ILY CAPITAL JOURNAL.

DEATH CLAIMS A NOBLE MAN

Referendum Wins--Must Be Submitted to People

WALDO

RIED TOMORROW

Skk at Lake Pamelia He Is larded Out On a Stretcher by W Home Where He Was Born

hire Waldo is dead. Such is the brought here yesterday afterand as the news spread un the city there were universal ments from his bedside had anter encouraging. He passed g at about 5 o'clock last even-I Ms home in the Waldo Hills. with. He was camped at the mg fe'lows having deterfalrip from the camp, Judge mompanying them. Mr. wanted to exercise and at ridge. In the morning big complained of feeling badbe young men, told them he wit at the camp for them. to grass, found the in the trail about not a mile from camp, and aclied him back. Monday he were, and Mr. Downing told h would have to be taken out

hige said he could not ride, nor this expected. K. A. J. Montgomery, of Portand R. A. McFadden, of Salem. ter camped at the lake, voluntherfully to assist, and shortsin \$ o'clock Tuesday morning the men started for Detroit, cara he judge in a stretcher. Althe selecting intensely he bore his heroically and uncomplain-The party plodded steadily 4 the trail until 2 o'clock Wednoming, when darkness comthen to wait the breaking of They reached Detroit at 8 Mr. Esterly had been sent on horseback to Macleay, to Mrs. Waldo, and she arrived es and took her husband to ans. The rest of the story is to the simple words-Judge

be funeral services will be held de Grange hall at Macleay tomor-Wednesday, morning at 10 A Ret. P. S. Knight officiating, he body will be laid to rest in the Fellows' cametery here at 1

Breekearidge Waldo was the of the late Daniel Waldo, and er es his father's donation is the Waldo Hills, Oc-6. 1844. He graduated from Carrenty in 1863, and d to the har in 1870. In is the siscond to the supreme

and berief any years, retiring a lift he married at Portland 51 %

Miss Clara Humason, of The Dalles, and she with their daughter, Edith H.,, a sister Mrs. Mary P. Logan, of Seattle, and a brother, William Waldo, of this city, survive him,

No hurriedly written tribute to

Judge Waldo can convey the measure IS DEAD passed amid the simple scenes of pioneer days. He grew up in touch of the man. His earlier days were with nature, and he grew great and strong and firm; a man such as nature's teachings molds. To him the mountains with their purpling canyons and glittering snow peaks were a book to which there was no end. The beauty of the hills was a sermon, the whispering trees a prayer, the mountain streams songs of gladness and hymns of peace. The forest was finds and Passed Away in the his temple, and there he worshipped. He was of a retiring disposition, almost to shyness, but once known, he was a most delightful companion. An omnivorous reader, a close observer, and, with a remarkable memory, there was a charm about his conversation, an attractive gentleness in his personality that are indescribable, but once experienced can never be forgotten. He took a keen interest in farming, and was a leader in Grange work. It seems peculiarly fitting that his death should come at the old homestead among the hills he loved, and that the last tribute of affection should be tendered by the simple, sturdy farmer folk he loved so well, in the little Grange hall near his home.

Ex-Justice Lord, with whom Judge Waldo was associated on the supreme bench for six years, was much moved on learning of his death, and alampany with George Down- praise and warmest friendship. "He was a man of splendid legal attainments, a fine practical lawyer, an indefatigable student, and possessed scend Mt. Jefferson, start- a remarkably fine judicial mind. He seemed to possess the faculty of penetrating into the motives of men, of weighing, balancing and sorting the tas his not making the atthe judge was determined, variably reaching a right conclusion. I think," said Judge Lord, "he the bis lungs, and started on had the loftiest ideas of duty and The party made timber line | the highest conception, especially of and official duty, of any man I ever met. He was as strong in his political beliefs as in other things, but was a at the describing the route judge impartial, conscientious, upright, unbiased and generally beloved by every member of the bar that came in contact with him. His the home camp. Mr. Downing death I feel as a personal loss-and then, who were moving the indeed the state has lost a loyal citijudge zen, and one who served her honestthree- ily and well."

