RIGHT TO DRAIN BOX

Oregon Supreme Court Upholds Experiment Station.

APPEAL FROM UNION COUNTY

Electric Company Has Right of Action to Condemn Way for Ditch-Order for Attorney's Fees to Receiver Not Final.

Agricultural Experiment Station at Union has right to maintain drain-to prevent overflow of its lands. Under section 5022 et seq. of the code, an electric company may main-tain an action to condemn right of way for a ditch or to condemn riperian rights without alleging that it owns all the land on the stream below the

all the surplus water. notice of the application being given to the creditors, is not a final decre-from which an appeal can be taken.

SALEM, Or., Jan. 1.—(Special.)—The Su-preme Court today handed down decisions in four appealed cases, three upon the merits and one dismissing the appeal. The merits and one dismissing the appeal. The most important case was that of the Agricultural College vs. Hutchinson, in which the college wins its suit for the right to drain its experiment station lands near Union. The decisions are as

Agricultural College vs. Hutchinson. State Agricultural College and A. B. Leckenby, respondents, vs. James H. Hutchinson and W. R. Hutchinson, ap-pellants, from Union County, Robert Eakin, Judge, affirmed: opinion by Jus-

This was an appeal from a decree of the This was an appeal from a decree of the Circuit Court restraining defendants from interfering with a drainbox put in by plaintiff to carry surplus water from its land near Union. After a review of the evidence the Supreme Court concludes that at a conference held by the parties in June, 1962, it was agreed that defendants should deepen the Godley ditch so as to prevent the water accumulating and overflowing plaintiff's land, which agreement should be enforced.

The court therefore decrees that plaintiff shall be permitted to maintain the

tiff shall be permitted to maintain the drainbox until such time as defendants deepen the ditch so as to carry off the water.

Grand Ronde Company vs. Drake.

Grand Ronde Electrical Power Com-pany, appellants, vs. A. H. Drake and H. D. Drake, respondents, from Union County, Robert Eakin, Judge, reversed and remanded; opinion by Chief Justice Moore.

This was an action to condemn a right of way for a ditch across defendants' premises and also their interest as ripremises and also their interest as riparian proprietors in and to the surplus waters of a non-navigable stream. The action was brought under the provisions of section Self et seq. of the code. It was not alleged in the complaint that the plaintiffs owned all the land bordering on the stream below the point of diversion, or that it had secting from diparian proprietors for right to divert the surplus water lift the creek between these points, and because of this mission the defendant flied a demurrer, which was sustained and the action dismissed, whereupon the plaintiff appealed.

The Supreme Court holds that when a

olaintiff appealed.

The Supreme Court holds that when a corporation such as this has compiled with he provisions of the sections preceding ection 50%, it may maintain the action o condemn a right of way or to condemn riparian rights, or join both rights in on ction if both are vested in one defi-

Norwich Union vs. O. R. & N. Norwich Union Fire Insurance Com-pany, respondent, vs. O. R. & N. Co., appellants, from Umatifia County, W. R.

Ellis, Judge; affirmed. This was an action in which the plain-tiff recovered judgment against defend-ant for loss sustained by fire, alleged to have been caused by the negligent over

tion and management of a freight train and certain engines used for propelling it. The defendant appealed and in affirming the decision the Supreme Court holds that the records of a master mechanics' association are the best evidence of the action the association has taken in recommending spark-arresting devices: and that it was proper to instruct the jury that they might consider the care and caution "munily" exercised by the em-ployes in charge of the engine which is alleged to have set the fire, for if the employes had usually been careless the jury might reasonably conclude that they were negligent at this particular time.

Wilder vs. Reed.

Gardner K. Wilder, respondent, vs. W. L. Beed, appellant, from Multaomah County, Arthur L. Frazer, Judge; appeal dis-missed; opinion per curiam. This is a suit to dissolve a partnership

and for an accounting. Prior to the final settlement the attorneys engaged by the receiver petitioned the court for an allow-ance of \$256, but the transcript does not show that the creditors were notified of the application. The defendant filed an objection, supported by affidavits, to which counter-affidavits were interposed, and on this issue the court allowed the sum demanded, ordering the receiver to pay it, whereupon defendant appealed. The Supreme Court holds that since the

creditors were not notified of the appli-cation for the payment of attorney's fees by the viewer, the order of the court al-lowing it is not final, and hence no ap-

wells Fargo & Co., appellant, vs. Me-linda Morgan, respondent, from Multno-mah County, Arthur L. Frazer, Judge; reversed July 18, 1984, petition for rehear-

ing denied; opinion by Justice Bean.

