# ABATTOIR CASE UP

Appeal of Slaughter-House Is Heard.

### ARGUMENT BY THE DEFENSE

Claim Is Put Forward That It Was Unlawful for the Municipality After Granting Permit by Ordinance to Revoke It.

The appealed case against J. H. Cook James M. Neal and Thomas W. Bigger officers of the Pacific Packing Company on the charge of maintaining a slaughter-house on the Macadam road, which is a nulsance, was heard by Judge Cleland yesterday. The defendants were found guilty in the Municipal Court, on April 7. 1905, and were fined \$100 each by Judge Hogue, T. T. Burkhart, W. R. Walpole, R. C. Prince, A. C. Newell, E. A. Sessions and R. L. Durham all testified that the odors from the packing-house were nox-

defense interposed by Williams Wood & Linthicum, attorneys for the company, was that the city invited L. Zimmerman to build a packing-house, and the Council passed an ordinance granting the Pacific Packing Company the privilege to maintain a public abattoir, and fixing rates for services performed. The ordinance granting Zimmerman the right to build the packing-house was passed in 1896, and he expended \$37,000 for the plant. After the place was erected and put into operation and continued for years, the ordinance was repealed. This was argued

to be unlawful.

A suit to test the constitutionality of the ordinance making the Pacific Packing Company a public abattoir is now pending in the State Circuit Court.

### Bench Warrant for Saloon Men.

Thomas McGlinn, late proprietor of the Tuxedo saloen, which has been taken ossession of by his creditors, was arrested yesterday on a bench warrant is-sued by Judge Frazer because he failed to appear in court to stand trial on a charge of permitting Joyce Cannon, a girl 18 years old, to frequent the saloon. A law passed at the last session of the Legislature makes it unlawful for the keeper of a saloon to allow any woman in his place who is under the age of 21

Ed Johnson, who was McGlinn's partner, The case was set for trial in the State Circuit Court yesterday. Neither McGlinn nor Johnson appeared, and Judge Frazer declared their bail of \$390 each forfeited. ane sureties on the bonds are S. L. Brown and M. G. Nease in the McGlinn case, and Brown and George Screnson for John-

McGlinn made an excuse that he forgot all about the trial. Judge Frazer reset the case for trial September 19.

### Took Oplum to Prisoner.

Mrs. Sadie St. Clair, a recently dis-charged prisoner from the County Jall, yesterday visited the place and gave a woman, who is serving a sentence in the prison. Instead, the trusty gave the oplum to Jaller Grafton, who placed Mrs. St. Clair under arrest, and reported the case to District Attorney Manning.

1:09 2-5.

Mile and z sixteenth—Sonoma Belle won, Jennie McCabe second, Lady Elison third; time, 1:50 2-5.

Mile and 70 yards—Samuel B. Harris won, Baron Eaher second, Saulsberry third; time, 1:49 2-5.

## SOLDIERS IN ATHLETICS

Others Post, oned by Rain.

The finals of the United States Army field-day events, which were scheduled to take piace at the Stadium, yesterday morning, were postponed on acc the muddy condition of the track, and arrangements have been made by Director Kerrigan to bring the events off at the Columbia University's Indoor gymnasium this morning. The other events on the soldlers' programme took place in front of the Government building in the afternoon, and were witnessed by a large crowd of spectators, who gathered on the portice and steps of the Government building, and were protected from the rain. These events were interesting to a great degree, for they illustrated the practical side of Army life in the field. The results

Frankel; second, Sellinger and White; Walters and Faltesiu; time, 1 minute seconds. 14-5 seconds.
Smidle race—Won by Private Kearns, 18th lattery, Field Artillery; second, Sergeant Voods, 17th Battery; third, Private Gartner, 18th Battery; time, 1 minute 173-5

arconda

Litter-hearer race—Won by Private First
Class A Elckhoff, Private First Class Paul
Wolk and Private First Class J. J. Hanus,
Fort Stevens, Or.; second, Corporal Downey,
Rustician Nichols and Private McPherrin, of
Fort Stevens; third, Cook Maley, Private
Turner and Private Smith, Company K, 14th
Lifanity, Vancouver, Wash.; time, 8 minmics 24-5 seconds.

The events at Columbia University will start promptly at 10 o'clock this morning and comprise several interesting features. one of which is the blank-cartridge race. This event is unique in fiself, and well worth winessing.

WHEELER SCORES A SHUT-OUT

# Seals Find Iberg's Curves Easy and

Swat Them Hard. SAN FRANCISCO, Sept. 12.-Oakland's inability to hit Wheeler cost them the game with San Francisco, which shut

> PACIFIC COAST LEAGUE, Yesterday's Results,

San Prancisco, 6; Oakland, 6. No game at Tacoma—Rain.

