

TOO MUCH WATER

Greater Economy Is Needed in Irrigation.

POINTER BY SUPREME COURT

Richmond and Wright Win in Suit to Reform Notes—Contract to Furnish Water for Placer Mines Is Constructed.

SALEM, Or., Nov. 23.—(Special.)—The Supreme Court today handed down decisions in five appealed cases from Eastern Oregon. Two of these involved questions as to relative rights of farmers to water for irrigation purposes.

Glage vs. Frost. This is a suit to enjoin the diversion of the water of Squaw Creek, a non-navigable stream, which rises in the Blue Mountains, in Wheeler County, Oregon, to a well-defined channel through defendant's land in Grant County.

The only question on appeal was as to the measure of water to which the parties are entitled. Plaintiff has under irrigation 20 acres of alfalfa land, and the testimony tended to show that all the water of the creek was necessary for irrigating his land.

The opinion of the Supreme Court says that while it is possible that so much water may be necessary to maintain altogether improbable that such a quantity is necessary for the entire irrigating season.

The testimony also showed that plaintiff's dam in the creek is not tight, and that the water which escapes is used by his brother lower down. As there was testimony tending to show that if properly used the water in Squaw creek would be sufficient to irrigate the lands of both plaintiff and defendant, the Supreme Court orders that plaintiff shall be required, before being entitled to the amount of water necessary to raise the water to the required head.

McPhee vs. Kelsey. J. D. McPhee et al., appellants, vs. L. S. Kelsey, respondent, from Baker County. Robert Eakin, Judge; reversed. Opinion by Justice Wolveverton.

This was a suit brought to enjoin defendant from diverting water from a ditch leading out of North Powder River and from Hutchinson Slough. The decree in the court below was adverse to defendant. The Supreme Court awards defendant and William Tanner sufficient water to fill his ditch to half its capacity, and also to run an additional appropriation, one-half of the water diverted, less that which Tanner may be entitled.

Richmond vs. Ogden St. Ry. Co. F. L. Richmond and W. T. Wright, respondents, vs. the Oregon Street Railway Company, appellant, Union County. M. D. Clifford, Judge; affirmed. Opinion by Justice Bean.

This was a suit to reform two promissory notes executed by plaintiff and payable to defendant. The complaint alleges that it was the intention of the parties that the notes should be made payable only out of trust funds, and that plaintiff should not be personally liable. The plaintiffs signed the notes "as trustee of Fred Nollan," and in a decision reported in 1901 Oregon, the Supreme Court held that the plaintiffs were personally liable.

TURNED STATE'S EVIDENCE. Shepherd Implicates Tim Driscoll in Examination at Weiser. WEISER, Idaho, Nov. 23.—(Special.)—The preliminary trial of Tim Driscoll and Robert Nytoom, charged with stealing sheep and changing brands, held before Probate Judge Jeffery, was concluded at 7 o'clock this evening.

Business After Pleasure. CORVALLIS, Or., Nov. 23.—(Special.)—The regular term there are but 21 cases. The only state case is that of the State vs. W. H. Wagner, bound over by Justice Holgate's Court for alleged assault and battery on the person of R. C. Kiger. The entire session is not expected to last over two or three days.



"CAN WE HOLD THE ELEPHANT IF WE DO LAST SO HIM?"

ROLLERS TURNED OUT

HURT, OF CORVALLIS, NO LONGER SHELTERS APOSTLES. Convinced by His Friends He Was Being Imposed Upon, He Closes Door Upon Brooks and Creffield.

CORVALLIS, Or., Nov. 23.—O. V. Hurt will no longer shelter the Holy Rollers in his home. Apostles Creffield and Brooks have been ordered out of the hospitable home which has given them such comfortable shelter for the past several weeks and they are thrown upon the cold and unappreciative world to shift for themselves as best they can.

Dixon vs. Johnson. Joseph Dixon and Ed Craig, respondents, vs. Clarence Johnson, appellant, from Grant County. M. D. Clifford, Judge; affirmed. Opinion by Justice Wolveverton.

SETTLED OUT OF COURT.