MURDER HELPLESS HEBREWS

Odessa, Sept. 3 .- Slaying and wounding defenseless Jews continued today. In the Ghetto Hebrews were hunted down everywhere, and shots were heard continually, as the police had given the Jew-baiters free rein. Mobs marched the street, firing at random at windows and doors, and a reign of t rror prevails. Rumors are in curcilation that the soldiers are to be turned loose to complete the work of decimating the Jews begun by the black hundreds.

WRECK ON **GANADIAN**

Orangeville, Ont., Sept. 3 .- A Canadian Pacific train, carrying over 300 passengers, bound for the Tor- burn of New York, Greer, Minot and onto Exhibition, was wrecked at Miller of Beaumont, Tex.; Mackenzle Horseshoe Falls, nine miles south and Weadock of Lima, O., W. J. Mcof here. Six were killed and over Kie of Corsicana, Tex.; and Henry Pleasant Porter, chief of the Creek 250 hurt.

Chicago Markets. Chicago, Sept. 3 .- Wheat 97 % @ 99%, corn 59% @60, oats 50% @

DISSOLVE **STANDARD**

GREAT TRUST CASE

Rockefeller, Rogers, Payne, Flagler and Other Millionaires and Seventy Corporations Charged With Constituting a Monopoly In Restraint of Trade

New York, Sept. 3 .- Taking of testimony and the examination of witnesses in the government's suit against the Standard Oil company commenced before Special Master Franklin Ferriss, of St. Louis, at 10 o'clock this morning in room 43 of the general postoffice building. Legal authorities agree that the case, which involves the dissolution of the Standard Oil company, is the most important in the history of trust litigation.

The suit was instigated by direction of Attorney General Bonaparte against John D. Rockefeller, William Rockefeller, Henry H. Rogers, Henry spoke of him in terms of the highest M. Pratt, Oliver H. Payne, the Stand-M. Flagler, John D. Archbold, Chas. ard Oil company of New Jersey and 70 other corporations and copartnerships, charged with having violated the Sherman anti-trust law. The government alleges that the defendants constitute a gigantic monopoly in restraint of trade and seeks to dissolve the alleged unlawful combination.

Former Judge Franklin Ferriss, who is sitting as special master to hear evidence in the case, is one of the leading members of the St. Louis bar and was general counsel for the Louisiana Purchase exposition. His appointment met with the approval of counsel for both sides, his decisions while on the Missouri state circuit bench having won for him an enviable reputation for justness, fairness and legal acumen.

When asked as to how long the hearing would probably last and as to in what cities it would be held, Judge Ferriss refused to venture an opinion, merely stating that testimony would be taken in various cities through the country. New York as the place of holding the initial hearing was agreed upon by lawyers representing the opposing interests in the suit. Several leading officials of the Standard Oil company, including possible John D. Rockefeller, will be called upon to testify.

F. B. Kellog, of St. Paul, who has been acting for the government as special attorney in both the Standment and the right hand man of At- were reversed. torney General Bonaparte. He is

of St. Paul. Judge H. S. Priest and George W. warning clause was omitted. F. Elliott Martin and John G. Mil- rejection.

WHAT YOU ASK FOR.

Denver, Colo.

Lewiston, Idaho, Visited by Peculiar

Lewiston, Idaho, Sept. 1 .- Like the mythical city in the fairy story, which was visited by showers of strange horned toads, Lewiston was visited by a rain of small toads during the recent storm. Before the storm not a toad was to be found, but after the rain ceased the walks were covered with the tiny the business streets and up the hill in the residential sections they hopped around.

were so covered by them that it was impossible to walk without treading upon the little animals and rather than attempt to dodge them many persons remained indoors. Attempts to sweep them from the sidewalks were dismal failures, for as fast as they were swept into the Day gave to the world a new welterstreet they would hop back, appar- weight champion, and supplied one ently preferring the smooth, wet sur- of the greatest fights in the ring anface of the concrete.

