BIG DAMAGE SUITS

Infringement of Whisky Trade-Marks.

SALOONMEN ARE DEFENDANTS

They Are Accused of Selling Inferior Liquor Under the Well-Known Brands of a Kentucky Distilling Company.

Nineteen tiamage suits, aggregating \$95,000, were filed in the United States Court yesterday by W. A. Gaines & Co., distillers, of Frankfort, Ky., against two-thirds of Portland's wholesale or donlers. The cause for Jamages te an alleged infringement of the trademarks "Old Crow" and "Hermitage," owned by the complainants and, applied by them to the products of their distilleries, and separate suits are instituted against each defendant and under each trademark. The defendants are:

S. A. Arata & Co., Soi Blumauer and Eugene Hoch, representing the firm of Blumauer & Hoch; W. J. Van Schuyver Co., Henry Fleckenstein, doing business as Henry Fleckenstein & Co.; Adolf Neuberger and Frank Botefunr, doing business as Frank Botefuhr & tory agreement with Mr. Ballard the Co.: Charles Stern, doing business as Charles Stern & Co.; Charles Kohn, do-Fleckenstein-Mayer Company, the De David Penni, John W. Hickman and the theater have already been approved Glovanni Garbarino, doing business as

property of the plaintiff and form an integral part of the good will of the in 1868 by Gaines, Berry & Co., of plete will open two weeks from that date, which W. A. Gaines & Co. are succes- if not sooner."

It is further alleged that the de-fendants on and since January 1, 1904, have made or caused to be made and sold or caused to be sold a certain compounded liquor to which they have ap-plied the trademarks in the respective cases, against the will of the complainant and without his consent and in violation of the complainant's trademark rights. These fraudulent brands of whisky have been sold, it is alleged, under the representation that they were those of the complainant and such sales have diverted trade from the complainant to which it was entitled. The inferior qual-ity of these fraudulent goods, it is charged, has damaged the reputation of the complainant to the extent of \$5000, and an accounting is also asked for the gains and profits unlawfully made and received by the complainants through the use of such trademarks. It is understood that Portland liquor

dealers are not alone in having these suits brought against them, and that dealers throughout the country are being sued on similar grounds

ST. JOHNS HAS NO POLICE CHIEF Council Rejects All Names Submitted by Mayor King.

At the meeting of the St. Johns Counell last night all of Mayor W. H. King's appointments were promptly confirmed by the Council except those which he submitted for the office of Chief of Po-On this appointment the Council disagreed with the Mayor and rejected every name he submitted for that office. S. H. Greene was appointed City Attor-ney, as he had been without opposition ney, as he had been without opposition at the election. Mayor King appointed him so as to avoid future complications. Henry J. Smith, the former City Engi-neer, was appointed to that office and confirmed. B. T. Leggett was elected

president of the Council.

For Chief of Police, Mayor King submitted the names of John Verdigan, R. C. Clark and George Etheiridge, and these were rejected nearly unanimously by the Council. Mayor King then said he would submit no more names at this meeting. It is thought that the Council favors Marshal C. R. Organ for Chief of Police, and will continue to reject all ap-pointments until his name is submitted. as the Council is composed mainly of men elected on the Good-Government Lengue ticket, of which Marshal Organ was a prime mover. Mayor King did not appear much disconcerted over the rejection of his appointments, and said he wanted the Councilmen to be free to vote as they considered for the best.

The following committees for the year were appointed by the Mayor:

Ways and means and current expenses P. J. Peterson, C. S. Thompson, H. W.

Streets and docks-B. T. Leggett, C. A. Linquist, J. H. Shields.
Licenses-B. T. Leggett, H. W. Brice,
C. D. Edwards.

Water and lights Charles A. Linquist, J. H. Shields, P. J. Peterson. J. H. Shields, P. J. Peterson.
Public buildings and grounds—C. S.
Thompson, P. J. Peterson, H. W. Brice.
City Attorney S. H. Greene and City
Engineer Henry J. Smith were appointed
a special committee to investigate the ounts and books of the last city ad-

An ordinance fixing the bonds of the City Auditor at \$500, City Marshal at \$500 and the Treasurer at \$3000 was read three times under suspension of rules and passed. Recorder Hanks and Treasurer Valentine filed their bonds. Retiring Pressurer J. F. Livermore turned over books and cash to the amount of \$295.81, and was relieved from further re-sponsibility. After some routine busis the Council adjourned,

Mayor King said that up to last evening 29 applications for license to sell liquor in St. Johns had been filed.