Standing of the Clubs.

 Oakland
 Won.
 Lost.
 P.C.

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 .88

 Tacoma
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 18
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them out today. The winners scored two runs on two hits in the initial inning. runs on two hits in the initial inning, and made another on a single hit in the second. The locals made one run in the sixth and two in the eighth, making a total of six. The score:

Batteries Wheeler and Wilson; Iberg and Byrnes. Umpire-Perrine.

Rain at Tacoma. TACOMA, Sept. 12. - The Seattle-Ta-come game was postponed on account of

Pitcher Shields Suspended. SEATTLE, Wash., Sept. 11.-Pitcher and gives strength after serious illness

Shields, of the Siwashes, has been fined \$100 and suspended for the remainder of the season. Shields was arrested in the tenderioin early Sunday morning for as-saulting a negro. He resisted the arrest-

AMERICAN LEAGUE.

New York 3-7, Philadelphia 4-4. PHILADELPHIA, Sept. 12.-New York and Philadelphia split even in a double-header today. Dygart weakened in the eighth inning of the second game, and the visitors accored six runs. Attendance, 12.005. Houres:

First game-R.H.E. New York..., 3 & 5 | Philadelphia. 4 8 3

Batteries-Chesbro and McGuire; Coak-Second game R.H.E. New York.... 7 10 1 | Philadelphia. 4 11 2 Batteries-Orth. Puttman and Kleinow;

Dygart and Schreck, Detroit 4, Cleveland 3.

DETROIT, Sept. 12.—McIntyre's hot grounder in the ninth scored Cobb for Detroit's winning run in a closely con-tested game with Cleveland today. Attendance, 1000. Score;

Detroit..... 4 9 1 Cleveland.... 3 9 1 Batteries-Killian and Warner; Joss and

Chicago Game Postponed. CHICAGO, Sept. 12.—St. Louis-Chicago game postponed; wet grounds.

NATIONAL LEAGUE.

St. Louis 2-2, Pittsburg 8-1.

First game:

R.H.E. | R.H.E. | 2 9 1 | Pittsburg .... 8 11 0 Batteries-McFarland and Grady; Lynch and Petts. Umpire-Emelie.

Second game-R.H.El St. Louis.... 2 7 1 Pittsburg..... Batteries-Taylor and Grady; Philippi Umpire-Emstle.

Brooklyn 2-8, New York 3-5. NEW YORK, Sept. 12.—The Brooklyns and New Yorks broke even in a double-

header today. Attendance, 2000. Scores: First game-Brooklyn.... 2 7 1 New York... 2 11 1

Batteries-McIntyre and Bergen; Mat-thewson and Bresnahan. Umpire-O'Day. Second game-R.H.E. Brooklyn. A. 8 10 0 New York .... 5 0 1

Wittee and Bresnahan. Umpire-O'Day. THE DAY'S HORSE RACES.

At Gravesend.

Batteries-Scanlon and Ritter: Taylor,

NE WYORK, Sept. 12-Gravesend race About six furlongs—Druid won, Brush Up second, Jim Beattle third; time, 1:11%.
Five furlongs—Monterey won, Zienap second Clark Griffith third; time, 1:01.
Mile and a furlong—Spring won, Voladay second, Cigar Lighter third; time, 1:55
Four and a half furlongs—Horay won, Sidney F. second, Arklirta third; time, 1:09 2.5.

Several Events Take Place, With was released yesterday, and attempted to go East on Ciff Blankenship's returntrip ticket. Blankenship came West from Cincinnati, and "Lefty" was going back to the same good old town.

Lefty got as far as the yard limits be-fore the conductor reached him. He could not reconcile Lefty's rough chirography with the neat penmanship of Biankenship and called for identification papers. Lefty had nothing but a suitcase, and the glarine lettering on the sides told the story that the grip was the property of an outfield, and not a catcher. The conductor shoved Lefty off into the night, and he walked back to town.

## Burns Matched With Sullivan.

Tommy Burns, the clever Chicago middleweight now in this city, has been matched to meet Jack (Twin) Sullivan in Los Angeles during the first week in October. Burns will first week in October. Burns will leave Portland for Los Angeles Friday or Saturday. He is in fine condition and expects to defeat the Boston man with ease, for in their recent meeting at Tacoma Burns had decidently the best of the contest, which the Corbin line is being pushed as fast the contest of the contest, which the Corbin line is being pushed as fast the contest of the contest. was called a draw by the referee, whose decision was severely criticised

Coach Steckle Takes Charge of Squad Among the members of last year's team who are already on the ground are: Captain Root, Kenneth Cooper, Earl Rine-hart, Floyd Williams, Bert Pikkington, L. A. Bundy and Ray Walker. Among the new men is William Lansfield, a 200-

pound freshman, five years ago fullback of the Pacific University team, who ar-Jury Falls to Agree.

