FOUR ARE REVERSED

Oregon Supreme Court Passes on Five Appeals.

GRANT CASE IS AFFIRMED

All the Suits Considered Were From Countles in the Eastern Part of the State and Involved No Public Questions,

SALEM, Or., Dec. 11 .- (Special.)-The Supreme Court today handed down decisions in five appealed cases, in four of which the lower courts are re-None of the cases involve questions of public importance. The cases decided are:

8. S. Boothe, appellant, vs. J. W. Scriben, respondent, from Union County, Robert Eakin, Judge, reversed and new trial ordered; opin-ion by Chief Justice Bean.

This was a suit to recover \$6046.76 alleged to be due from defendant on account of a long series of transactions between plaintiff and Scriber and the Farmers' and Traders' National Bank, of La Grande, of which Scriber was cashier. The defense alleged that Boothe had been paid \$476.90 more than was due nim, and asked judgment for this sum.

The trial resulted in a verdict for defendant for \$463 and on appeal a new trial is ordered because of various errors in the admission of testimony and the giving of instructions.

First National Bank of Payette, Idaho, respondent, vs. William Miller, appellant, from Malbeur County, George E. Davis, Judge, re-versed and new trial ordered; opinion by Jus-

had and received and the judgment in favor of plaintiff was reversed because of errors in the admission of testi-

Finlay Merrison, respondent, vs. Floyd L. efficer, appellant, from Grant County, George Davis, Judge, reversed and diaminsed. This was a suit to enjoin the deof water flowing from a spring located on defendant's land. The Supreme Court holds that since the water from this spring did not flow in a channe the plaintiff could have no claim to it as a riparian proprietor and that un-der the statutes of this state defend-ant could divert it as he saw fit. The suit is therefore dismissed.

S. S. Williams and I. S. Goodwin, respondvs. First National Bank of Ontario, et al., appellants, from Grant County, George E. Judge, affirmed; opinion by Justice

This was an action to recover pos-session of 2316 sheep mortgaged to plaintiffs by L. S. Wickersham, the owner, who afterwards mortgaged them to the defendant bank, which claims a right to their possession un-der its morigage. Prior to the time the defendant bank took its mortgage the plaintiffs had left their note with the bank for collection, at the same time informing the cashler that they a mortgage on Wickersham's

The Supreme Court holds that this was notice to the bank of the prior mortgage and the bank's was not a mortgage in good faith. The judgment in favor of plaintiffs is therefore

M. M. Harvey, appellant, vs. Victor Lidvall, respondent, from Umatilia County, W. R. El-lis, Judge, reversed and new trial ordered; opinion by Chief Justice Bean.

This was an action for damages for conversion of certain grain alleged to have been owned by and in the pos-session of plaintiff. Because of an error in description in the mortgage error in description in the mortgage under which plaintiff claimed title as special owner the case was non-suited, but on appeal this was reversed behalf of the suite of the cause plaintiff offered to prove that she had taken possession under the mortgage before the conversion took place, which possession was sufficient

to make out a prima facle case. Jus-tice Hailey took no part in the de-

DEAD OF THE NORTHWEST.

· H. V. Howard.

WILBUR, Wash., Dec. 11.—(Special.)— H. V. Howard died at his home here De-cember 6. Mrs. Howard is a daughter of the late Rev. William Joly, of Hillsboro,

Ordered to Remove Bridge.

LOS ANGELES, Cal., Dec. II.—The San Pedro, Los Angeles & Salt Lake Railroad was officially notified by the War Depart-ment at Washington today that the com-pany must remove its bridge at the mouth of the San Gabriel River, near Long Beach, which, it is contended, is restrict-ing navigation. The bridge extends from the main line at this point to the termi-

The Los Angeles Lock & Terminal Com-pany, which is building an inner harbor at Long Beach, has been attempting through the courts to force the railroad company to remove its bridge. The com-pany is given nine months to remove the bridge entirely or replace it with one or two patterns of drawbridges.

Tillamook Forger Captured.

TILLAMOOK, Or., Dec. 11.—(Special.)—Within an hour and a half after he had been notified Sheriff Crenshaw arrested L. J. Arstell, a young man, on the charge of eashing a forged check for \$35. Arstell had been employed as a night watchman in a sawmill and secured the money on the bad paper at Bexby's store at Beaver. He attempted to escape by the North Yamhili stage, but the Sheriff and his deputy on horseback overhauled the coach two miles out of town and secured

A purse left in the stage coach by Arstell contained \$63.89 in money and 15 forged checks.