YOUNGEST OF DRUMMER BOYS

Vancouver Man Has Had Many Ad-

ventures Since Enlisting at 13. VANCOUVER, Wash. Jan. 3.—(Special.)
In an Item of The Oregonian of De-ember 2s from Richmond, Ind., it was inted that Baward Duffy, of Indiana.

stated that Biward Duffy, of Indiana, alleged that he is the youngest drummer boy who ever enlisted and served in the Union Army during the Civil War.

A resident o. Vancouver, Henry Devoe, who was enlisted in Company B. Fourteenth Infantry, October 3, 1863, at the age of H years, says he is younger than the Irdiana man. Devoe holds a discharge from the United States Army bearing out his statement. He says he is now El years of age, having been born in New York City in March, 1852, Mr. Devoe spelishis name Defeau, but at the time of enlistment it wag misspelled and has restment it was misspelled and has re-

named so ever since mained so ever since.
Devoe has served 17 years in all and
has proven himself on several occasions
a brave and good soldier. He was chosen
in 1872 as a soult by General Crook and
was sent to Montans, where his knowla brave and good soldier. He was chosen in 1872 as a scout by General Crock and was sent to Montann, where his knowledge of the country was a great aid during the Indian wars in that country.

Mr. Devoe was also appointed Sheriff of Gieckie, Mont, and while he was in this office he captured several desperate criminals, among them two Indians who had murdered some ranchers in the vicinity.

He went glone into the camp of about 200 indians and captured his men, telling the others that he had two companies of soldiers near by, Devpe was hotly pursued by the indians, but succeeded in landing his prisoners in Glendive.

Devoe was a resident of Glendive at the time the Northern Pacific track was built and had many strange adventures during the early development of the Northwest, having served in nearly every post in this part of the country.

HICCOUGHS FOR THREE MONTHS

Idaho Man Has Had No Rest In All That Time.

LEWISTON, Idaho, Jan. 2—(Special.)—After having suffered from hiccoughs continually for the last three months. David Akers, who lives near Oro Fino, was brought to the hospital yesterday for treatment. Last night he rested for two or three hours, the first rest he has had since the attack. What started the hiccoughs is a mystery to Dr. Huriburt, who is anxious to learn the exact cause. Night and day, asseep and awake hic-Night and day, asleep and awake, hic-coughs have continually hammered at the man's system, which is much weak-ened. Akers is 25 years old and a single

NORTHWEST DEAD.

Harley A. Belknap.

Harley A. Belknap.

SALEM, Jan. 2.—(Special.)—Harley A. Belknap, an Oregon pioneer of 1868, died at San Jose, Cal., December 15, and the remains were buried fore yesterday. The deceased was born in Big Lick County, Ohio, in 1832, and crossed the plains to Oregon when 15 years of age. Until 1864 he lived in the old Belknap settlement, south of Monroe, Benton County, and then came to Salem, where he engaged in the carpenter's trade. He aided in constructing the present Williamette University building, and erected a number of the pioneer residences. He was a leader in religious work and served as superintendent of the Methodist Episcopal Sunday school during the pastorate of Rev. J. H. Wythe. He is survived by a wife—Mrs. Thirms A. Belknappartorate of Rev. J. H. Wythe. He is survived by a wife-Mrs. Thirma A. Beiknap-and the following children: Dr. H. P. Bei-knap, Princellie: H. T. Beiknap, Los Gatos, Cal.: Sylvester, V. C. and E. A. Beiknap, Prairie City, and Grace Beiknap, San Jose, Cal.

Martin Fuhrman.

GOLDENDALE, Wash., Jan. 1.-(Spe. cial.) Martin Fuhrman, a ploneer stock-man of Klickitat County and a veteran of the Civil War, succumbed to a severe attack of pheumonic at his home in this city December 29. Mr. Fuhrman was at city December 29. Mr. Fuhrman was at one time one of the largest sheepowners in Central Washington and was an honored and respected citizen of Kilckitat County for 27 years. He was Lorn in Germany, near Vienne, in 1861, and came to the United States with his parents when he was a child. At the outbreak of the Civil War he enlisted in the Seventh Illinois Cavairy and served for three years. After the war he settled in Iowa, in 1877 he came west and settled in Kilckitat County. Itat County.

Mrs. Emma Brady Evans.

