TRIES TO BEAT VICTIM'S HEIRS

Wily Method of the Oregon Water Power & Railway Company.

BROTHERS

Makes Them Think the Corporation Is Not Liable and Partially Settles for a Small Amount With Administrator.

Trying to beat the heirs of W. H. Oison a dead street-car victim, out of noney which the courts are likely to award them, the Oregon Water Power & Railway Company has been using sly tricks, after the manner of greedy corporations, seeking to avoid the penalties of their negligence.

The company wishes to pay the family \$500 and the funeral expenses of the vic tim, and through bluff and intimidation. and other sly methods, induced the victim's administrator, his brother, to sign a release for that amount. But before the money was paid by the company and releases signed by the other heirs and, executed and delivered, the family, coming into knowledge of the law, resolved to hold the company liable for higher dam-

Therefore they have served notice through their attorney, J. L. Taugher, that they would not accept \$500 as the price of Oiston's life. The law allows \$5000 damages for death of a person resulting from the negligent or careless or criminal act of another person or corpor-

The gricks employed by the company to convince the members of Oiston's family that they were lucky to get \$500, and that the company was most generous in of-fering that price, make up another chap-ter to the tale of that corporation's selfshness and overbearing.

How the Victim Died.

The victim died of injuries received from being thrown from an overloaded car in being thrown from an overloaded car in a passenger stampede, resulting from a blowout of the "tack" on the evening of November 5. He was standing on the front platform, on his way from Sellwood to Portland, together with ten others besides the motorman. He had been aftting inside the car and had given up his seat to a woman and had been ordered out to the platform by Boynton, superintendent of the road.

of the road.

Before the car reached Brooklyn the fare register showed \$4 persons aboard. At Brooklyn about 16 persons got aboard. When the car was speeding at a fast rate the "lack" exploded on the front platform. scaring the passengers, making a stam-pede and forcing Olston off the car and giving him mortal injuries.

Conference With Boynton.

Four days later, after the victim's death perintendent Boynton, being invited thith-er through a man named al French. Ac-cording to their statement, Boynton of-fered them \$200 and funeral expenses, addling that the company was not responsible and that the company's lawyers had assured him of that fact. Boynton declared that the responsibility, if any there was, lay on the person who had shoved the

'We do not need to pay a single dollar. asserted Boynton, "but we understand your family is poor. Now, to show the good will of the company and avoid any possible disagreement, we will pay you \$200 and funeral expenses, just to help you along. There is no use trying to sue the ngany, for we can beat you and keep case in the courts ten years if necesty. We have our lawyers hired by the gr, and it does not cost us anything to year, and it does not cost us anything to fight a case, for we have to pay our lawyers anyway."

Deceived as to Liability.

The brothers declined to release the company for the sum specified by Boynton, and left him, but returned in the afternoon. Then they agreed to accept \$500, thinking that they had succeeded in raising Boynton's first figure to good ad-vantage, and being unaware, as they al-lege, that he was deceiving them with a

false idea of the company's liability.

According to their version, they were to get the \$500 at once, but Boynton, after consulting the company's attorney and Mr. Morrow, informed them that one of them would have to be appointed administrator of the dead man's estate by the county, in order that he might give a re-lease to the company from further dam-ages. Accordingly, W. H. Olston was apnted administrator

· Check Is Made Out.

Next day, in the office of George Morow a check was made out to him for \$500, and he and the other brother signed They received the check in exchange for the release, but were informed that they could not cash the check until releases had been signed by the mother of the victim and the four sisters. Meanwhile, the check, together with a receipt given for the release by Mr. Morrow, were to rest in the Merchants' National Bank, where they were placed by Mr. Morrow, accompanied by the administrator broth-When the latter asked for a receipt from the bank for the papers, he was cooly informed at the bank that he did not need one. After the release had been fully signed, the two were to go back to the bank together and the check was to be given over to the administrator.

Family Learns the Facts.

That was two weeks ago. Meanwhile, the members of the family were learning the twists of the transaction and had come to the conclusion that they were being "worked" by the company. They secured J. L. Taugher for an attorney and last Tuesday notified the company. that they would not sign a release in ex-change for \$500. It is to be remembered that the \$500

had not yet been paid to the heirs; neither had the bill for funeral expenses, amounting to \$114. But immediately on amounting to \$114. But immediately on the serving of the notice, the company sought to bind the family to the contract which the heirs contend had not been executed, by paying the funeral bill within half an hour afterward and withdrawing the check from escrow, without the knowledge of the administrator, in direct violation of the escrow, for it had been stipulated that the check should be withdrawn only by the joint order of Mr. withdrawn only by the joint order of Mr. Morrow and the administrator.