The jury in the suit of Thomas Whythcombe vs. Ladé & Reed Farm Company, to recover \$25 commission for the sale of 100 acres of land, after being locked up all night, reported, in Judge Cleland's Court yesterday that they were unable to agree, and were discharged. The jury was about evenly divided.

EXCURSION RATES EAST

On September 16 and 17 the Canadian Pacific will sell round-trip tickets to East-ern points at very low rates. Tickets will be good for stopovers, going and returning, with final limit of 80 days from date

For full particulars call on or address F. R. Johnson, F. & P. A., Canadian Pa-F. R. Johnson, F. & P. A., Canadian Pacific Ry., 142 Third street, Portland, Or.

LOW RATE SIDE TRIP TICKETS. Many victors to Portland are taking advardage of the side trip 15-day, one fare tickets, issued by the O. R. & N. and Southern Pacific, to holders of Lawis and Clark tickets soid east of Pocatello, Pocatello or Butte and the western boundary of Arizona. Such holders are entitled to side trips at above rates from Portland to all points on the O. R. & N., in Oregon, and on the Southern Pacific as far south as Ashland; from Umatilla to Pendieton, all points in Washington and Idaho, including Oregon points between Pendieton and Walla Walla. Particulars by asking at O. R. & N. ticket office, Third and Washington streets, Portland.

Burnett's Extract of Vanilla Prepared from selected Vanilla Beans, warranted.

(Continued from First Page.)

tifled in the incorporation of this company, is said to be busily engaged in prouring right of way for the road through Klickitat County. On this work he is accompanied and assisted by George W. Stapleton, a brother of the incorporator of that name. There is equally as much mystery surrounding the plans and intentions of this company as of the other, and its officers are not yet ready to take the public into their confidence.

### Daniels Talks on Railway.

Ex-Lieutenant Governor Thurston Daniels, who has kept in pretty close touch with railroad development in the Northwest, was interviewed by The Oregonian representative and said:

Yes, for some time there has been no doubt whatever in my mind that the road down the north bank of the Columbia to Vancouver would be built, and be built without much further delay. Portland is getting to be a pretty good-sized city, and is destined to grow very rapidly from now on. The whole country is growing and filling up, and Portland is going to have her innings. The Northern Pacific must bave a more direct route into Portland from the Bast, and I predict that the ST. LOUIS Sept. 12.—Arndt's sensational steal home in the ninth inning of the second game, with the score tied and two out, enabled the locals to break even with Pittsburg. Attendance, 4500. Scores: edge that traffic has so grown in proportions on the Northern Pacific that that the tunnel through the Cascades at Stampede Pass is no longer adequate to properly permit the handling of trains. Be sides, the haul from Tacoma eastward is a burden that must be lightened, and the road through the Columbia River Valley from Vancouver to Pasco will solve the problem. The wear and tear of rolling stock and roadbed on the present mountain route is enormous, and the expense of lifting trains up to the summit of the Cascade Mountains can no longer be indulged in and at the same time compete with lines of easy grade.

"There is no doubt whatever that with the completion of the new road from Vancouver to Pasco, or Wallula, that the bulk of the freight going east or west, to or from the Puget Sound country, will be hauled over this route. Here is the water grade and the natural route, and here the hauling will be done. Then, again, the Northern Pacific must have a more direct route east from Portland. In the passenger traffic she is handicapped at present, and a new factor has entered into the situation which I have not noticed in any of the newspaper articles on this subject. The Hill interests dominate both the Northern Pacific and Great Northern lines. Hill's chief enemy in the country to the north of us is the Canadian Pacific. Hill built into the boundary ountry and went after business on the other side of the international line. Instead of building his Great Northern line through the San Poll Valley and tapping the rich mineral district of the south haif of the Colville reservation, he shandoned this route after he had made a definite survey for the same, and built a connecting line to the Spokane Falls & Northern, which line is controlled by the Hill interests. This road into the Colville resertory. Ever since there has been hostility between the Canadian road and the Hill