Suicide of Delirious Italian.

STOCKTON, Cwi., Dec. II.—Delirious with pain brought about by pneumonia, Dave Sanguinetti, aged 22 years, slashed open his abdomen today at an Italian hotel, using a razor. To his brother, who entered the room a few minutes later, he declared he had cut himself to get rid of the pain. He was completely disem-bowled and died shortly afterward. There were two cuts about a foot in length, crossing each other. He was well con-nected in the Italian colony.

Steelhead Season Opens.

HOQUIAM, Wash., Dec. 11.-(Special.) The fishing season for steelhead salmon opens Saturday, and local fishermen are preparing for a good season. Many salmor caught dally in the Quiniault River by the Indians and shipped to this

CARMEN'S CASE IS CLOSED

Argument Made in Favor of an Eight-Hour Day.

SAN FRANCISCO, Dec. 11.-The case of the streetcar men against the United Rali-roads was closed at today's session of the arbitration commissioners. Dr. A. R. Keenan testified that the work of the men is nerve-racking and the cause of numer

Richard Cornelius, president of the Carmen's Union, made an argument in favor of an eight-hour shift, and Secretary Bowling, of the union, gave figures show-ing that the wages of all other classes of laboring men in the city had been increased since the great fire,

Attorney Johnson, in conclusion, offered a evidence extracts from the speech of V. J. Bryan at Detroit and the utterances of President Roosevelt in support of an eight-hour day. He also produced the re-ports of the Rallroad Commission of New South Wales for the years 1992 and 1994, showing that the eight-hour day was feasible. Attorney Moore, for the railroad company, then began the cross-examination of witnesses

Locked Bank Clerks in Vault.

GREAT BEND, Kan., Dec. 11.-Jo-seph S. Kearns, the former Chicago dry goods clerk and newspaper man, who was captured here last Saturday night after robbing a Great Bend bank in broad daylight, confessed today to hav-ing robbed the Midland National Bank bank vault and escaped with \$1800.

Brush Leads Opposition in National League.

FOR CHANGE OF PRESIDENT

League Indorses Pulliam's Stern Dis cipline for Rowdles on Diamond. Most Prosperous Year of the National Game.

NEW YORK, Dec. 11.-The National League of Baseball Clubs began its annual meeting at the Victoria Hotel to-day. President Harry C. Pulliam is a candidate for re-election, but is being strongly opposed by rival interests headed by John T. Brush, of the New York Club, and Garry Herrmann, of Cincinnati.

incinnati.

Mr. Pulliam read his annual report
and declared that financially the last and declared that financially the last year was the best that the National

League had ever had.

A resolution offered by Charles H.
Ebbetts, of Brooklyn, was unanimously
adopted, commending Mr. Pulliam "for
his untiring efforts in enforcing proper
discipline upon the National League
hallfields during the year 1806." ballfields during the year 1906."

CANNOT MAKE UP LOST LAP

Walthour and Bedell's Desperate

Sprint in Bievele Race. NEW YORK, Dec. 11 .- Thousands of persons were again drawn to Madison-Square Garden today and tonight to witness the six-day bicycle race which began at midnight Sunday night. The most interesting features of the day's grind were the attempts on the part of Walthour, of Atlanta, Ga., and his teammate, Bedell, of Long Island, to make up the deficit of one lap which they incurred yesterday when they doubled up as a team. Each time they falled to make a gain.

Walthour came very near fooling the field late tonight, when he gained al-most a lap after a desperate sprint, but, unfortunately, there was a spill and, although he was not in it, under the rules he was not allowed the advantage he had gained.

NEW YORK, Dec. 12.-(2 A. M.)-Score: Twelve teams, 936 mlles, 6 laps. Walthour and Bedell, 936 miles 5 laps; record for 50 bours, 1002 miles 2 laps.

FAST GAME OF HANDBALL

James Defeats Moore at the Multnomah Club.

The fastest game of handball in the The fastest game of nandball in the singles since the opening of the tournament was played last night at Mulinomah Club, James, who holds the championship of the Pacific Coast in the hard ball game, defeating Moore, another star The final score stood: 12-21

Another fast contest was played be tween Dunne and Cleland, the final score being: 21-8, 21-15. Dunne is one of the best players in the club and holds the McMillan and Van Voorbies, two old

gridiron warriors, will play the first game in tonight's series, and will commence at 8 o'clock. In the second contest Irwin will be pitted against Banks.