Check Was Indorsed.

The check had been indorsed prior to the escrow by the administrator, on persuasions of Mr. Morrow and Mr. Boynton, and after being withdrawn it was cashed by the bank and the money held subject to the order of the administrator.

by the bank and the money held subject to the order of the administrator.

The legal fight will center on the question whether the release contract had been actually executed. The car company will endeavor to hold the family bound to the terms of that agreement.

Except in books.

Following an elaborate menu served in a dining-room tastily decorated with masses of flowers and evergreens. Emmett C. Brown, the toastmaster, introduced several speakers, who extended welcome to the father of Buster Brown.

Mr. Outcault responded in a light vein, in

HARRY MURPHY'S IMPRESSIONS OF 'R. F. OUTCAULT, AND OUTCAULT'S IMPRESSIONS OF MURPHY



of his affairs. For, be it known, Out- ing long and worn buttoned, a green ceited. I venture to say that praise some."

Cartoonist Outcault Speaks at |

Banquet Board.

AD MEN'S HONORED GUEST

"Buster Brown's" Father Accepts

Commission as Plenipotentiary

to World of Attractions

of Rose City.

"I want to say that whenever a friend

asks where to find a town full of push and enterprise, in which to invest some money, I won't teil him to go to any place but Portland. And further, if there is ever a time that I change my place of

abode, there is no place that I will come

Such was the remarkable tribute paid

to this city and its citizens by R. F. Out-cault, the carteonist, who has made him-self famous as the originator of Buster Brown, the Yellow Kid and other crea-

tions which appear in the colored supple ments of newspapers in all parts of th

United States, at a banquet given in his honor at the Commercial Club last night by the Portland Ad. Men's League.

Mr. Outcault appeared to be most fa-vorably impressed with Portland, and at the banquet took no pains to conceal bis

admiration for this city. He said that he believed in mouth-to-mouth advertise-ments, and took himself as an example.

He said he was proud to call himself a "bully" good friend of Portland, and, nat-

urally, therefore, he would boost it when

ever the opportunity offered. He cited the Lewis and Clark Fair as an instance

where good advertising had backing of the most desirable kind. He said the people of the East expected samething

out of the ordinary in the Lewis and Clark Exposition, and that they were not disappointed. He said the people of the

opened, and that they are still talking of it.

most delightful affairs of its kind ever held in Portland. It was attended by sev-

heid in Fortiand. It was attended by sev-eral score representative business men and citizens, who took occasion to show that Portland appreciated genius, and that it held the door wide open to stran-gers. It was a beautiful exemplification of that true Western spirit of hospitality

The banquet last night was one of the

R. F. or better, "Dick" Outcault, cault has an interest in four "Buster", tie, and low

employ a corps of private secretaries tions" was clothed in a brown tweed His personality is a singularly win-and attorneys to attend the details suit of fashionable cut—the coat be-ning one. While he is in no sense con-

ruggling for a reputation.

Then followed other speeches by the

members of the league who paid nu-merous compliments to Mr. Outcault, and in which they expressed their un-

wavering loyalty to Portland. Mr. Brown, the toastmaster, made a very appropriate and pleasing address in

which he reviewed the art of edver-tising, saying its advent began when

Adam told Eve of the apple. He closed by saying that the Lewis and Clark

method was to send envoys to circulate through all parts of the United States.

He thereupon appointed Mr. Outcault a plenipotentiary of Portland. Mr. Out-cault then responded with the words

which are reproduced above.

So much genuine enthusiasm was displayed last night by the members

of the Ad Men's League that three of the guests present entered their names for membership. They will be

acted upon at the next meeting of the

names for membership came after ad-dresses delivered by Rinaldo M. Hall,

advertising agent of the O. R. & N.,

and Mr. Brown, who stated that the members were trying and were going

to succeed in bringing the enrollment of the organization from 98 to 160 members by the first of the year. Mr.

Outcault was elected honorary member by a unanimous vote. Buster Brown

Harvey Winser, B. I. Dasent, C. C.

Julius Klausner.

Chapman, C. S. Jackson, Ira F. Powers, S. H. Friedlander, G. W. Kleiser and

TEA AT CHILDREN'S HOME

Original Drawings of Buster Brown

Will Be Sold at Auction.

