

OLD STATUTE PUT TO USE

FELLOW SERVANT ACT APPLIED IN MORGAN CASE.

Remedial Railroad Statute Held to Apply to Logging Railroads.

Salem, Or., May 19.—(Special)—The Supreme court has affirmed the judgment of the Circuit court in Union county based upon the verdict of a jury. Circuit Judge J. W. Knowles presiding, in favor of the plaintiff in the case of Peter Morgan, plaintiff, against The Grande Ronde Lumber company, defendant and appellant, in which Morgan was awarded \$5000.00 damages by the jury. Morgan was thrown or fell under the wheels of defendant's logging train, while riding to the camps after the certain cars had been loaded with materials, and after the engineer lost control on a steep grade, and had his legs crushed, it being necessary to amputate one of them.

Justice Thos. McBride wrote the opinion and upheld the contentions of Cochran & Eberhard of La Grande, Morgan's attorneys, that the term "railroad," as used in the fellow servant statute of the state, making "all corporations operating a railroad" liable for negligent acts of their foremen, is broad enough to include logging railroads, such as used by defendant. This is the first time the question has come up squarely for decision since the passage of the act in 1903.

The contention that the plaintiff was not injured while in the employ of the company at the time of the accident, because his day's work had been completed when the cars were loaded, his duties to his employer and his employer's duty to him had ceased, and that if he elected to ride home on the logging train instead of walking he did so at his own risk, is not upheld.

The court also holds that the plaintiff was not negligent in jumping off, when told to do so by the engineer. The court, on the other hand, finds that there was evidence of defendant's negligence sufficient to justify the verdict of the jury. This negligence consisted in permitting grass to overgrow the track so that it was mashed on the rails and made them slippery, and in not having sand to use in holding the train. It was also shown that the engineer was inexperienced.

Man Takes His Own Medicine is an Optimist

He has absolute faith in his medicine—he knows when he takes it for certain ailments he gets relief. People who take Dr. King's New Discovery for an irritating cold are optimists—they know this cough remedy will penetrate the linings of the throat, kill the germs, and open the way for Nature to act. You can't destroy a cold by superficial treatment—you must go to the cause of the trouble. Be an optimist. Get a bottle of Dr. King's New Discovery today.

ADDITIONAL PERSONALS.

Glen Conkey returned today from Portland where he has been visiting his brother Charles, since the inter-scholastic at Eugene last Saturday.

Cooked food sale at Pattison Bros. grocery store next Saturday by ladies of Baptist church.—Adv. 5-19-15.

LAST NUMBER AT HAND

MUSICIANS OF LEADING CALIBER TO SING.

High School Musical Clubs to Participate this Evening.

Several of La Grande's foremost musicians will be heard tonight at the high school auditorium when the last number on the lyceum course will be held there. It is home-talent night. All holders of lyceum tickets are entitled to seats and the general admission is nominal. Much time and effort has been spent in preparation for the program, and in addition to hearing the La Grande singers of much repute, the student body musical organizations will participate. The program for the evening is:

- 1.—Chorus, Bridal Chorus from "The Rose Maiden,".....Cowen Girls' and Boys' Glee Club.
- 2.—Friend.....Davies
- 3.—Quartet, "Lead Kindly Light,".....Double Quartette.
- 4.—Piano solo, Allegro from "Carnival Op. 26,".....Schumann
- 5.—Solo, (a) Hoffmann.....Reichardt (b) At Dawning.....Cadman
- 6.—Chorus, Mendelssohn's Spring Song Girls' Glee Club.
- 7.—Solo, (a) Je Suis Titania (Mignon).....Thomas (b) A Perfect Day.....Bond
- 8.—Violin Obligato by O. M. Heacock and Mrs. W. W. Berry accompanist.
- 9.—Piano Solo, Sonata.....Beethoven
- 10.—Allegro and Rondo.....Miss Evans.
- 11.—Chorus, Spinning chorus from "The Flying Dutchman,".....Wagner Girls' Glee Club.
- 12.—Solo.....Selected
- 13.—Chorus, "Good Night Beloved,".....Pinsuti
- 14.—Girls' and Boys' Glee Club.

The admission tonight will be 25 cents for those not holding lyceum tickets. The program begins at 8 o'clock.

How Mrs. Harrod Got Rid of Her Stomach Trouble

"I suffered with stomach trouble for years and tried everything I heard of, but the only relief I got was temporary until last spring I saw Chamberlain's Tablets advertised and procured a bottle of them at our drug store. I got immediate relief from that dreadful heaviness after eating and from pain in the stomach," writes Mrs. Linda Harrod, Fort Wayne Ind. Obtainable everywhere.