NO SALOON FOR ST. JOHNS

New Charter Gives Council No Au-

tnority to Issue License. Careful examination of St. Johns' new charter falls to discover any provision which gives the Council the power to license a saloon. By section 45, under the head of "Criminal and Police Powers," the Council is given full powers to "regviate and restrain bartenders, saloon-keepers, dealers in and manufacturers malt and vinous liquors," etc., that is all. This section also says that no license shall be issued to a saloon within 400 feet of a schoolhouse. But there is apparently no section for grant-

ing to a saloon a license.

There are already 25 applications for licenses to sell liquor in St. Johns, and more are coming in. Mayor King has said he desired the people to say at the polls whether they wanted a saloon or not, but if there be no power granted the Council to issue a license it would seem that the city cannot issue a li-

Further, there does not appear to be any power conferred on the Council to issue any sort of license, although there is an abundance of authority to "regu-

S. H. Greene, the City Attorney, has dis-covered several discrepancies in that document. The St. Johns charter is similar to that of Forest Grove, under which the Circuit Court there holds that no saloon licenses can be issued.

WILL BE BELASCO THEATER Columbia Will Change Its Name Under New Management.

M. A. Mayer, of Belasco & Mayer, the purchasers of the Columbia Theater, made the announcement while in Port land yesterday that the theater would be conducted as a stock-house in the future, as it had been in the past. He also announced that when the firm took charge the house would be known as the Belasco Theater. The date of the opening of the theater under the new manage ment has not been decided upon, as no A. H. Ballard, whose lease upon the theater does not expire until June 30.

'The stock company we will install at the Columbia Theater, or the Belasco be of as high standard as any on the Coast," said Mr. Mayer at the Hotel Portland last night, just before leaving for San Francisco. "Only the very lates: plays will be staged and they will be first class in all particulars. At this early date I could not name the principals of the stock which will be at the theater this

"We would like to take charge of the theater May I, but owing to the lease held by Mr. Ballard we may not be able to occupy the house until June 1, which would materially affect our plans. The matter has not been definitely settled yet and our visit to Portland has been fruitless as the conditions regarding our occupancy remain as they were.

stock company will open in Portland June 1. We are going to expend \$10,000 Charles Stern & Co.; Charles Kohn, do-ing business as Charles Kohn & Co.; of the house, and we want a month in which to prepare. The plans for the al-Martini Company, Jacob M. Gellert, tering of the interior and the exterior of

"If we are not able to occupy the the-ater until July 1 some of the extensive Penni, Hickman & Co.

In the complaints it is alleged that both of the trademarks are the lawful templation will be delayed until in the Winter months. Of course some of the Winter months. Of course some of the made anyway. You part of the good will of the alterations would be made anyway. You and that each trademark as can state positively that in case we such is of the value of \$500,000. These should be delayed in occupying the the-trademarks were adopted in 1867 and ster until July 1, the stock company com-

> MAY HAVE A GLASS FACTORY Eastern Concern is Anxious to Lo cate in Portland.

Will Portland have a glass factory? The Portland Board of Trade has been asked by a prominent Eastern glass manufacturing company whether or not there is an opportunity to establish a plant in this vicinity, and Captain J. H. Fisk has been delegated by that organization to find out the feasibility of the plan and

The Board of Trade held a meeting yesterday afternoon at which various interesting things were discussed. Not only the glass factory business was discussed, but a communication was read from an Eastern drop-forging and malleable iron foundry asking what inducements could be offered for the establishment of a foundry here. The communication was re-ferred to J. B. Hammond, who will make siries as to what can be offered. The by-laws of the Board were amende o conform with the constitution recently

adopted. Provision was made for the essentatives of the different lines of busi-ness in the city. It is provided that ten members of any one calling can form a sub-board under the laws and protec-tion of the Board of Trade for the betterment of trade and business conditions. The business has not progressed far the headquarters of such boards will be enough to make it certain that the ship business of the Board of Trade, and will be taken. The Brinkburn was fixed they will be considered as head will be taken. the Board.

ship: Phoenix Fuel Company, W. E. Rothery, Florian Fuchs, Cortland: L. Parker, Louis A. Greenley, Paul Strain.

Find Wells Are Polluted.

For several weeks the State Board of Health has been receiving reports from different persons residing in the town of Halsey, Or., to the effect that the sanitary conditions of the place were bad and sug-gesting that a cattle corral along the railroad might be the cause of the pollution of the wells within the town. The board as a result of these reports

sent a competent sanitarian and bac teriologist to Halsey, who spent an entire day in examining local conditions. He found wells that were quite badly polluted, but whether as a result of the drainage from the corral or from the unsanitary conditions of the natural marsh; country about the town cannot be deter mined until the waters from the wells have been subjected to a chemical analy-sis, which is being done by the board. As soon as the findings of the chemists are known the State Board will take steps toward remedying the conditions.