There will be a tea at the Children's

Home this afternoon from 2 to 5 o'clock to which the public is cordialy invited.

street, will carry visitors to the door

of the Home, and are accessible by

transfer from all other car lines in the city, including East Side cars. This

is the anual Thanksgiving ten and.

enjoyable affair both to the visitors and

to the children. The Home has been presented by R. F. Outcault, the orig-

inator of the famous "Buster Brown" pictures and stories, with the original drawings which he will use to illus-

to auction these pictures off at the

theater immediately after the lecture, the proceeds to go to the Children's

Home. This courtesy on Mr. Outcault's part is deeply apreclated by the Ladies

Relief Society, under whose supervision the Children's Home is conducted, and there will, no doubt, be a great de-

mand for the drawings when the auc-

trate his lecture at the

The presentation of the

Exposition was numbered among

R. F., or better, "Dick" Outcault, progenitor of Buster Brown, is here to show Portland what a \$75,000 per annum comic artist looks like. In his inimitable way he is going to tell some stories with his tongue and his pencil at the Marquam today.

When I called on the gentlemen in question yesterday he was discovered inducting Buster and Tige through another of their nerve-racking disanother of their nerve the down to deceive themselves and the paralise of—that they are by painting signs and safes. That was before it became necessary to employ a corps of private secretaries

Irish Pay Tribute to Manchester Martyrs.

great advertisements of the world, but that it must be followed up by more and more advertising. He said a good SERVICES IN MEMORIAM

> Eulogies of Allen, Larkin and O'Brien Delivered and Songs of Erin Given Before a Large Audience.

The large gathering that assembled at the hall of the Ancient Order of Hiberni-ans last evening to do honor to the names of Alien, Larkin and O'Brien, the Irish patriots who were martyrs to the cause of freedom at Manchester was entertained by an excellent programme, the principal item of which consisted of several orations dealing with the Irish sit-uation of today and of the time when the young patriots gave their lives for their presented one of his famous resolu-tions, which was adopted.

Among others who responded to toasts were C. J. Owen, A. B. Stein-bach, W. Cooper Morris, Calvin Heilig.

Dr. Andrew C. Smith presided at the meeting, which was held under the auspices of the Hibernians, and opened the programme with a few remarks relative to the life and death of the three Manchester martyrs.

Three Irish Patriots.

The three Irish patriots in whose honor he meetings are held each year were hanged at Manchester, England, Novem ber 21, 1867, for having participated in the rescue of several political prisoners from an English dungeon during the turbulent times existing in Ireland. Allen was a youth of 19, Larkin an artisan residing in Manchester, and O'Brien had been a Captain in the Union Army during the Civil War, and returned to his native land to assist his countrymen in their

Several musical numbers, consisting of Irish airs, were rendered before the oratorical programme was begun, which consisted of the initial song by Brendon Keating entitled, "Sweet Rose of Old Killarney," which elicited a hearty en-core, and he responded with a lively song nded with a lively song core, and he responded with a lively song called "I'm a Dandy Irish Man": Miss Nora Barrett sang "Believe Me If All Those Endearing Young Charms" in a pleasing manner; Miss Elizabeth Harwas rendered the song, "Kerry Dance," in such a delightful manner that she was called upon for an encore, and responded with "My Wild Irish Rose," which was enthusiastically received; Frank D. Hennessey sang "Mamie McIntyre," an amusing sketch, in his old-time form, and was called upon for an encore, and responded with "My Wild Irish Rose," which was enthusiantically received; Frank D. Hennessey sang "Mamie McIntyre." an amusing sketch, in his old-time form, and was greeted with calls for more, and responded with "On St. Patrick's Day." In both pieces Mr. Hennessey was accompained by Miss Helen Lightner.

At the conclusion of this part of the

the orator of the evening in the person of P. H. D'Arcy, of Salem, who culogized at some length the Manchester martyrs, Judge D'Arcy sald in part:

"Allen, Larkin and O'Brien are three names the mere mention of which the hearts of all true Irishmen, but stirs the hearts of all true Irishmen, but they are only a few of the many patriots who gave their lives to the cause, and the order under whose auspices the ex-ercises this evening are held has for one-of its principal objects the commemoration of the men who died in the cau of freedom for Ireland. We of th grand American country who are of Irish birth or descent owe our first allegiance to the Stars and Stripes, but that does not deprive us of having a love and de-not deprive us of having a love and de-votion for the country from which our fathers sprang, and it is the duty of all true Irishmen to cherish the memory of the cache and removed some of the prop-tice of the cache and removed some of the prop-Murphy, who told of the history of the events that led up to the death of the martyrs, and his remarks were greeted with enthusiasm almost unbounded.