WANTED—Roomers. Two pleasantly furnished bedrooms; one has bay-window. Opp. Methodist church. Will rent singly or doubly; with bath; close in. Call Black 362, or at 1617 Fourth.—Adv. 5-19-15.

LADIES! LOOK YOUNG

How Thousands Have Restored Natural Color. Dandruff Removed.

Gray haired persons will be interested in reports regarding the wonderful accomplishments of Hay's Hair Health. This unique preparation causes the oxygen in the air to so act on the hair that the brilliant, natural color and lustre of youth is restored. Save waste and get best results by using with Hay's Hair Health "Applicator," only 25c. Not a dye; absolutely harmless. Removes dandruff; beautifies hair. No one knows you're using it. 25c., 50c. and \$1.00 bottles, at druggists, who refund price if it fails; or on receipt of price. Philo Hay Co., Newark, N. J.—Adv. NEWLIN DRUG CO.

PECULIARITIES OF WAR.

London, May 11.—Since Turkey's entrance into the war Turkish cigarettes are taboo in England.

King George who rarely smokes cigars used to smoke Turkish cigarettes with a relish. Now, it is learned he has taken to Egyptian blends.

The Prince of Wales, whose short gold tipped Turkish cigarettes were well known to fellow army officers at the beginning of the war, now finds consolation in a favorite briar pipe, in which he smokes a blend of Egyptian and Virginia tobacco. He does not prefer the Turkish. He still smokes cigarettes occasionally, however. They are especially made and are a scant two inches long. This is because the Prince so often finds himself in situations in which smoking is not correct that half the cigarettes he smokes are barely lighted and thrown away.

London tobacco dealers are authority for the statement that Turkish tobacco has practically disappeared from the British market since Turkey declared hostilities, and in many shops they are not now offered for sale.

The British smoking public is following the King and Prince. There is no sympathy for Turkish tobacco.

London, Apr. 24.—A zealous young officer, intent upon seeing that his men on guard over a stretch of railway were doing their work properly, crept up behind one of them on a dark night, and was astonished to find threepence shoved noiselessly into his hand by the sentry. "Mine's stout," whispered the soldier, "but next time you come around don't make such a bloody row about it."

Judge Rules Case against O. L. Co.

Portland, May 18.—The suit of the government against the Oregon Lumber company of Baker, which seeks forfeiture of about 8000 acres of timber lands on the grounds that patents to them were secured by fraud, will go to trial. Judge Bean has overruled a demurrer to the complaint.

The demurrer raised the point that the timber and stone act provides that no patent can be attacked for fraud after the expiration of six years from the date it was issued.

The government alleged that the lands in question were patented in 1900 by locators who acted for the company, but that the deeds were not recorded until 1911 and the evidence of frauds were not uncovered prior to the expiration of the company's action in withholding deeds from the public records.

Judge Bean's decision is based on the decision of the circuit court of appeals in the Linn and Lane cases, wherein the court and later the United States supreme court held that an action in withholding deeds from record automatically extended the period wherein the government could make fraud charges.

Class Play Cast.

Following is the cast of the 1915 class play:

PROGRAM.
Cast of Characters.
Fanny.....Nell Bradley
Vernon Wetherell, Lord Bantock (Her husband).....Myrton Westering
Martin Bennet (Her Butler).....Harold Newton
Susannah Bennet (Her housekeeper).....Charlotte Jones
Jane Bennet (Her maid).....Blanch Black
Ernest Bennet (Her footman).....Earl Reynolds
Honoria Bennet (Her still room maid).....Kathryn Riddle
Robert Bennet (Her husband's valet).....Walter Young
Miss Wetherell (An aunt by marriage).....Nellie Storey
Miss Edith Wetherell (An aunt by marriage).....Nita Hunter
Dr. Freemantle (Her local medical man).....Melvin Larson
George P. Newte (Her former business manager).....Elles Williamson
"Our Empire"—England, Minna Ash; Scotland, Helen McDonald; Ireland, Lenore Hughey; Wales, Carol Curry; Canada, Edith Welch; Africa, Marjorie Kuchenthal; Australia, Lucile Rees.
Other Colonies—Leona Newlin, Marjorie Snook, Elizabeth Bond, Katie Counsell, Anetta Johnson, Arleigh Kammerer, Olga Johnson, Elva Conklin, Lucile Mulkey, Edna Perryman, Ruth Taylor.
Her former companions—
Footmen.....Clarence Becker, Jay Shaw
High School Auditorium, Friday, May 21, at 8 o'clock.
Business manager, Gilbert Hunter.

Pendleton Man Here.
Gen. Harrison of Pendleton is a guest with Engineer Pete Beiver.