ASHLAND, Or., Jan. 3 .- (Special.) -- Mrs. Emma Brady Evans, mother of Mayor H. S. Evans, of Ashland, and a resident of Ashland for 20 years, died at her home in this city Sunday, in the 80th year of Mrs. Evans was a native of Greenwich. England, and afterward re-sided in New Zealand, where she was married. She and her husband afterward removed to Australia, and thence to the Sandwich Islands, coming to San Fran-cisco in 1858, where he died.

James Finney. GERVAIS, Or., Jan. 3-(Special.)— James Pinney, an old resident of the French Prairie section, died at his home January 1 at the age of 7. He leaves a wife and family of three—Ella, George and Edward. He came to this state 30 years ago. He was a prominent Catholi and a large hopgro

STUBBS MUST SERVE SENTENCE

Federal Judge Confirms Court-Mar

tial Sentence of Young Soldier. SEATTLE, Jan. 3.—Judge H. C. Han-ford in the Federal Court today decid-ed that Private F. R. Stubbs, of the Nineteenth Infantry, must serve out the sentence of five years' ffiprison-ment imposed upon him by a courtmartial for conduct prejudicial to good order in killing a fellow soldier last July. Stubbs was tried by civil authoriquitted, and he thereafter appealed to the Federal Court to escape the results of a second trial for what he held to be

MINER PLUNGES ON COMPANIONS Dead Body Strikes Four in Cage, Inflicting Severe Injuries.

WALLACE, Idaho, Jan, 3.-While de scending in the cage at the Standard mine tonight the coat of G. T. Farley caught in the timbering, drawing him between it and the cage and breaking every bone in his body. When the cage passed his lifeless body was released and fell with great force among the chief with great force among the other miners occu-pying the cage. Four of them were struck by the falling body and injured, but not fatally.

JAPANESE LINERS RELEASED Four Vessels Will, This Month, Resume Service With America.

VICTORIA. B. C. Jan. 3.—Advices have been received here that the Nippon Tusen Kaisha will reopen its American service this month. The steamers Kagn Maru, Shinano Maru, Aki Maru and Tosa Maru were to be released from transport nervice, the Iyo Maru and Kananawa Maru kating. Maru and Kanagawa Maru having al-

Woman Made Journal Clerk. BOISE, Idaho, Jan. 2.-(Special.)-The

Held for Malicious Mischief. LA GRANDE, Or., Jan. 1 -- (Special.)-

LA GRANDE, Or., Jan. 1.—(Special.)—
The three young men, Roy Dale, Edwin
Bloom and Ranfall Boswell, of Enterprise, Wallowa County, were each placed
under 1250 bonds at that place on the
gharge of malicious destruction of property there on Christmas. Among the
things committed was that of tying ropes
to cows' tails, two of them being pulled
out by the roots. They will appear before the Circuit Court in May.

Lake Trout From Wisconsin.

THE DALLES IS CLAD

Signing of Portage Road Contract Is Celebrated.

TERMINUS IS MUCH DESIRED

Project is Under Way to Extend the Trackage From Big Eddy Into the City_Prominent Portlanders at the Reception:

THE DALLES, Or., Jan. 2-(Special.) A brilliant reception took place at the parlors of the Commercial Club, in this city, last evening, to celebrate the occasion of the signing of the contract for the building of the portage road between this city and Cally. city and Ceillo. Following the calling of a meeting for this purpose by Mayor Seu-fert, President Whealdon, on behalf of the Commercial Club, tendered a reception to the visitors and residents of The Dulles, making the occasion a memorable social one as well as a business meeting. Judge W. J. Marriner, of Blalock; Henry Hahn, L. A. Lewis and J. N. Teal, of Portland. members of the Open-River Association, were present, as well as about 300 resi-dents of this city and its meighborhood. After a musical and literary programme, After a musical and literary programme, Fresident Whealdon gave a brief apeech of welcome and introduced Judge Marri-ner, who spoke briefly of the obstacles encountered by the Open-River Association in this project and asserting that it was the wish of the Inland Empire as well as the association that The Dailes be made the terminus of the portage road, instead of the foot of the Rive Kady three miles

above the city.

Mayor Scuffer being called upon to explain the situation, reported a conference held between himself and the president of the Great Southern Railroad, now build-ing to Dufur, in which this official had signified his willingness to grant the portage road trackage over his lines from the foot of the eddy to the city limits, leav-ing but about one-half mile of track from the Great Southern terminus to the city water-front to be built.

of the foot of the Big Eddy, three miles

water-front to be built.

Mayor Seufert was followed by Mr.