John Fleming Shields, of Boston, was

MOOTED POINT AT ISSUE

introduced, and in glowing terms paid

tribute to the men who gave up their

COURT WILL DECIDE PROBLEM OF CIVIL SERVICE.

John Rankin Contesting to Learn Whether Employe of City Can Be Reduced.

In the mandamus suit of John Rankin against the City of Portiand City Auditor and City Engineer, to test the civil-service jaw, John F. Logan, attorney, yesterday filed a demurrer to the answer of the city; and will try and push the case to a

Rankin was employed as an inspector in the City Engineer's office at a salary of \$15 per mouth. He passed the civil service examination, and was placed in the Grade examination, and was placed in the Grade C class. In March last William Wanzer, then City Engineer, reduced Rankin to the position of a day man at \$2.50 per day when employed, and raised J. Gross, a day man, to the position formerly occupied by Rankin. The reason assigned pied by Rankin. The reason assigned was that Gross was a married man, while Rankin was not, and Gross needed the money. Rankin refused to make the money. Hankin refused to make the change and tried to induce the members of the Civil Service Commission to back him up. They refused to do so, and he appealed to the courts, contending that under the provisions of the city charter and civil service rules he could not be reduced. The case has hung fire ever since duced. The case has hung fire ever since but now seems in a fair way of reaching a final decision.

ROYAL

The Absolutely Pure Baking Powder

Made of Cream of Tartar, and Free From Alum or Phosphatic Acid

Royal Baking Powder renders bread, biscuit, cake and all flour foods finer and more healthful.

Baking powders made from alum, phosphates and other harsh, caustic acids are lower in price, but they are injurious to

* * * * * * * *

"The injurious effect of alum on the mucous coat of the stomach is positive and beyond dispute; it is both an irritant and an astringent. The use of alum in any article of food or article used in the preparation of food should be prohibited." JOHN C. WISE, M.D., Medical Inspector, U. S. Navy.

ever the civil service rules apply, and detectives could be reduced to patrolmen, or captains reduced in rank."

Court Decisions.

Judge Frazer will decide the following carrie M. Elwert vs. P. H. Mariey et Mrs. E. C. Sprague vs. the Oregon Wa-ter Power & Railway Company; motion

to strike out parts of complaint.

Henry Witt vs. George T. Proteet; de-Portland Manufacturing Company vs. T. d. Word, Sheriff; motion to strike out

Court Brevitles.

parts of answer.

Diverce papers received from Pendleto in the following cases were served yester-day by the Sheriff: Lillie M. Manning vs. William Manning: James Nestor vs. Sophie Nestor, and Elizabeth Switzler vs. Edwin Switzler.

The arguments in the Amanda W. Reed will contest case were concluded yester-day. Martin L. Pipes was the last speaker, and contended that Mrs. Reed never lost her domicile in Oregon, even though she had a residence or home in Pasadena Briefs will be submitted by the several attorneys, and a decision will probably not be reached before several

weeks. Leo Hawas, a youth Il years old, who was caught by an officer jumping over the fence of the Multnomah Field, in order to see the football game, brought before Judge Frazer yeste and was allowed to go after receiving a lecture. The management of the club say boys climbing the fence in numbers have broken it down in places, and an effort will be made to stop the practice and punish offenders.

BURGLARS FROM THE NURSERY

HREE ten-year-old boys confessed

to a burglary charge in the Juvenile Court yesterday afternoon and detailed to Judge Frazer all the particulars of the crime. The ringleader, a saloonkeeper's son, proposed to the others to the night and steal some tools. He ex-plained that the deed could be accomplished by throwing a rock through window. He did so and a second boy, also the progeny of a father who sells drinks, boosted him up so that the broken window could be reached. The third boy claimed he was a somewhat unwilling accomplice, but he also took part after things were well under way. The stolen goods were concealed a short distance from the scene and when the boys re-turned for them two days later, a police-man was there and placed them under arrest. Boy number two disprov old adage that there is honor thieves because he admitted to Boy number two disproved the erty and converted it to his own use. Boy number one acknowledged that he stole a toy engine at the Exposition and

The mothers were present and heard the confessions of their children. Judge Frazer induiged in a long conference with the youthful offenders and pictured them the hard future before one who indulged in criminal practices. The boy's were then released on probation.