Pigs For Sale.
45 head of stock hogs averaging about 60 lbs. 50 head of stock pigs ready for weaning.
Grande Ronde Valley Fruit Co., B. M. DURLAND, Supt.
Home phone, Farmers 216.—Adv. 5-19-15.

WANTED—Work on a ranch by mother and two grown sons. Phone M 787.—Adv. 5-19-15.

FOR SALE—Set of carpenter tools. Terms. Inquire Room 26, La Grande National Bank Bldg.—Adv. 5-19-15.

CLIMATIC DATA

Climatic data, based on readings for 24 hours ending last night at 6 o'clock:
Maximum, 55; Minimum 47.
Temperature at 12:30 today, 58.

Figure Your Cost of Wearing Apparel Down to an Investment

If you buy a house, a business, or a cow, you figure the investment. Well—why not do your buying at The United Store, where the large buying of First Quality Merchandise for 83 stores and their cutting of credits and deliveries makes a saving to you of 33 1-3 per cent—Wouldn't that be an investment too?

Ladies' Suits\$9.90
Ladies' Coats\$8.90
Ladies' Hose10c
Babies' Cashmere Hose19c
Ladies' Crown Corsets69c
Ladies' Auto Caps49c
Colgate's Tales, all perfumes12c
Colgate's Dental Cream8c
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Colgate's Violet Soap8c
Colgate's Cashmere Boquet Soap12c
Peroxide, 25c size9c
Listerine 25c size19c
Palm Olive Soap8c

Men's Work Sox5c
Men's Canvas Gloves5c
Men's Handkerchiefs, large size5c
Men's Work Aprons49c
Men's Overalls, bibs, 75c value49c
Men's Overalls, waist, 85c value69c
Men's Work Shirts25c
Men's Union Suits49c
Men's White Handkerchiefs3c
Men's E. V. D. Unions89c
Men's Poros Knit (genuine) Unions89c
Men's R. R. Crushers99c
Colgate's Shaving Soap4c
Colgate's Mechanics' Soap8c

YOU CAN ALWAYS DO BETTER AT **The UNITED STORE** 33 BIG BUSY STORES
J. C. PENNEY Co.

DO YOU PREFER CORNS

If not, we hope you will consent to part with those you have.

The present week would be a good time to get rid of them and the remedy you can depend upon to take them out promptly without pain or soreness is our Meritol Guaranteed. Price 25c.—Newlin Drug Co.—Adv. 4-28-15

Best Thing for a Billious Attack
"On account of my commitment in the printing office I have for years



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Pauline Lederle

Red 3141, Next Door to Western Union.

been a chronic sufferer from Indigestion and liver trouble. A few weeks ago I had an attack that was so severe that I was not able to go to the case for two days. Failing to get any relief from any other treatment, I took three of Chamberlain's Tablets and the next day I felt like a new man," writes H. C. Bailey, Editor Carolina News, Chapin, S. C. Obtainable everywhere.

Some Forms of Rheumatism Curable
Rheumatism is a disease characterized by pains in the joints and in the muscles. The most common forms are:

Acute and Chronic Rheumatism, Rheumatic Headaches, Sciatic Rheumatism and Lumbago. All of these types can be helped absolutely by applying some good liniment that penetrates. An application of Sloan's Liniment two or three times a day to the affected part will give instant relief. Sloan's Liniment is good for pain, and especially Rheumatic Pain, because it penetrates to the seat of the trouble, soothes the afflicted parts and draws the pain. "Sloan's Liniment is all medicine." Get a 25c. bottle now. Keep it handy in case of emergency.

PRESTIGE The reflection of QUALITY

The satisfaction of good Workmanship, good Material, remains long after the price is forgotten on the House that you build for a Home.

H. E. ROSKAMP, Contractor & Builder

Irrigation -- Specialities

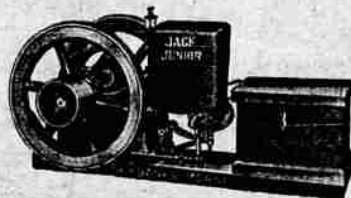
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KEMMERER NO. 5, IS THE ANSWER.

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As we have got two cars a rolling, and our sheds are not yet completed, we can make very attractive prices for this coal direct from the car.

Will arrive the last of the week.

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Commencement

IS NOT SUCH A LONG WAY OFF. YOU WILL NEED SOME REMEMBRANCES. COME IN AND TALK IT OVER. IN CASE WE HAVE NOT WHAT YOU WANT, GIVE US TIME TO GET IT.

REMEMBER, IT ONLY COMES ONCE IN A LIFETIME, AND THAT CHRISTMAS COMES ONCE A YEAR.

G. S. Birnie

Jeweler and Optician