Hahn, who dwelt at length upon the efforts of the association to surmount the
difficulties which had been met at every turn to secure the ultimate success of the portage road. L. A. Lewis also spoke briefly regarding the friendly relations that have existed for so many years among the merchants of The Dalles and Portland, expressing the opinion that this friendliness in trade would be augmented very perceptibly by the completion of the portage road, not only as regarded the merchants of The Dalles, but the entire

Open-River Association and its undertakings in securing the right of way, sug-gesting that if the Wasco County delega-tion would make a plea in the coming Legislature it would be highly probable that the state might be induced to extend the portage the requisite number of miles, making The Dalles its terminus. At the conclusion of the business meeting a buffet supper was served.

MAD FROM WOLF BITE.

British Columbia Man Dies From Disease He So Much Dreaded.

VANCOUVER, B. C., Jan. 1.—Hydrophobia, caused by the bite of a wolf, at
White Horse, three months ago, carried
off Pioneer James B. Colvin today. Dr.
Ernest Hall says this is the first case
known in either British Columbia, Washington or Oregon. Colvin's inst hours
were the more pitiable because he comprehended clearly the certainty of his
awful fate. Colvin received his death
wounds in attempting to save his wounds in attempting to save his wife's dog from wolves in the Northern camp. One of the animals fastened its fangs into his right hand. The man's cries brought Mrs. Colvin to the rescue. She attacked the wolf with a piece of wood and drove it off but it returned to the encounter. Northwest mounted police joined Mrs. Colvin in driving off the brute, but not until Mr. Colvin's other hand had also been badly mangled. Colvin was per-sistently tortured by the fear that hydro-phobia would result.

Thursday last symptoms of true hydro phobia presented themselves. Colvin was pital, at Victoria, where he suffered in-tense agony until death mercifully re-leased him.

SURPRISE FOR SALOON MEN. Aberdeen Mayor's Speech Is for En-

forcement of Law and Order.

ABERDEEN, Wash., Jan. 3.-(Special.)-Mayor Lindstrom and the new Council were sworn in tonight and the first sension of the new body was held. The new-Mayor's speech is for the enforcement of law and order and to all intents against gambling, although he was ele-

PARDEE SENDS FIRST MESSAGE Irrigation and Forest Are Treated Upon by California Governor.

SACRAMENTO, Cal., Jan. 3.-Governo

SACRAMENTO, Cai., Jan. 3.—Governor Pardee today sent his first message to the state Legislature. Referring to the important matters of irrigation and preservation of the forests, Governor Pardee says the state should act in harmony with the National Government.

"An undertaking, one to which legislative attention will doubtless be invited."

BOISE, Idaho, Jan. 2—(Special.)—The House was not prepared today to proceed with its organization. Consequently nothing was done beyond the election of a journal clerk and the selection of a committee on rules. The Governor's message was not delivered, but it is thought it will go in tomorrow.

Miss Mande S. Hewe, of Nez Peres, was elected journal clerk. Anidbach, of Shoshone, sought to secure the election of Mirs. Mary A. Wright as assistant chief clerk, but as the caurus had not acted upon the place, the nomination was withdrawn, it is believed the caucus will be held tomorrow to make the selections of attaches, but nothing has been arranged definitely. A large number of petitions are being circulated by applicants. Will H. Sherrier, of Ada County, is talked of for chief clerk.

The Senate session was brief, a few committees being named.

"An undertaking, one to which legislative attention will doubles be invited," says the Governor, "is likely to prove remarkable and important. The Klamath basin, situated parily in Caifornia and both overflow arid districts. A way has been found to so increase the flow of the Klamath Biver as to drain two important lakes and rectaim to cultivation the greater part of their areas. To do this the consent of both California and Government her interests in the lands which will be needed. It is proposed that California shall cede to the National Government her interests in the lands which will be laid bare by the lowering of the water in the lakes; but as these lands will be add only to actual sectilers and the proceeds used, together with other funds, to meet the expenses of the undertaking, it would seem this state can well afford to give its assent if Oregon will do likewise, as it is believed that it will.

There are 30,000 acres, two-thirds in California and conthirds in California and continued to so increase the flow of the Klamath Biver as to drain two important lakes and rectaim to cultivation the greater part of their areas. To do this the consent of both California and

There are 300,000 acres, two-thirds in California and one-third in Oregon, which, it is claimed, can thus be reclaimed and irrigated. To accomplish this it will be necessary to draw water from upper Klamath Lakes, in Oregon, to irrigate lands in California, and likewise from Clear Lake—a smaller body of water lains. math Lakes, in Oregon, to Irrigate innas-in California, and likewise from Clear Lake—a smaller body of water lying to the east of Rhett Lake, in California—to irrigate lands across the line in Oregon. The different levels of the lakes relative to the areas they are expected to irrigate make perceasery this rectorocal arrange. make peccasary this reciprocal arrange-ment, and it cannot be doubted that the issue commonwealths ought to co-operate heartlly in what is likely to prove so great a common discriment. great a common advantage."