Case for State Not Federal.

Upon motion of the Deputy United States District Attorney George Bradley, charged with selling liquor to a Umatilla Indian, was released from custody yesterday and the charge against him dismissed by Judge Bellinger. This dismissal resulted through the late decision of the United States Supreme Court that the Government has no jurisdiction over much cases. In view of this decision such cases. In view of this decision future Indian liquor cases will be dealt with by the state authorities.

accordingly fined \$500. In making an appearance on their wife's church membership. You peal to the department in Washington, must not expect Christ to do for you the owners asserted that the Kilburn was

Help

WRITE US FREELY. We want you to write an firstly and frankly, describing all your symptoms. We compley a staff of specialists in female describer, who will carefully consider your can and give you free advice. Be not healtste, but write as today, giving a complete history of your treatment, and we will mad you pinks insaferscribes what to do to get well. All correspondence hapt perfectly secret, and ready not you by staffs insafer.

VISITS MORE BOATS

Admiral Kempff Resumes His Water-Front Investigation.

TAKES TRIP TO VANCOUVER

Steamboat Men Welcome His Com ing, but Complain of Severity of Federal Navigation Laws-Equipment Required.

Rear-Admiral Louis Kempff continued his investigation on the waterfront yesterday. After his roundup of steamboats Monday, the officers of the various craft in the harbor were on the lookout for him, and none were taken very much by

He first visited the Albina ferry, W. S. company with Captain Ed wards and Mr. Fuller, the local United States Inspectors. The boat and her equipment were found to be in excellent shape, the only thing wrong being in the working of one of the davits, which

can be easily remedied.

The little propeller America was next inspected and found to comply in all respects with the regulations of the service. The party then went over to Vancouver and paid an official visit to the converted there by the Partised Conferry operated there by the Portland Con solidated Rallway. She, too, was found to be in good working order

By the time the inspection of the ferry was completed, the steamer Charles R. Spencer hove in sight, bound down from The Dalles. The Admiral and the two inspectors boarded her at Vancouver and returned on her to Portland. The boat was given a general inspection, and at the request of Admiral Kempff the fire drill was then called. The crew responded instantly to the slarm and went through the factics in a way that re-flected great credit on the discipline enforced by Captain Allen. The performance was watched with much interest by the large crowd of passengers on the

Admiral Kempff proposes to inspect personally the equipment and discipline on every passenger boat in these waters, and consequently has a big job on his hands. It will take him several weeks

o complete the work. Steamboatmen, as a rule, welcome his coming, believing it will result in much practical good. They are not all so friendly, however, to the new regulations required by the department in the way of equipment. Some of the require-ments, they say, are excessive, and will hamper, rather than benefit, the steam-boat business. A boat in the class of the Gatzert, Spencer or Hassalo must carry equipment worth about \$2000. A certain number of lifeboats are required, whereas the steamboatmen say that any boat on the river can be run ashore in half the time the boats can be launched with the best of appliances. They do not se why the same regulations that are in force off the coast and on the lakes should be required on boats plying these inland rivers. They also complain that the equipment demanded is so heavy as make it not worth while to build lightdraft boats for the upper streams.

TRAMP STEAMER OFFERED. Another Four-Dollar Vessel on the

Market for Portland Loading. Orders for flour and grain continue to arrive from the Orient, which has revived the talk of chartering tramp steamers for yesterday to load on the Sound independently of the regular lines.

The Dumbarton, which was chartered by the Portland Flouring Mills, has arrived and will take on 90,000 barrels of flour for Japan. Her sailing may be son what delayed, as the Portland & Asiatic liner Aragonia will require berth room at the mills in a few days to load some 46,000 barrels. The Ferndene, another tramp steamer that is coming here, will be on hand about the last of the month A factor that may have some weight with exporters in this connection is the sudden advance in war risks that has followed the appearance of Admiral Ro-jestvensky's fleet off the Asiatic coast. Rates have climbed from about 14 per cent, or 25 cents, to 25 cents to Japanes ports, and are expected to advance stead ily. San Francisco quotations are still firmer. Most of the flour to be sent from Portland in the immediate future has

Kilburn's Fine Commuted.

ASTORIA, Or., April 11,-(Special.)-No tice was received at the Custom-House today from the Department of Commerc and Labor, stating that the fine of \$500 recently imposed by Collector Robb against the steamer F. A. Kilburn, has been mitigated to \$100, provided an in-vestigation to be made by the local customs officials shows that the vessel has the passenger equipment which the own-ers claim, and that her certificate of inspection has been properly indorsed.

