for public purposes without compensation or without due process of law, and in this case, while there is no attempt made to attack the irrigation district as an entity, the defendants claim that they have vested rights in the water which the district cannot in any manner interfere with until by some legal means they have acquired those rights and compensated the owners therefor.

Judge Ellis takes the view, which he holds is borne out by a long line of authorities, that property in water exists just the same as property in land, and that an irrigation district must acquire such property if it would control it. Therefore he concludes, the plaintiff must either purchase or lease the water rights of defendants or, if it cannot do this, go into the courts and let a jury pass upon the value of such rights in the same manner as a railroad company may condemn a right of way, or a city private property for street, park or other public purposes.

In this case some of the rights of the defendants and other citizens within the irrigation district are valuable and ancient, and, should the matter ever come before the courts under condemnation proceedings then the principles of law as laid down by the Oregon supreme court would apply; namely, that riparian owners have vested rights of which they cannot be divested, and that prior appropriators of water for beneficial purposes have rights superior to all subsequent appropriators.

TWO ARRESTS.

One Defendant Held, Another Discharged From Custody.

Joe Williams, an Indian, was arrested yesterday by United States Deputy Marshal Jacob Proebstel on a warrant issued by United States Commissioner John Halley, charging him with taking liquor on the reservation July 5. At the examination before the commissioner this morning Williams was held to answer before the federal grand jury at Portland.

The evidence showed that Williams was drunk and disorderly and was searched by Jack and Wacatse, Indian policemen, who found a bottle of alcohol on him.

Charles Geiss was arrested by Proebstel yesterday and charged with giving liquor to Frank Bonifer, a half-breed. Bonifer had a disagreement with Geiss after receiving the liquor, it is alleged, and told of the occurrence. Charles M. Robinson, the agency clerk, sent him to Commissioner Halley.

His story was then corroborated by Tilleguots, another Indian, who was with him at the time he claims to have been given the whiskey by Geiss. At the examination yesterday, however, Tilleguots denied all knowledge of the affair. As a result Geiss was acquitted for lack of evidence.

GRAY-HARTMAN.

Party Returns From Attending Wedding Ceremony at Astoria.

Judge G. A. Hartman returned to the city this morning from a trip to Portland and Astoria. He left Pendleton last Sunday morning with a party to attend the wedding of his son, G. A. Hartman, Jr., to Miss Mary Alice Gray, which took place at Astoria Wednesday afternoon at 3 o'clock. Those who attended the wedding from this city were Judge and Mrs. Hartman, Fred Hartman, Miss Jessie Hartman, Mrs. Lina Sturgis, Cressie Sturgis and Roy W. Ritner.

The ceremony was performed at the residence of the bride. Mr. Ritner officiated as groomsman. The newly wedded couple left for Newport, on Yaquina bay, shortly after the nuptials were celebrated, to spend a week's honeymoon.

A new-born babe was found in the brush near Eugene, Wednesday, where it had been deserted.

EAGLES' CARNIVAL MONDAY.

Dixie Carnival Company Comes From The Dalles Tomorrow.

The Dixie Carnival Company will arrive tomorrow from The Dalles, to open a week's carnival under the auspices of the Eagles on Monday morning. The company comes highly recommended and the week's amusement and enjoyment promises to be first-class in every respect.

The local aerie of Eagles has taken every precaution to protect the people from grafters and fakirs and the city will be presented with a clean, interesting show including some of the best novelties on the road.

The voting contest for king of the carnival is progressing nicely, there being plenty of "quiet enthusiasm" on the subject. Votes will be received until next Thursday evening, at which time the successful candidate will be crowned in style befitting the man and the occasion.

The Eagles feel highly elated over the prospects for the success of the carnival, and fully believe that Pendleton and surrounding towns will heartily patronize the event in order to assist the lodge in its building fund.

The proceeds of the carnival to the Eagles' lodge will be applied to the new Eagles' temple in this city, which will be erected in the near future. The Dixie company has received no bonus from any source to come to this city and will depend for its income upon its merits, which is a guarantee of its good faith and cleanliness.

PLEADED GUILTY.

Defendant's Alleged Pal is Out on Bonds at Athena.

G. C. White pleaded guilty in the circuit court before Judge Ellis this morning to a charge of cattle stealing. He will be sentenced next Monday. He stole three cows from Sol Lemery, two of them being sold to Walla Walla butchers. They were secured by Lemery before being slaughtered. J. W. Duffy, jointly accused with White, is now out on bonds and at his home in Athena.