The message closed with an argument in favor of river control and the reclamation

torium. It was by far the most elaborate event of the kind yet held in the state The building was decorated handsomely and a great throng was in attendance.

To Amend Charter of Seaside.

ASTORIA, Or., Jan. 2—(Special.)—A bill has been prepared for introduction at the coming seasion of the Legislature to amend the charter of the town of Seaside. The amendments proposed in the bill provide for a division of the town isto wards so that the Councilmen will be elected from different sections, that voters must be taxpayers who have resided in the precinct for at least 30 days, increasing the limit of indebtedness from 1000 to 12000 and authorizing the Council to issue bonds in the sum of \$12,000 for extending the town water system.

A mass meeting was held there a few days ago and recommended in addition to the above amendments one providing that no saloons shall be allowed on the main streets and all saloons shall close on Surdays. To Amend Charter of Seaside.

Kalama Will Have Exhibit.

KALAMA, Wash., Jan. 3.—(Special.)— At a meeting of the County Commission-ers today, the subject of a county ex-tibit at the Lewis and Clark Fair was discussed informally, and an agreement reached that it was to the best interest of the county to maintain an exhibit dur-ing the Fair that would be commensu-rate with the vast wealth of the county in agricultural and horticultural prod-ucts, as well as the lumber and fishing sts.

plans and scope of the exhibit has marined out, but the Com-

the county. Revenue for Water Works. ASHLAND, Or. Jan. 3 .- (Special.)-The evenues of the water system of Ashland for the year just closed have amounted to \$11.671.85, according to the report of the sater works commissioner. William

Patterson, whose report was submitted to the City Council tonight. During the past year the system has been extended considerably, a total of 10.905 feet of main from three-quarters of an inch to ten inches in diameter having been laid.

The city is bonded in the sum of \$50,000 on account of the water system, but it pays a handsome revenue in addition to interest and operating expenses.

Favora Referendum Law.

HELENA, Mont., Jan. 3.-Governor Joeph K. Toole, in his biennial message to the State Legislature, favors the adoption the State Legislature, favors the adoption of a constitutional amendment for the initiative and referendum, a direct-primary election law, a fellow-servant law, the creation of a railroad commission, and the election of United States Senators by direct vote of the people. He touches local and state topics briefly. Better sanitary conditions in Butte mines are recommended, and economy in making appropriations is suggested. The message is brief. It was read to the joint assembly at 2:20 o'clock.

Prizes for Fair Exhibits.

OREGON CITY, Or., Jan. 3. (Special.)—
At its regular meeting today, the executive committee having in charge the exhibit from this county that is to be shown at the Lewis and Clark Fair at Portland in 1906 adopted a schedule by which will be distributed to the producers of Clack-amas County the sum of \$150 for the best samples of agricultural and other prodcts of which the exhibit will be com posed. Three prizes are offered for each sample, ranging from \$5 for first prize to \$1 for the third. The contest is to con-

Sealhunters on a Strike.

VICTORIA, B. C., Jan. 2.—Fewer sealing schooners will be sent this year to cruise off the British Columbia and Oregon and Californian coasts than in past scaons. No schooners will be sent with Indian crews, for the first time on record. White hunters will man cach wessel agent but it is such man each vessel sent, but it is prob-able that not more than seven or eight

will go out.

The hunters today struck for an increase of wages, demanding \$4 per skin instead of \$3.50 as heretofore. The company refuses to pay the increase.

Wilson May Go to Spain.

SEATTLE, Wash, Jan. 2.—Henry L. Wilson, of Spokane, United States Minister to Chile and a brother of ex-United States Senator John L. Wilson, of this city, who is a candidate for election again, has been notified that he will soon premoted to a European post, probably Spain. The promotion comes only on merit and without reference to political considerations, the President announces, Minister Wilson has had a longer term of service than any other American diplo-mat except Minister Porter, and the President is much pleased with the rec-ord he has made.