EIGHT GAMES ARE PLAYED

Lively Contests Between Fourth-Class Billiardists at M. A. A. C.

tournament were played at Multnomah Club last night. Some of the contests were close and interesting. A gold medal will be presented to the player losing the fewest games. Five of the eight games were between fourth-class players, for 50 points each. Players and scores were

rigan defeated Baker, 50-44; Rogers won from Kerrigan, 50-49; Ross defeated Rog-ers, 50-39. Two second-class games of 75 points were played as follows, Mor-gan won from Gilliland, 75-74; Gilliland defeated Seckhelmer, 75-55.

The game between Morgan and Gilli-land was the closest of the evening, Gilliland lacked but one point when Morgan finished his 75 points.

There was but one contest between the

first-raters and this was a handicap. William B. Streeter playing Gritzmacher to 100. Gritzmacher finished his string of 85 when Streeter had but 91. The tournament will be resumed to-night, when some of the club's best players will contest.

PRENDERGRASS IS CHOSEN

Oregon Agricultural College Team Elects Captain for Next Year.

CORVALLIS, Or., Dec. 11 .- (Special.)-Frank Prendergrass was elected this afternoon captain of next season's football team.

Chicago Will Play Scattle,

CHICAGO, Dec. 11.-It was definitely decided today that the football eleven of the North Division High School is the champion organization of the preparatory schools of this county, and will go to Se. attle, Wash., and play the eleven of Seat-The game will be played New Year's

THE DAY'S HORSE RACES.

At New Orleans.

NEW ORLEANS, Dec. 11.-City Park Five and a Doubt second, Captain Hale third; time. 1:09 3-5.

Seven furlongs—Harry Scott won, Jack Dolan second, Charlie Eastman third; time, 1:28 2-5. Mile and an eighth-Harmakle won, Padre Mile and an eighth-Harmakle won, Padre second, Scalplock third; time, 1:55.3-5.

Six furlongs, selling-Rickey won, Pavorita second, Goldfe third; time 1:15.3-5.

Five furlongs-Colloquy won, Bonart second, Voting third; time, 1:01.3-5.

Six furlongs-Rebo won, Toboggan second, Airship third; time, 1:13.3-5.

At San Francisco.

SAN FRANCISCO, Dec. 11.-Today's Five furlongs-Frascuelo

Seeker second, Hazleine third; time, 1:02%.

Mile and 50 yards, selling—Bill Curlis won,
Gentle Harry second, Mountebank third; time,
1:40. Five furlongs, selling-Kirkfield He Belle con, Montalban second, Nappa third; time,

on, Montaiona 62%, Mile and a sixteenth, bandicap- J. E. Dona-ius won, Gorgalette second, Piquett third; time, 1:51%. Futurity course, selling—Mazapan wo Bauble second, Hirtle third; time 1.11½, Futurity course, selling—Sale won, Retro; W. second, Perry Wicks third; time, 1:12½.

At Emeryville.

SAN FRANCISCO, Dec. 11.-Results at

Six furlongs, selling-Korosliany won, Pasodella second, Busthorpe third; time, 1:16 2-5.

Five and a half furlongs, selling.—Plausible won, Silver Line second, Galvestonia third; time, 1:08 3-5.

Six and a half furlongs, selling—Mediatakla won, El Chihuahua second, Pachua third; time, 1:221-5. Six furlongs, selling—Comilfo won, Lord Nelson second, Iron Watson third; time,

Mile and 50 yards, selling—Avonalis won, Governor Davis second, Lazeli third; time, 1:471-5. Selling, mile—Prestige won, Orchan second, Inflammable third; time, 1:43 1-5.

MAY ESCAPE WITH A FINE

Woman Who Slew Traducer Convicted of Manslaughter.

HAZELHURST, Miss., Dec. 11 .- Mrs. Angle Birdsong was today found guilty of manslaughter for killing Dr. Thomas Butler, and was recommended by the jurors to the mercy of the court.

Mrs. Birdsong was not compelled to main in jail, but spent the night under surveillance at a hotel.

The court did not pass sentence today. The minimum penalty for manslaughter

in this state is a fine of \$500.

Mrs. Birdsong, 22 years of age and a member of a leading Mississippi family, in November, 1905, shot and killed Dr. Thomas Butler, also prominently related. She alleged that he had sonsted of illicit relations with her and that his boasts.