er they went is a mystery, but many der Marquis of Queensberry rules, at theories are offered as to their ar- Coffroth's Mission street arena yesrival. It is generaly accepted that terday afternoon, Young Ketchel, of they were swept from the plateau Butte, Mont., knocked out Champion north of the city by the high winds Joe Thomas, of San Francisco, in the and carried until the rain fell, when presence of 8000 people. Not until they were dashed to the ground, the champion had gone to the floor, Color is given to this theory for four times in quick succession did many of the toads were soon dead his seconds throw up the sponge. upon the streets. The toads disap- Thomas was so badly punished that peared after the rain as mysteriously he had to be carried to his corner, as they came, and 48 hours later and it was several minutes before he not one could be found.

The theory of their having rained | hatchery, who says he has witnessed similar occurences, where minnows were carried in the clouds for miles.

LOWER COURT REVERSED

Supreme Court Says All Their Refer endum Bills Must Be Submitted

The supreme court today reversed all three of the referendum cases that came before it, and in consequence all the matters petitioned for will go before the people to be voted

The suit of R. L. Stephens, sheriff of Multnomah county, was an injunetion restraining the secretary from placing the matter concerning sheriffs, regulating their fees and regard ing the boarding of prisoners. The injunction was allowed in the lower

The case of John F. Logan to prevent the secretary submitting the ard Oil and Harriman investigations, anti-pass bill, injunction, also won in is the chief counsel for the govern- the lower court. Both these cases

The case in which the most interassited by Assistant Attorney General est was taken was the University of Milton D. Purdy, United States Dis-Oregon bill, granting the University trict Attorney Harry W. Blodgett of \$250,000, \$125,000 yearly. This St. Louis, Special Counsel C. B. Mor- the secretary refused to file, and rison of Chicago and C. A. Severance mandamus proceedings were brought The judge in the lower court held A notable array of legal talent has the petitions defective, because they been employed by the Standard Oil did not contain the title of the bill company and other defendants to The supreme court held this re represent their interests in this and quirement was only an aid or guide, future hearings of the case. Among and was not mandatory. In the first those who have been retained by the two cases the injunctions were "oil trust" are John D. Johnson, ex- brought on the grounds that the Winstead of St. Louis, J. G. John- these cases were reversed, and will son of Philadelphia, W. I. Lewis, M. go to the people for ratification or

Creek Chief Dead.

Vinita, I. T., Sept. 3 .- General T. Rogers, D. B. Ellis, Horace N. Indians, and candidate for United Hawkins and Lucius M. Cuthbert of States senator, when the new state is formed, aged 66 years, died here this morning, following a stroke of AVOID. . SUBSTITUTES - GET paralysis. Mety Tiger will succeed Porter as the Creek chief.

GREAT

amphibians. All over the city, on KETCHEL ISAWINNER

Refereed

San Francisco, Sept. 3 .- Labor nais of California. In the 32d round Where they came from and whith- of a scheduled 45-round contest, unopened his eyes and asked dazedly: "What is the matter?"

"It was the greatest fight I ever refereed. After the 16th round it was either man's victory who had the winning punch."

Though the bulk of the money and 90 per cent of the rooting were for the native son, both before and during the fight, when it was over winners and losers alike joined in three thunderous cheers for the fallen idol, than he. "The best man won" was

Boxer Against Fighter. It was the superior boxer against

him came back.

the superior fighter, with no advantage of gameness on either side. Ketchel showed the greater endurance-a quality that stood him in good stead and enabled him to win from so clever a man as his rival In two rounds oth r than the deciding one, the crowd was lifted to its feet by knockdowns. In the 16th Ketchel landed a right and a left swing on the body and the jaw that stretched Thomas flat on his back near the center of the ring, and it looked as though everything was over. But stead of pecking away and clinching. the fight might have ended then and

Ketchel Almost Counted Out.