Diver Will Search for Body. ASTORIA, Or., Jan. 3 .- (Special.)-The woman who mysteriously disappeared from Skamokawa during Saturday night and is thought to have been drowned was a Mrs. Sailor, whose husband conducts a billiard room at Tenth and Washington streets in Portland. The river in the vicinity of the wharf at Skamokawa has been draged and departed. been dragged and dynamited during the past three days, but no trace of the body has been found. Tonight a diver left bere for Skamokawa and will make a

Aged Farmer Thrown From Wagon. PENDLETON, Or., Jan. 1.—(Special.). P. Hutchinson, wealthy and ploneer farmer, narrowly escaped instant death this morning by being thrown out of his wagon a mile from the city. He was driving down a steep hill, when his wagon struck a rock, throwing him out of the wagon. He suffered the fracture of two changes are consistent or the suffered the fracture. of the wagon. He suffered the fracture of two ribs and received a severe injury on his head, rendering him unconscious. Owing to his extreme age, his recovery is considered doubtful.

Contract for Walla Walla Barracks. WALLA WALLA, Wash., Jan. 2.—(Special.)—Robert Goldie, of the firm of Goldie Bros. Portland, executed the bond and contracts to the Government for the contracts struction of the two large brick barracks at Fort Walla Walla. According to the contracts, the work is to be finished with-in seven months, but Mr. Goldie feels confident that the construction will be pleted in considerably less time. James & Crouten, of Port Townsend, will do the plumbing.

Capitol Now Belongs to State. OLYMPIA, Wash., Jan. 1 .- (Special.) -The State Capitol Commission today ap-proved the final accounts and adjourned until next Tuesday, at which time the ommission will go out of existence. The entire building was today placed under the control of Secretary of State S. H. Nichols, who is the legal custodian. Claims for overtime in the amount of \$200, filed by W. A. Richlie, architect, were disap-

Miner Drowned From Lake Boat. BELLINGHAM, Wash., Jan. 1.—(Special.)—Jack Wilson, a miner in the employ of the Blue Canyon Mining Company, this afternoon fell from the deck of the steamer Eistnore, plying on Lake Whatcom, and before help could reach the unfortunate man he was drowned. His body has not yet been recovered. He was a single man and has no relatives in this part of the country.

Foster's Advent Will Start Fight. TACOMA, Wash, Jan 3-Senator A. G. oster is a passenger on the North Coast of flood lands.

Inaugural Ball at Boise.

BOISE, Idaho, Jan 1—The imaugural ball was held this evening at the Nataknown by his managers here.

Limited, due to arrive in Tacoma tomorrow night. His coming will be the signal for the beginning of the real fight for the Washington Senatorship. He will open no "bar".

That much has been made known by his managers here.

WASHINGTON COUNTY MEETING IS VERY LARGELY ATTENDED. Resolutions of Salem Meeting In-

dorsed_Appropriation of \$25,000

Is Recommended for County.

HILLSBORO, Or., Jan. 1.—(Special.)
—The Washington County good roads meeting held here today was attended by at least 200 from various parts of the county Nearly all the Road Supervisors and two members of the Legislature were in attendance. Dr. James Withycombe, vice-director at the Corvallis Agricultural College, and whose home is near this city, delivered the opening address, urging action.

Judge Magers, of Portland, addressed the audience on practical road work.

Judge Magers, of Pertland, addressed the audience on practical road work, and condemned the present unsystematic labors on the public roads. Other speakers were: Dr. J. P. Tamiesie, who advocated Government aid; Hon. B. P. Cornelius, Mayor of Hillsboro; Hon. W. D. Hare, Colonel Haynes and Ira E. Purdin, of Forest Grove, and Ferd Groner, of Scholls.

A committee consisting of W. K.

er, of Schoils.

committee consisting of W. K.
ell. Representative-elect; John Milne, W. D. Hare, Harry Haynes and B. P. Cornellus, brought in a resolu-tion indorsing the adopted resolution at the recent Salem state meeting, givnot as yet been mapped out, but the Com-missioners assure us it will be a credit to ing the county the right of eminent domain over its roads and placing the supervision of road work in the hands of the County Board; the purchase of up-to-date road machinery; holding road institutes in January and Febru-ary of each year, and a recommendation ary of each year, and a recommendation that the county appropriate \$25,000 additional to the regular levy, this for permanent road work. The resolution was amended to make the ap-propriation \$100,000 of bonds, but the

Flames Break Out in Clothing Store and Deatroy Other Property.

NORTH YAKIMA, Wash. Jan. 1.—
(Special.)—The Morrison and Forguson buildings, on West Yakima avenue, were gutted by fire tonight, and the stores of Lewis Kinney, Frank Clark and C. S. Statz almost totally destroyed. The loss will probably foot up \$15.790.