Will La Roque and Ward Stevens, charged with horse stealing, were arraigned and entered pleas of not guilty. They will be tried at the October term of court.

James Smith, Deserter.

James Smith, who deserted the United States army service while serving as a member of Company B, 19th infantry, at Vancouver barracks, will be taken back tomorrow by City Marshal Carney. A wire was received this morning by the marshal from Col. Huston, the officer commanding at the post, saying that on the delivery of Smith at the barracks a reward of \$30 and necessary expenses would be paid.

Official Bonds Filled.

The official bonds of the following were filed with County Clerk Salling today: M. A. Ferguson, justice of the peace, Adams district; William Baker and T. A. Lieuallen, sureties; O. L. Baker, constable, Adams district; William Baker and August Arp sureties; L. S. Wood, justice of the peace, Weston district; G. W. Proebstel and M. M. Ransom, sureties.

An improved machine for sealing envelopes has been invented by a man in Topeka, Kansas. The machine, it is claimed, will seal from 8000 to 15,000 envelopes per hour of any ordinary bulk.



Are You Satisfied
with the coffee you are drinking? If not it is your own fault. You can buy **Golden Gate** High grade grocers sell it. 1 and 2 lb. aroma-tight tins. **J. A. FOLGER & CO.** San Francisco Importers of Fine Coffees

Have you a "boomerang"? Great sport for the boys; 25, 35 and 50c each.
Frederick Nolf & Co.
Bird cages, enameled and brass, 15 different styles, 79c to \$1.65.

Almost 200 patterns fancy cups and saucers, 10c to \$1.45 each.

Curtain stretchers, two styles, \$1.65 and \$2.95. Made of hard wood and moving pins.

NEW THEATRICAL TROUPE.

Organized by K. J. Taylor and Will Go on the Road.

Manager K. J. Taylor, of the Frazer theater, has booked an aggregation of histrionic talent and will go on the road with his troupe for two weeks. Two were booked from Spokane, a team from Portland, and seven others from various points, including local talent, making 11 persons in the company.

The troupe leaves here Monday and expects to make La Grande and Baker City during the time it is on the road. Returning in about two weeks, the company will play the Frazer for the summer season.

Golconda Meeting.

J. A. Howard, manager of the Golconda mine at Sumpter, arrived in the city yesterday on business connected with the mine. He had conferences this morning with Colonel J. H. Raley, Attorney T. G. Halley and John S. Beckwith, the official court reporter. A meeting of stockholders is billed for this afternoon or evening.

New spring shirts. The Boston.

Flemish Butter Jar

Nothing like them to your butter cool.

Removal Prices

See our window display

OWL TEA HOUSE

REMEMBER

THIS IS THE TIME OF YEAR WHEN WE ARE

MORE THAN GENEROUS

THE END OF THE SPRING SEASON AND MID-SUMMER FINDS US WITH A NUMBER OF BARGAINS ON HAND. THESE WILL BE MADE EVEN MORE ATTRACTIVE BY FURTHER PRICE REDUCTIONS. YOU WILL FIND THEM IN EVERY DEPARTMENT.

The Boston Store Shoes and Clothing

GREAT SAVING

Men's and Boys' Clothing at Slashed Prices

- \$12.50 Men's Suits
- \$15.00 Men's Suits
- \$17.50 Men's Suits
- \$20.00 Men's Suits

This same rate of reduction applies to all other priced clothing.

BOYS' CLOTHING

We will give a special discount upon all boys' clothing.

Straw Hats at Half Price

BAER & DALEY

Oregon State Normal School, Monmouth

Begins its twenty-third year September 20, 1904. Four terms each school year, affording equal opportunities for beginning a course in September, November, February and April.

THE BEST TRAINING FOR TEACHERS is the Normal course, with its assurance of good positions at good wages. Write for new catalogue containing full information concerning courses of study, training in actual teaching afforded under conditions in town and country schools, and full details about advanced course of study with the additional advantages attached. Address Secretary J. B. V. Butler, or President E. D. Rescher, Monmouth, Oregon.

A Bank Account Drawing Interest

WE RECEIVE DEPOSITS FOR ANY SUM FROM ONE DOLLAR UPWARDS. A PASS-BOOK WILL BE GIVEN YOU WHEN YOU MAKE THE FIRST DEPOSIT. YOU THEN HAVE A BANK ACCOUNT WHICH DRAWS INTEREST. YOU CAN ADD TO THIS ACCOUNT AT YOUR PLEASURE.

Commercial National Bank OF PENDLETON