Minnie Brugger, With the Aid of the Governor, Gets Share of Estate.

ENOUGH FOOD FOR THEM. Garrison at Fort Gibson Has Supplies for the Winter. VANCOUVER BARRACKS, Wash., Nov. 23.—(Special.)—The telegraphic account of the fire at Fort Gibson, Alaska, received at Department Headquarters, showed that the damage done was not so serious as at first anticipated.

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Chair Factory Burned. GRANT'S PASS, Or., Nov. 23.—News has been received here of the burning of the chair factory located in Williams Valley, south of Grant's Pass, and the property of G. M. Caldwell.

Appeal Bond Defective. OLYMPIA, Wash., Nov. 23.—(Special.)—The Supreme Court has dismissed the appeal in the case of F. H. Haxthorn, et ux., appellants, vs. the Washington & Great Northern Railway Company, respondent.

Ten Years for Murder. BUTTE, Mont., Nov. 23.—A Dillon appeal to the Miner says that George Pollock, convicted of the murder of Richard Martin, has been sentenced to ten years in the penitentiary.

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OVERTAKEN BY STORM

FAULKNER PARTY HAS NARROW ESCAPE IN CASCADES. Tried to Cross by the McKenzie Route, but Was Forced to Turn Back.

LEBANON, Or., Nov. 23.—(Special.)—Henry Faulkner and party, who started over the mountains via the McKenzie route about three weeks ago, and about whom considerable anxiety has been felt, returned to this place yesterday. The storm overtook them when they were at Lost Creek, 13 miles above the McKenzie bridge.

BARBER BEATEN TO DEATH.

Fort Lawton Soldiers Accused of the Murder. SEATTLE, Wash., Nov. 23.—James Sullivan, a barber, was beaten into unconsciousness in the backyard of the Log Cabin saloon, at Ballard, last night, and died today.

Body of W. St. Barnes Recovered.

SEATTLE, Wash., Nov. 23.—The body of W. St. Barnes, formerly superintendent of the Third Detective Agency, who fell overboard from Pier 1, at the foot of Yeeler Way, at 10 o'clock Sunday night, was recovered by friends this afternoon.

Republican Primaries Called.

ASTORIA, Or., Nov. 23.—(Special.)—The Republican county central committee held a meeting this afternoon and issued a call for primaries to be held Tuesday, December 1, and for a convention Friday, December 4, for the purpose of nominating a candidate for State Senator to be voted for at the special election December 14.

Hillbore Notes.

HILLSBORO, Or., Nov. 23.—(Special.)—J. G. Pellette, a well-known orchardist, residing on the Tualatin North Plains, three miles out of this city, was today adjudged insane and taken to the asylum for the insane.

Asks for Separation.

OREGON CITY, Or., Nov. 23.—(Special.)—After 23 years of married life, Alice L. Wood has brought suit for divorce from John M. Wood, to whom she was married at Ionia County, Michigan, in 1871.

Scarlet Fever at Astoria.

ASTORIA, Or., Nov. 23.—(Special.)—City Physician Pilkington reported the discovery today of two new cases of scarlet fever among the children in the western portion of the city.

Admitted to the Bar.

SALEM, Or., Nov. 23.—(Special.)—J. H. Ruberson was today admitted to the bar on nine months' probation. He lives at Klamath Falls.

TEN DAYS OUT OF JAIL

EX-CONVICT CAUGHT AT HIS OLD TRICKS. Had No Trouble in Passing Forged Checks on Salem Business Men—Arrested by Sheriff.

SALEM, Nov. 23.—(Special.)—If Chris Thomas could elude the sheriff as easily as he "works" good business men he could live happily and have plenty of money to spend. But he was caught this morning by Sheriff B. B. Colbath, and if all goes well he will soon be in the penitentiary, from which institution he was released ten days ago.

Writing checks is a fad with Thomas, and passing them is no trouble at all. When he got out of prison, after serving a 12-month term for forgery, he immediately supplied himself with a blank check-book bearing the name of Lewis Bush, and since that time he has wanted nothing that money could buy. He boarded at different places in Salem for a week at a time, paying his bills with checks that he got from the hills south of town.