In the 27th a right cross to the took Ketchel off his feet and sat him down with a bump. Here he displayed his wonderful coolness, With thousands of people splitting their throats for Thomas, Ketchel deliberately drew his knees up to his chin, clasped his hands around his shins and looked the referee squarely in the eye, while that official, Harting, the timekeeper, being unable to him and went through the panto- riot, died this morning. mime of counting. At the -call of "nine" he was up and backing away best to cover up at the ropes when FOR. the gong saved him.

Thomas had the best of the next round; the 29th was no man's the 30th was conceded to the Californian, and in the 31st it was a tossup for honors.

Downed Under Rain of Blows. For the last half dozen rounds COOK. CONSULTATION FREE.

Thomas showed signs of returning strength and answered to the calls. of his seconds to "buck up and box" so that the suddenness with which the end came in the 32d took many by surprise, even those who realized that the Californian was up against a man who, for a figure of speech, would be dangerous on one knee. They fiddled about, clinching and breaking away. Thomas taking a left on the jaw that staggered him backward, Ketchel, seeing his chance, rushed in and drove him to the ropes, where Joe tottered to the floor from a vicious left in the stomach, followed by a terrific right cross on the jaw-Ketchel's favorite-Sidewalks in the business district Joe Thomas Knocked Out But Is Given and now famous blow. He took all An Ovation By the Crowd-Roche the count the rules allowed, and when he got up it was plain that the Says the Greatest Fight He Ever end was at hand. He was no longer able to protect his face or body, and three times went down under a rain of right and left swings, the last of which put him out so effectually that the seconds mercifully tossed

MAY NOT 60 FREE

up the sponge,

Chicago, Sept. 3 .- Immunity may not be granted to the Alton, as the wishes of the attorney-general and the department of justice do not coincide with the desires of Judge Landis, who today ordered the grand down upon the city is upheld by the Billy Roche, referee, summed it up September 24th, pending the presenjury to take a recess until 10 a. m. tation of certain additional facts to the department. In asking for postponement Sims said: "In compliance with suggestions of the court the time to present the grand jury convened with the facts and circumstances submitted to the department, and I had expected to be able to report to the court this morning its views and finding thereon. Recently, however, a situation has arisen for no man ever put up a gamer fight which, in my judgment, makes it highly desirable that I have time to his frank acknowledgement when the submit to the department certain breath that had been pounded out of facts and circumstances, in addition to those already submitted, and for these reasons I request that further action be postponed for three or four weeks." The request was grant-

Standard Trial Postponed.

New York, Sept. 3 .- The hearing scheduled for today in the inquiry designed to revoke the Standard's charter in New Jersey, was postponed until Thursday.

Counsel for the Standard made the request for delay before Referee Ferris at St. Louis. This suit is probably the most important ever prosecuted in the United States, The the Californian was on his feet at specific charge is that the Standard the count of "four." and succeeded in of New Jersey and its subsidiary comkeeping away until the gong gave panies "entered into a conspiracy to him a vital respite. He came up monopolize and restrain commerce 13 groggy for the 17th and, had the petroleum and its products in viola-Butte boy pressed his advantage, in- tion of the Sherman anti-trust law." -0

More Graft Revelations.

Harrisburg, Pa., Sept. 3.-Revelations even more astounding than those already made in regard to the jaw as they came out of a clinch state capitol graft are expected when James M. Shumaker, former superintendent of public buildings and grounds, is placed on the stand to testify at the trial this month. Shumaker declares he will make a clean breast of the affair and will implicate many "men higher up."

Died From Injuries.

San Francisco, Sept. 3 .- John make himself heard, stooped over Peterson, who was shot in the car

REFUSE SUBSTITUTES OR IMIfrom a rush. He was doing his dizzy TATIONS-GET WHAT YOU ASK

BOTANICAL DOCTOR. MOVED TO 840 LIBERTY STREET FOR ANY DISEASE CALL ON DR.