## Canadian Pacific Property.

"It is well known that the Canadian Pacific has for a long time sought an entrance into Spokane, and this is about to be realized as a result of the building of the Corbin road, known as the Spokane & International Railway. The prime mover in this enterprise is D. C. Corbin, of Spokane, who built the Spokane Falls & Northern line, which gives an outlet to the rich mineral district of West Kootenai, of which Rossland is the center. It has been given out that this Corbin road, or Spokane & International, will be completed between Spokane and the British boundary line by April 1 next, and that the Canadian Pacific will have its extension to the boundary finished on as men and money can build it. All the steel for both the roadbed and bridges has been purchased and tracklaying is being rapidly done. It is further given out that the Corbin road CORVALLIS, Or., Sept. 12-(Special.)- and the Canadian Pacific have per-Dr. A. C. Steckle has arrived to take fected a 50-year traffic agreement, and charge of the coming Oregon Agricultural in this Spokane shippers pin their College football squad, and to develop a faith that American roads faith that American roads will not dare to discriminate against that city in the matter of freight charges. They are counting on the Canadian Pacific as a means to force fair treatment on freight rates. It is asserted on no less an authority than the Spokesman-Review that the Canadian Pacific, using the Corbin road, will have a trackage from Spokane to St. Paul 12 miles shorter than the present Great Northern route and 40 miles shorter than the Northern Pacific. Club Harriman Holds.

> "Now all this is decidedly interesting, when it is known that the Oregon Railway & Navigation Company has the shortest route from Portland to Spokane. What is to hinder the Canadian road dipping into the Portland field with a connection with the O. R. & N. line? See the club that Mr. Harriman can wield if he chooses, with the shortest route from Portland to St. Paul, operating over the Canadian lines. And it is a fact that the Spokane & International, or Corbin road. has its depot grounds already acquired adjacent to the depot grounds of the O. R. & N. in Spokane. years ago the wooden depot building of the O. R. & N. at Spokane was destroyed by fire, and a temporary structure only was built. It is rumored that the company will erect, with the Corbin road, a union depot, and an alliance between these lines as to business east and west of Spokane is not among the things improbable. That Mr. Hill has done many things to hamper the early completion of the Spokane & International road is a matter of common knowledge in Spokane. He has sought to acquire certain right of way strips in the city of Spokane that would handloap the Corbin road, but in two sults before the court he has been defeated. Meanwhile the Corbin



# The More I See Of Men The Better I Like Dogs"

Said Mark Twain, and while we don't wish to discuss the two sides of this statement, we are free to say we like dogsand we like to see them taken care of-we honestly believe

# Champion Dog Biscuit

Is the very best food on the market for big and little dogs, out-door dogs, house dogs and yellow dogs. In fact, anything in Dogdom can't help but be healthy and happy on-this diet.

5-lb. Pkg. 50c

For Sale Only By Woodard, Clarke & Co.

4th and Washington Sts.

road is being \*pushed vigorously, and its chief promoter never asked the people to give a dollar to help the enterprise in the matter of right of way or terminal facilities. The cool cash Northern Pacific must straighten out capital stock, \$5000.

its line and get into Portland. "This necessitates the building of he steel bridge at Vancouver, and that it will be built without further will be built. It will be an easy matline connecting that road with the road down the Columbia, thus giving the Great Northern an outlet to Portland. The way it looks to me, this road down the Columbia and Into Portland is an enterprise which the Northern Pacific can no longer dispense with."

Escapes, but Is Recaptured. Erimu Ballametoff, an Alaska Indian, Island, Alaska, three years ago, and for three days resisted arrest, escaped from Mount Tabor Sanatorium Monday night. where he has been confined. He was cantured last night by an attendant of the sanatorium and by Patroiman Evans, on Front street. Ballametoff was tried for murder in the Alaska courts, but escaped punishment on a piea of insanity and was sent to Portland. His escape is said to be due to the carelessness of an attend-ant, although Ballametoff has been given the freedom of the grounds and had opportunities to walk away. He is insane, but is not considered violent.

File Incorporation Articles.

The Home Telephone & Telegraph Com-pany, which is preparing to put the automatic telephone system in operation in Portland, filed articles of incorporation in Portland, filed articles of incorporation in der, and subsequently committ the County Clerk's office yesterday. The Insane jealousy was the cause.

incorporators are Charles E. Sumner, A. King Wilson and Albert Andrews; capital stock, \$2,000,000.
Articles of incorporation of the Domestic Laundry Company were filed in the was paid for every square foot of County Clerk's office yesterday by Alex-ground. This is the situation, and the ander Orth. J. W. Durr and T. J. Geisler;

Gerard Escapes to San Francisco.