IN THE POPULAR QUAINT DESIGNS ARE

OFFERED MANY SUGGESTIONS

FOR HOLIDAY GIFT-GIVING



Of the vast assortment of designs which comprise the different styles and qualities of furniture, the plain, characteristic, yet ' practical, quaint designs appeal strongly to those who desire to select a pleasing and useful holiday gift. Its adaptability for those rooms in the home that demand furni-



ture that is comfortable, substantial and artistic, increases its value and popularity for gift-giving. Our display of the quaint designs in the fumed and weathered oak embraces the best ideas of the craftsmen builders; pieces for the library, living-room, dining-room, hall and den, from which can be selected inexpensive gifts of real merit. are



35c values, special, 20¢ 40c values, special, 25c 45c values, special, 30¢ HOLIDAY SALE OFFERINGS

FROM THE CROCKERY DEPT.

Basement-Special for today and tomorrowrichly decorated English teapots of the best glazed ware; three designs in three sizes to choose from; will make a pleasing holiday gift.

40c values, special, 20¢ 45c values, special, 25c 50c values, special, 30c 55c values, special, 35¢

60c values, special, 35c 70c values, special, 40¢ 80c values, special, 45¢

90c values, special, 50¢



Fight Promoters Incorporate.

RHYOLITE Nev., Dec. 11. - The Rhyolite Athletic Association has been formed with a capital of \$50,000 to promote a finish fight between Jack O'Brien and Tommy Burns. Both men have agreed to fight here for a purse

Sultan to Fight Pretender.

MELILLA, Morocco, Dec. 11. - The troops of the Sultan are advancing upon the forces of the pretender, and a bat-

MRS. STORER IS MISQUOTED

Woman Politician Repudiates "Created Roosevelt" Interview.

CINCINNATI, Dec. 11.-Remarkable statements were credited to Mrs. Bellamy Storer in an interview which was pubment that she and her husband had "cre-

ated President Roosevelt," Mrs. Storer today said that, while she had seen a newspaper woman last night and had said some of the things credited to her, the report as published gave an entirely different complexion to every-thing said and that undue prominence had

during the interview.

While unable to deny that such an interview had been given, she said that so incorrect and garbled a report had been published that it did not give her views or statements, and she did not want it to be considered as coming from her. Beyond this, she refused to discuss the

cardinal could not be learned

Gibbons to Meet Roosevelt. WASHINGTON, Dec. 11.-Cardinal Gibbons is in Washington and will see President Roosevelt today by appointment. Whether the President will discuss the Storer controversy with the

EASTERN OUTFITTING COMPANY EASTERN OUTFITTING COMPANY | EASTERN OUTFITTING COMPANY DEAR OLD



Yes, Santa will be here TODAY from 3 to 5:30 in the afternoon, and he wants all his little boy and girl friends to come and see him. See what he says in his letter:

North Pole, Dec. 1 Manager Eastern Outfitting Co., Portland, Or. Expect me next Wednesday

in the afternoon at three, With the finest lot of dolls and toys you ever wish to see. To little boys and girls who come to see me on that day, The cutest dolls, the finest

horns, I'm going to give away.

mas-I'll have something for them, too, So bid them come-and now ('tis late) I'll bid good night to you. SANTA CLAUS.

Their papas and their mam-

So there you are. Come with your papa or mamma this afternoon, between 3 and 5:30 and get absolutely free, a doll, toy or horn.

EASTERN OUTFITTING COMPANY | EASTERN OUTFITTING COMPANY | EASTERN OUTFITTING COMPANY

undesirable

garment

tle is momentarily expected.

BUY YOUR SUIT, COAT OR CRAVENETTE HERE TODAY

25 TO 50% OFF

A combination of favorable circumstances made yesterday's business unusually lively. Portland women have come to know that when this store advertises a price-reduction it means just what the advertisement says. Monday when we announced that Suit, Coat and Cravenette prices had been cut 25 to 50 per cent we knew we would have a busy day yesterday. The styles offered are this winter's very choicest. Lines unbroken. All alterations made absolutely free.

SUITS

Lot 210, values up to \$60 \$30.00 Lot 211, values up to \$40 \$22.75 Lot 212, values up to \$30 \$14.50 COATS

Lot 213, values up to \$40 \$23.00 Lot 214, values up to \$30 \$15.50 Lot 215, values up to \$20 \$11.75 CRAVENETTES Lot 216, values up to \$38 \$19.50 Lot 217, values up to \$30 \$15.00 Lot 218, values up to \$22 \$10.75 Cash or credit, as you like.

THE STORE WHERE YOUR CREDIT IS GOOD

WASHINGTON & TENTH

EASTERN OUTFITTING CO.

THE STORE WHERE YOUR CREDIT IS GOOD

WASHINGTON & TENTH