Ladies Talk Woman Suffrage. Mrs. Ada Wallace Unruh and Mrs. C.

Howe. National lecturers of the Woman's Christian Temperance Union. were the speakers at the Multnomah County Institute of that organization, which was in session yesterday in the auditorium at the Young Men's Chris-tian Association building. The differ-ent phases of the work of the body were taken up and thoroughly dis-cussed. Special emphasis was put upon the financial needs of the Union by the freight officials. Mrs. Howe, who spoke upon the sub-

ject, "The Sinews of War."

The cause of woman suffrage was presented by Miss Laura Chase, who appealed to the members of the organ-ization to assist in bringing the matter before the voters of Oregon at the next election. At the close of her address resolutions were passed expressing the willingness of those present to co-operate with the Suffrage Association this work.

Organization of branches of the Loyal Temperance Legion among children throughout the state will be carried o during the coming months. Herbert Shattuck, of New York, has been se cured for this work, and will spend some time in Oregon early in the Two weeks will be spent by Mr. Shattuck in Portiand.

CHRISTMAS IN MEXICO. Special Pullman Excursion Train Via the Southern Pacific Railroad.

On December 16, a special Pullman ex-cursion train will leave San Francisco, via the Southern Pacific, for the City of Mex-ico. Low rates have been made for points on the Southern Pacific in Oregon. Par-ticulars by asking any Southern Pacific agent or writing A. L. Craig, general pas-senger agent, Portland, Or.

TRAFFIG MEN PLAN

Railroad Commission Ruling Subject of Thought.

NO CHANGES IN TARIFFS

Two Days' Session of Hill and Harriman Lines Officials Devoted to Secret Conference on Topics.

of Importance.

of traffic officials of the Hill and Harriman lines, which has been in session tast night, was devoted largely to a the Washington State Railway Commission. This is a matter of vital in portance to the two systems and, it seems probable, was the cause for a neeting of the head officials of the freight departments in the Northwest, at this time. All who attended deny that the conference was in any way connected with this matter, declaring that it was held simply to discuss hers' and Manufacturers' Association

Officials of the Hill and Harriman rallroads and the steamship companies which operate between San Francisco, Portland and Puget Sound ports have not yet granted the readjustment of freight rates asked for by the North Pacific Coast Jobbers' and Manufacturers' Association tion against Portland and the Washington cities in favor of San Francisco ship-pers. A deputation of traffic officials made two calls upon W. A. Mears, secre-tary of the assication, yesterday, and informed him that they had been unable to is understood that the proposition not been dropped, however, and that the desired changes may come later.

The shippers have also asked for several other changes of minor importance from the freight officials. Among the things asked for is a reduction of freight rates on carload lots of cereals from the Coast to points between Portland and Spokane The shippers also ask for a transcontinental rate on carload lots of whisky in than carlead lots of parts of harness and the Pacific Coast. These requests have been taken under advisement Yesterday throughout the entire after

noon and evening the traffic officials were learned about the business under consideration. When asked, the officials denied that anything of consequence was before the conference, and stated that they were simply adjusting a few minor matters which are of mutual interest to the Hill and Harriman lines.
It was rumored yesterday that the con-

sultation was partially in relation to matof the Washington State Railroad Commission, but this is emphatically denied by those who attended the meeting. However, this is a matter which is of great importance to the two systems just at present, and it is not likely that it would

It is known that the O. R. & N. will perfect its appeal to the courts as soon as the formal order of the commission is the joint rates that shall be put into effeet It has not yet been announced whether the Northern Pacific will appeal from the findings of the commission, but even if it does not the company will, doubtless, give its support to the Harriman line in its appeal, and it seems altogether likely that this matter formed an important part in the discussion yesterday and the day before.

Tells How to Prepare Turkey.

Miss Tingle gave an interesting demonstration of how to prepare and cook the Thanksgiving turkey at the Domestic Science School last night, which was watched by a class of young housewives who will venture on their first big dinners on the National holi-day. The method of cleansing the birds properly, removing the tendons from the "drumstick," trussing and stuffing were all thoroughly demon-strated, and the result will, no doubt, be many fine turkey dinners on Thank giving day. Miss Tingle will repeat this same lesson next Friday morning at 10 o'clock by special request. The same general methods mentioned in her article on turkeys in last Sunday's Oregonian were followed out in her in-structions last night and proved most practical. All varieties of stuffing