A few weeks ago the steamer came into this port from San Francisco via coast

points with 66 passengers on board, where-as her certificate allowed her to carry only 24 passengers at night, and she was

properly equipped to accommodate the full number of passengers carried, but they had neglected to have her certifi-cate properly indorsed.

Return of Captain Patterson.

Captain W. H. Patterson, the Columbia River pilot, returned from Honolulu yes-terday on the steamer Rosecrans, after a terday on the steamer Rosscrans, after a 20 days' voyage undertaken for the benefit of his health. The captain reports having thoroughly enjoyed the trip. The Rosscrans entered the Columbia Monday morning, two hours after high lide, and drawing 24 feet. She brought 22,000 barrels of crude oil from Monterey and, despite her deep draft, had no difficulty in crossing in on a strong ebb tide. Captain Patterson took charge of her at Astoria and brought her to Linnton and last night returned down the river with the steamer. returned down the river with the steamer

Pilot Commissioners Organize. ASTORIA, Or., April 11.—(Special.)—The newly-appointed State Board of Pilot Commissioners, consisting of Sylvester Farrell, of Portland; George Noland and A. V. Pendleton, of this city, met here this afternoon and organized by the elec-tion of A. V. Pendleton as chairman. The only other business transacted was to instruct the chairman to have the state pilot schooner San Jose prepared for service off the mouth of the river during the

Alliance's Engineer Drowned. MARSHFIELD, Or., April 11.-(Special. Chris Topher Thompson, second engi-neer on the steamer Alliance, fell over board last night while the vessel was tied at her dock, and was drowned. Captain Hardwick and the first officer heard the man fall, coming across the gang plank about S o'clock. It is supposed that he was stunned by striking against the side

of the ship. The body was not recovered

until this morning.

Free Rides to Deep River. 'ASTORIA, Or., April 11 .- (Special.)-The fight which has been in progress for some weeks between the Callender Navigation Company and Captain John Pickernell over the run between this city and Deep River, Wash., resulted in the former putting a boat on the run today and carrying passengers free of charge.

Centennial Is Floated.

SAN FRANCISCO, April 11.—Informa-tion has been received by the Merchants Exchange that the steamer Centennial, which was grounded at Port Townsend yesterday morning was floated last night. The vessel was found to have been damaged but little and proceeded to her des

Adato on Fire at Sea. SAN FRANCISCO, April 11.-The British steamer Adato, just arrived here from Karatsu, Japan, reports that on March 28, while in a heavy seaway, the cabin was set on fire by the stove being over-turned. Before the fire was extinguished the interior of the cabin was damaged to

Fishing Schooner in Distress. NORFOLK, Va., April 11.—An unknown New York fishing schooner is reported in distress off Thimble Light, in Lower Chesapeake Bay, with her main sail, fore-sall and boom gone. A Norfolk wrecking tug has left to lend assistance

the extent of \$15,000.

The steamer Cascade has sailed for San Francisco with 550,000 feet of lumber. The new steam schooner Sea Foam has been chartered by the Portland Lumber Company to load for San Francisco. Sh-

will sall Sanday.

The barkentine Thomas P. Emigh start ed down the river yesterday bound for Shanghai. She carries 1,230,972 feet of umber valued at \$12,041.

The steamer Jessie Harkins yesterday pray: Go out into the byways went out on her first trip to Washougal hedges and compel them to come In place of the lone. The latter steamer went to the yards for an overhauling.

The Regulator Line steamer Dalles We have not to make ourselves better.

Domestic and Foreign Ports.

ASTORIA, April 11.-Arrived at 10:30 M. and left up at 1:30 P. M.-British M. and left up at 1:30 P. M.—British teamer Dumbarion, from Moji, via Port ownsend. Salled at 10:30 A. M.—Gasoline Condi-

Townsend. Sailed at 10:30 A. M.—Gasoline schooner Chetco, for Rogue River. Condition of the bar at 5 P. M., smooth; wind northwest; weather clear.

San Francisco, April 11.—Sailed at 10 last night—Steamer Aberdeen, for Portland. Arrived—Steamer Commodore Perry, for Sailed—Steamer Commodore Perry, for Seattle; steamer Breakwaier, for Coos Bay; schooner Lily, for Umpqus.

Tacoma, April 11.—Arrived—Steamer Cottage City, from Skagway; steamer Al-Ki. tage City, from Skagway; steamer Al-Ki, from Skagway. Sailed-Steamer Al-Ki, for Skagway; steamer Cottage City, for Skag-

New York, April 11.—Arrived—Potsdam, from Rotterdam; Finiand and Rhyndam, from Antwerp, Hamburg, April 8.—Arrived—Memphis, from Tacoma, San Francisco, etc., via Montevideo, etc.