Emil Gerard, alias Emil borrowing sums of money aggregating \$57 delay is as sure as the north bank road and, it is alleged, having robbed the till of the Victoria saloon at Seventh and ter for the Great Northern to build a Gilsan streets of \$5, has escaped to San Francisco. Gerard made efforts to borrow larger sums of money, but was unsucceasful. He was arrested ten days ago on a charge of threatening to kill his wife and of carrying concealed weapons. but was discharged as no witnesses ap-peared against him. He was engaged at the Victoria saloon as a bartender. On Wednesday last, hearing that he was wanted on a charge of robbery, he escaped before the detectives could find him. As far as the authorities are con-cerned no effort will be made to have Gerard brought back to Portland. Chief Gritzmacher said last night that the theft committed by Gerard was not of sufficient importance to send an officer after him.

J. Thomas Hickey Dies.

J. Thomas Hickey, Assistant Secretary of State for Washington, died at St. Vincent's Hospital at an early hour yesterday morning, as the result of an opera-tion for intestinal cancer. He had been in the institution several days, and for a time it was believed he would recover from the severe strain. The remains will be shipped to Tacoma for burial by Finley & Sons.

Charles Souder, yesterday at Washington, D. C., shot and killed George T. Morgan, fatally wounded his wife, Lilian Sou-

# A Present Without a String to It An Extraordinary **Proposition**

# A Talking Machine FOR NOTHING

GREATEST PREMIUM EVER GIVEN AWAY BY ANY NEWSPAPER

READ THIS LIBERAL OFFER Subscribe for the Daily and Sunday Oregonian for one year and pay for it at regular price-20c a week, and buy one record a week for 35 weeks from Eilers Piano House.

> 5000 RECORDS TO SELECT FROM CLASSIC, OPERA, POPULAR AND BAND MUSIC

Every record as distinct and tone as sweet and musical as those of the artists themselves, all right in your own home at any time you want it.



PIANO HOUSE

Park and Washington Streets Portland, Or.

# The Day's Length Is Now 12 Hours and 40 Minutes

As the Days Are Growing Shorter

Will run their last car at 12 midnight, hereafter. The O. W. P. & Ry. Co.'s cars, however, will run as usual direct to the main entrance of "The Oaks" every 15 minutes from 1 P. M. The car fare is 5 cents. Admission to the grounds 10 cents, children 5 cents. All the concessions and amusements will be open until 11 P. M. daily. D'Urbano's Royal Italian Band will play every afternoon from 2 to 5; every evening from 7 to 10:30 P. M. "The Oaks Tavern will serve meals daily from 9 A. M. to 12 P. M. The Bathhouse and Swimming Pool is open daily from 9 A. M. to 11 P. M. The morning at the Baths is devoted exclusively to ladies and children. Expert swimmers and teachers constantly in attendance.

## NOTE THIS FEATURE

Wednesday, September 20th, from 9 A. M. to 6 P. M. free admission to "The Oaks" to all the girls and boys of Portland from 4 to 15 years. Grand Children's Carnival day and pageant. Prizes for the most beautifully decorated Baby Carriage and Go-Cart. Cinderella will present her Golden Slippers to any girl from 8 to 15 years who can wear them. Now on exhibition at the Knight Shoe Co., 294 Washington street.

# The Taint

of weakness, of the female organs, often descends from mother to daughter, like hereditary disease, or weakness of lungs, stomach,

mind, etc. It is a dreadful thing to suspect, that, beneath the surface of your outward health lurks this dangerous functional trouble, which is secretly undermining your vitality and that of your possible children. Lose no time, then, but build up your strength with

# OF CARDU The Best Tonic For Women

and very soon the taint will disappear from your blood, and you will be as strong and well as any woman or girl of your acquaintance. Cardui cures all female pains and weakness, regulates the menstrual functions, restores the appetite and renews the vitality. It is a pure, harmless, vegetable extract, that every woman should take regularly. Sold at every drug store in \$1.00 bottles. Don't you want the relief Cardui will give? Try it.

Write Us a Letter freely and frankly, in strictest confidence, telling us all you symptoms and troubles. We will send free advice (in plain sealed envelope) how to cure them. Address: Ladies' Advisory Dept., The Chattanooga Medicine Co., Chattanooga, Tenn.

Suffered 9 Years "For 9 years I suffered from pain and irregularity. My back ached all the time and so did my head and teeth. I took at least Fifty Dollars worth of different medicines without relief, but after taking one bottle and a naif of Cardui, I am perfectly well. God alone knows the gratitude I feel.— Mrs. J. A. Keelon, Cephas, Va.