The fire originated in Statz clothing store while he was at the opera and communicated to the lodging-rooms kept by C. R. Horn, on the second floor, thence to the space between the ceiling and

to the space between the ceiling and roof. For more than three hours the fir-men fought the flames and prevented them from spreading to adjoining buildings.

SUMMONED IN SMOOT CASE.

J. H. Brady and W. E. Borah Are Called by the Defense.

BOISE, Idaho, Jan. 2.—J. H. Brady, chairman of the Republican State Committee, and W. E. Borah, a well-known attorney and political leader, have been summoned to appear in Washington as witnesses in the Smoot case.

They have been called by the defense and are to report January. 18 and are to report January 10.

Prevent a Will Contest. HELENA Mont., Jan. 2-Jacob Klein, of San Francisco, executor of the estate of the late Henry Klein, a millionaire merchant of this announced that the estate fected a settlement with Mrs. L. Auerbuch, wife of a retired San Francisco capitalist and a sister of the deceased, who threatened to sue the estate because she was not mentione in the will. The terms of the settle ment were not announced.

Leper in Seattle Jail. SEATTLE, Jan. 3.-Arthur McClellan, a negro prisoner, was found in the City Jail today with peculiar-looking sores on his arms, neck and breast. A doctor pronounced him a leper. Other doctors are undecided as to what is the matter with the negro, and the lat-ter says he does not know himself. The case will be thoroughly investigated by the authorities.

Held in Bathhouse Mystery. ASTORIA, Or., Jan. 2.—(Special.)— Caarles Mattson, the strunger who was in the Russian bathhouse in the west end of the city at the time Herman Hendrickson met his death during Sun-day night, was apprehended today at Rainler. He was brought here tonight and the Coroner's inquest to inquire into the cause of Hendrickson's death will be held tomorrow morning.

Salem Council Elects Officers. SALEM, Or., Jan. 3.—(Special.)—The new Salem City Council held its first

meeting tonight and elected officers. The employes of the fire department were all employes of the tre department were all re-elected. Former Night Officer J. W. Lewis was elected Health Officer. L. R. Murphy and Frank Shedeck were elected night officers A. J. Kurtz was elected Street Commissioner, to succeed H. C. Tarpley.

Fined for Selling Liquor.

SALEM, Or., Jan. 2.—(Special.)—District Attorney McNary today filed an informa-Attorney McNary today filed an informa-tion against F. P. Talkington, charging him with selling liquor on election day. Talkington pleaded guilty, and paid a fine of \$25 imposed by Judge Burnett. Henry Carmody, charged with selling liquer to a minor, at Gates, plead guilty and paid a \$50 fine.

Allen Is Made Statistician.

OLYMPM, Wash., Jan. 2.-(Special.)-George M. Allen, formerly publisher of the Dawson Nugget and a well-known newspaper man on the Sound, has been appointed deputy statistician in the office of the Socretary of State to succeed A. W. Frater, who was elected to the Su-perior Bench of King County in the re-cent election. cent election.

Lumbering Is Being Resumed. KALAMA, Wash., Jan. 3.—(Special.)— The Ross & Clyde Lumber Company, op-erating on Coal Creek, will resume oper-ations January 3, with a force of 66 men. The Barr Logging Company has opened up on the Coweeman with a full crew of

Most Deadly of Insults. Cleveland Leader.

Fweddie-That creature actually told me to mind my own business, y'know!

Cholly-The impertinent wretch!

Fweddie-Positively insulting. As if to insinuate, don't y'know, that I was in business.

Rheumstism Sciatica Lumbago S tiff and S tiff and Swollen Joints

MUNYON, Philadelphia

FUNDS FOR ROAD WORK ARE YOUR KIDNEYS WEAK?

Thousands of Men and Women Have Kidney Trouble and Never Suspect It.

To Prove What the Great Kidney Remedy, Swamp-Root, Wili Do for YOU, Every Reader of The Oregonian May Have a Sample Bottle Sent Absolutely Free by Mall.

It used to be considered that only urin-ary and bladder troubles were to be traced to the kidneys, but now modern science proves that nearly all disedses have their beginning in the disorder of these most

Important organs.

Therefore, when your kidneys are weak or out of order, you can understand how quickly your entire body is affected, and how overy organ seems to fail to do its duty.

duty.

If you are sick or "feel badly," begin the sreat kidney remedy, Dr. Kiltaking the great kidney remedy, Dr. Kil-mer's Swamp-Root, because as soon as your kidneys begin to get better they will help all the other organs to health. A trial will convince anyone.

trial will convince anyone.