Sydney, April 11.-Arrived previously-Sierra, from San Francisco, via Honolulu and Auckland.

Revival at Grace M. E. Church. The revival meeting in Grace M. E. Church was well attended last night. A large chorus choir, led by Professor Wilder, rendered inspiring music. After several had led in prayer. Miss Lytle sang a solo. Dr. Wilson took his text from Acts: "Men and brethren, what must I do to be saved?" He said: "Salvation is the permanent deliverance from both the love and the guilt of sin, as well as from its consequences. How may one be thus saved? You must not imagine you have nothing to do. You must not ex-pect anyone to do it for you. I know lots of men who expect to silde into heaven

the talk of chartering tramp steamers for line regulator Lane steamer Dalies we have not to make ourselves between City had a satisfactory trial run up the Offered to local shippers at a 14 rate, but Columbia yesterday. This morning she is to apologize to God. To applogize is to apologize to God. To applogize is to apologize to God. To applogize is to apologize fault crasse the offense and our salvation to Jesus as an advocate fust as you would entrust a legal case to a competent lawyer, or the cure of Iliness to a skillful physician. A life of faith will cure your worries. And it is the way to overcome your sine."

> vening this week except Saturday. Steel Street-Cars the Latest.

The pastor announced services for each

NEW YORK, April II.-Steel cars will lines in this city. The first of a large number ordered has been received and will be put into service at once. Wood only for inside trimmings, and even this is supposed to be fireproof.

Horticulturists Conclude Work. The semi-annual session of the State Board of Horticulture was concluded at the morning session held yesterday in the office of Secretary Lamberson For the purpose of aiding the effective-ness of the new horticulture law passed at the last Legislature it was decided to

the law, new sprays and advising the mty inspectors in regard to The board is bending every energy to

CASTORIA

The Kind You Have Always Bought

To Suffering Women

Here is a safe, sure, scientific way of relieving all your pain, putting new roses into your pallid cheeks, new brightness into your faded eyes, new strength into your weary body, new vitality into your jaded nerves. Take

Wine of Cardui

A Sure Cure for Women's Ills.

This is a pure, medicinal extract, of the active alkaloids of certain curative plants and herbs, which have a peculiar, specific, tonic, pain-relieving, strength-building action on the delicate female functions and constitution.

It is the most marvelous medicine in the world for sick and suffering women. It will quickly make you well. Sold in every drug store, price \$1.00 a bottle.



dependent on the perfect health of the delicate female organism.

If you wish to have the beauty and attractiveness of perfect health, if you wish your eyes to sparkle, your complexion to resume its brilliancy, and your whole body to thrill with the glow of renewed vitality, take that famous woman's medicine,

Lydia E.Pinkham's Vegetable Compound

If you have headaches, backache, organic pains, painful or irregular monthly periods, any womb or ovarian trouble, begin with Lydia E. Pinkham's Vegetable Compound at once. It will save you needless suffering. It will restore your womanly beauty.

Dear Mrs. Pinkham:-Lydia E. Pinkham's Vegetable Compound cured me of a severe and protracted case of ulceration of the womb. I had twins, but lost one child. After their birth this trouble began, but your Compound restored me to perfect health. My little girl is now six years old, and I am a perfectly well woman, and as happy as a mother could desire to be. I give the entire credit to Lydia E. Pinkham's Vegetable Compound. MRS. S. R. BECKMAN, Cor. Murphy Ave. & Whitehall St., Atlanta, Ga.

No woman, were she a Venus de Milo, could continue beautiful with a dragging down female complaint. Mrs. Pinkham invites all sick women to write to her for advice. Many have benefited by it,

Lydia E. Pinkham's Vegetable Compound Cures Where Others Fail

to the fruit industry through this law. It was arranged that a meeting would be held between the board and a committee from the Portland Merchants' Association month. PRIL METSCHAN, Pres.

C. W. KNOWLES, Man

European Plan

. . . \$1.00, \$1.50, \$2.00 per Day THE BEST WAY TO SEE PORTLAND



Is by Tally-Ho, Cabriolet, Boulevard Wagon, or Landau. UNITED CARRIAGE 11th and MORRISON Str.

CASTORIA

The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of and has been made under his personal supervision since its infancy. Allow no one to deceive you in this.

All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children-Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhœa and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea-The Mother's Friend.

GENUINE CASTORIA ALWAYS

The Kind You Have Always Bought

In Use For Over 30 Years.

THE CENTAUR COMPANY, TF MURRAY STREET, NEW YORK CITY.