ANOTHER CHARGE MADE.

Judge Will Hold Rounds to Answer to Complaint of Battery. BOISE, Idaho, Nov. 23.—(Special.)—Further action in the case of United States Marshal Ruel Rounds, who is accused by Mrs. George B. Spencer of "assault by means of a deadly weapon" and great bodily harm, has been deferred until Friday, when Judge Herrick will bind the defendant over to the District Court for a charge of battery.

WEALTHY MAN IN TROUBLE.

SEATTLE, Wash., Nov. 23.—Francis M. Guye, one of Seattle's oldest pioneers and as well one of her wealthiest men, has been arrested on the charge of arson.

RHEUMATISM

DR. RADWAY & CO. I have been a sufferer from Rheumatism for more than six months. I could not raise my hands to my head or put my hands behind me, or even take off my own shirt. Before I had finished three-fourths of a bottle of Radway's Ready Relief I could use my arms as well as ever. I can now do any kind of work in your Relief. Yours truly, W. C. BAKER, 989 Julia street, New Orleans.

C. GEE WO

The Great Chinese Doctor. He called great because his wonderful cures are so well known throughout the world that he is called the Great Chinese Doctor. He has cured many cases of Rheumatism, Gout, Sciatica, Neuralgia, Headache, Toothache, Stomachache, Backache, and all other ailments. He has cured many cases of Rheumatism, Gout, Sciatica, Neuralgia, Headache, Toothache, Stomachache, Backache, and all other ailments.

THE FIRST STEP

Of the child is an event in the mother's life. How proud she feels when the attempt to walk is begun so early as to evidence childish courage and sturdy strength. Such pride should be enjoyed by every mother. But it often happens that the child is timid, weak, and deficient in vitality, and clings to the mother's arms with a desire to walk or play.

CONSULTATION FREE

Patients out of the city write for blank and circular. THE C. GEE WO CHINESE MEDICINE CO. 308 Alder St., Portland, Or. Mention this paper.

AN OLD IDEA

Shows to Be Absolutely False by Modern Science. People used to think that baldness was one of those things which are handed down from generation to generation, from father to son—just like a family heirloom. Science has shown the falseness of this belief by proving that baldness itself is not a constitutional disease, but the result of a germ invasion of which only Herpelide can effectually rid the scalp. Washing only cleans the scalp of Dandruff. It doesn't kill the germs. "Destroy the cause, you remove the effect."

Hand Sapolio

FOR TOILET AND BATH. Fingers roughened by needlework catch every stain and look hopelessly dirty. Hand Sapolio removes not only the dirt, but also the loosened, injured cuticle, and restores the fingers to their natural beauty. ALL GROCERS AND DRUGGISTS

A BEAUTIFUL WOMAN

Imperial Hair Regenerator. It is the most perfect hair restorer yet discovered. It is absolutely safe, easily applied, and restores the hair to its natural color and growth. It is the most perfect hair restorer yet discovered. It is absolutely safe, easily applied, and restores the hair to its natural color and growth.

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New York Dental Parlors

Fourth and Morrison Sts. Portland, Oregon. Teeth extracted and filled absolutely without pain by our late scientific methods. No sleep-producing agents of cocaine. These are the only dental parlors in Portland that have the patent appliances and ingredients to extract, fill and apply gold crowns and teeth without plates, gold fillings and all other dental work done painlessly and by specialists. Gold crowns, \$5; full set teeth, \$5; bridge work, \$5; gold filling, \$1; silver fillings, 50c.

NO PLATES REQUIRED

New York Dental Parlors. MAIN OFFICE—FOURTH AND MORRISON STS., PORTLAND. Branch Office, 614 1st av., Seattle. 8:30 A. M. to 6 P. M.; Sundays, 9:30 A. M. to 1 P. M.

RED TOP EYE

THE EMBLEM OF PURITY. Served at all first-class bars. TRY A RED TOP HOG-BALL. ADVISORY COLUMN. We issue a modern, up-to-date book on the subject of eye diseases. 150 readings bound in cloth. Price, 50c. Sent by mail on receipt of 10 cents and this coupon.

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