I cheerfully recommend and indorae the Great Remedy, Dr. Klimer's Swamp-Roet, for kidney trouble and bad liver. I have used it and derived great benefit from it. I believe it has cured me entirely of kidney and liver trouble, from which I suffered terribly. Most gratefully yours, A. R. REYNOLDS, Chief of Police, Columbus, Ga.

Weak and unhealthy kidneys are re-sponsible for many kinds of diseases, and if permitted to continue much suffering and fatal results are sure to follow. Kid-ney trouble irritates the nerves, makes you dizzy, restless, sieepless and irritable. Makes you pass water often during the day and obliges you to get up many times during the night. Unhealthy kidneys cause rheumatism, gravel, catarrh of the blad-rheumatism, gravel, catarrh of the bladjustion was amended to make the appropriation \$100,000 of bonds, but the amendment was not adopted, and the motion to adopt the original was carried with but two or three dissenting votes.

FIRE LOSS AT NORTH YAKIMA and waste away.

and waste away.

The cure for these troubles is Dr. Klimer's Swamp-Root, the world-famous kidney remedy. In taking Swamp-Root you afford natural help to Nature, for Swamp-Root is the most perfect healer and gentle aid to the kidneys that is known to medical aclerace.

How to Find Out

If there is any doubt in your mind as to your condition, take from your urine on rising about four otinces, place it in a glass or bottle and let it stand 24 hours. If on examination it is milky or cloudy, if there is a brick-dust settling, or if small particles float about in it, your kidneys are in need of immediate attention.

Swamp-Root is pleasant to take and is Swamp-Root is pleasant to take and is

Swamp-root is pleasant to take and is used in the leading hospitals, recommended by physicians in their private practice, and is taken by doctors themselves who have kidney aliments, because they recognize in it the greatest and most successful remedy for kidney, liver and bladder troubles.

If you are already convinced that. Swamp-Root is what you need, you can purchase the regular 59-cent and 31 size bottles at the drug stores everywhere. Don't make any mistake, but remember the name. Swamp-Root, Dr. Kilmer's Swamp-Root, and the address. Binghamton, N. Y., on every bottle. EDITORIAL NOTE—So successful is Swamp-Root in promptly curing even the most distressing cases of kidney, liver or bladder troubles, that to prove its wonderful merits you may have a sample bottle and a book of valuable information, both sent absolutely free by mail. The book contains many of the thousands upon thousands of testimonial letters received from men and women cured. The value and success of Swamp-Root is so well known that our readers are advised to send for a sample bottle. In sending your address to Dr. Kimer & Co. Binghamton, N. Y. be sure to say you read this generous offer in the Portland Daily Oregonian The proprietors of this paper guarantee the genulneness of this offer.

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DIRECTIONS.

May take one, two or three issuppossible before or after meals and at bestime.

Children issu according to age. Hely commence with small done and increase to full done or more, as the case would seem to require.

as the case would seem to require.
This great remedy curse all
kidney, liver, blander and Urto
Acid troubles and discretize due
to weak kidneys, such as exterriof the blander, gravel, rhesmatime, lumbage and lightly becase, which is the worst form of
kidney disease.

It is pleasant to take.

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sold by all Druggists.

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If you are already convinced that

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Doctors of the St. Louis And Dispensary Specialists in Dispensary Medical Dispensary

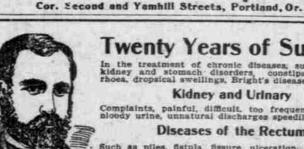


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Complaints, painful, difficult, too frequent, milky or bloody urine, unnatural discharges speedily cured. Diseases of the Rectum

Such as plies, fistula, fissure, ulceration, mucous and bloody d'acharges, cured without the knife, pain or confinement. Diseases of Men

Blood poison, gleet stricture, unnatural loases, impotency thoroughly cured. No failure. Cure guaranteed.
YOUNG MEN troubled with night emissions, dreams, exhausting drains, bashfulness, aversion to society which deprive you of your manhood, UNFITS YOU for BUSINESS OR MARRIAGE.
MIDDLE-AGED MEN, who from excesses and strains have lost their MANLY POWER.
HLOOD AND SKIN DISEASES, Syphilis, Gonorrhoea, painful bloody urine, Gleet, Stricture, Enlarged Prostate, Sexual Debility, Varicocele, Hydrocele, Kidney and Liver troubles cured without MERCURY OR OTHER POISONOUS BRUGS. Catarrh and rheumatism CURED.

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