SHALL KENTUCKY ENDURE ANARCHY

Governor Makes Stirring Appeal to End War in the Tobacco Trade.

DRIVING OUT POPULATION

Willson Recommends Compulsory Change of Venue and Inquiry Into Causes of the War-Uniform Local Option Law.

FRANKFORT, Ky., Jan. 8 .- The first message of Governor A. E. Willson to the General Assembly, read today, is devoted largely to a stirring recital of the lawlessness that has developed in the tobacco war, accompanied by vigorous denunciation of the malefactors, and two specific recommendations having for their object the breaking up of the trouble. In recounting these various outrages the Governor sums up as

In the meantime not a benefit has resulted to the oppressed farmers from those acts of violence and intimidation. Even those who were members of the association have their property tied up, and liberty, in places threatened by these bands, is an idle theory and farme. Factories and warehouses which the farmers warmly welcomed have been hurned and many others whose forces. and many others closed forever

Terrible Result of Anarchy.

Our tobacco market is nearly destroyed, arge customers are being taught that it is Large customers are being taught that it is mafer and better to buy elsewhere; large crops temain unsoid, managers who have been promised large prices for their pool crops above the market price have seen buyers driven from the field, and no one can tell when the end will come. Everyone can set that the results up to this time are that our markets not only for tobacco, but for other products, are paralyzed, and in many cases ruified; that in large districts the law has been wholly overthrown and the poor people who have no one to take care of them are derived, of the protection of the laws and have lost their liberty and are helpless, that the price of intestion of the laws and have fost their liberty and are helpless; that the price of rearly every acre of good land in Kentucky has gone down; that thousands of people, with to move out of Kentucky to states where they kope that it is safer to live and that he very flower of our working population wishes to leave the state, as thousands have tone before; that it has been necessary in one before: that it has been necessary in ries to allay the fears of frightened people, ven in a large city like Hopkinsville, to keep even is a large city like Hopkinsville, to keep a company of military on duty, at great expense, and with great hardship to the young men, who are taken from their ordinary business and work; that lawless and unprincipled men have been constantly ready to break out in several counties, unrestrained by law or public sentiment, and that the people of Kentucky have suddenly and equarely to face the question whether the law of more than two millions or the violence of a few hundreds shall prevail.

Better Lose Land Than Liberty.

There can be no doubt of the final result Our people desire the full protection of the law and love their liberty and feel they had better lose not only part of their valuable to-bacco, but even their farms, rather than lose their (libertles).

The only question left is whether this shall a soon or long delayed; whether it shall be to the to prevent further injury, or whether, ontinuing for months, it shall practically destrey the business and property value of the whole records and diminish our population by removals to other states.

The executive will faithfully uphold the law, but it is the people's law, and its strength law in their support of their own laws.

Remedies He Opposes.

The message then makes specific recommendations for amending the statutes governing change of venue, so that the granting of such change comes imperative upon any Judge intimidation hin ders prompt and fair trials, and appointment of a committee with full power to investigate the economic causes leading up to the tobacco trou bles, that is to ascertain whether there has actually been an overproduction or hether the prices have been forced down by a trust or combination of

On temperance, the Governor recommends a uniform local option law with the county as the unit; also important changes in the laws governing registration and elections and compulsory publicity of campaign contributions.

ARM AGAINST NIGHT-RIDERS

Militia to Be Called Out to Protect . Tobacco Warehouses.

LEXINGTON, Ky., Jan. 8.—Alarmed by highi riders' raids in Bath and Fleming countles, the owners of tobacco ware-houses here and the city and county auand decided that it was advisable to ask that troops be stationed here to protect the warshouses against raids. It is ex-pected that the local militia company

At the Theaters

What the Press Agents Say.

FLORENCE ROBERTS' SUCCESS

Great Emotional Actress Makes Hit in New Problem Play.

The beautiful scenery representing life in South America as shown in "Soldiers of Fortune" at the Baker Theater this week creates the most intense admiration from everyone fortunate enough to see it. This is the dramatization of Biohard Itarding David popular movel that was presented with great surcess in New York by Robert Edeson and Dorothy Donnelly, and the Baker Company is giving a spleudid performance of it. Marible Econour, as Hope is making the lift of her life.

"The Transgressor" Matinee. This aftersoon the Allen Stock Company will repeat its former successes in Ralph Stuart's great emotional drama. "The Transgressor." which has set the whole town to talking during the past week. In this piece for the first time in her career. Verna Felton appears in a "heavy" lead and she displays talents never before dreamed of by her most ardent admirers.

"A Child of the Slums."

Remember that this afternoon there will be a matineo of "A Child of the Siums" at the Star Theater. This is a new melodrama which the French Stock Company is presenting and it is one of the most popular bills the house has had in several months. "A Child of the Siums" is full of excitament, comedy and love and in the hands of the French Stock Company is a high-grade performance.

COMING ATTRACTIONS.

Scat Sale Tomorrow for "The Man of the Hour" at the Heilig.

Announcement is made that sears for The Man of the Hour" at the Heilig Theater, Fourteenth and Washington streets, all next week, opening Sunday night next will be placed on sale tomorrow morning. It is not likely that the current theatrical season will bring us anything of greater interest, or worth than "The Man of the Hour," which is said to be the biggest success that has been offered in many years in New York City.

"A \$10,000 Beauty" Next.

Commencing Sunday night the Marquam will bifer for a full week a genuine prize attraction in the shape of the Lewis & Lake musical comedy company in the breezy show "A 10,000 Beauty." The company contains a number of very cieved comedians, a lot of pretty girls and a wealth of beautiful scenery and costumes. It is a show that is a sure winner from the start and will probably crowd the Marquam all during its run.

"The Other Girl" Next at Baker Augustus Thomas who wrote "Arizona."
"Alabama" and a dozen or so other noted American plays is also author of "The Other Girl." the comedy which the Baker Cempany will present next week starting with the matinee Sunday. This highly interesting play details a sudden love affair, and a certain "gentieman pugilist."

"The Texas Outlaw."

Next week at the Empire a new and thrill-ing melodrama of the South entitled "The Texas Outlaw" will be the attraction start-ing Sunday mattnee. It will be presented by the Eckhardt Company, composed of many of the best melodramatic people in the busi-ness. It is full of thrilling situations and tells a story of love and crime in a land where there is little or no law.

Hall Caine Drama Next.

The next attraction at the Lyric will be the Allen Stock Campany in the powerful dramatization of Hall Caine's great novel. "The Bondman," under the name of 'in the Land of the Midnight Sun." It will be a revelation to Lyric patrons, both in point of scenic excellence and character of the performance which the company will give. All the members of the organization will be cast in congenial roles.

"The Whitecaps."

Beginning Sunday afternoon the French Stock Company, at the Star Theater, will present "The Whitecaps," a tale of the South. The play is practically the story of the hand of night riders, of which so much is now being published in the daily newspapers. The night riders are successors to the whitecaps and their methods are the same.

Pictures of Evans' Fleet. .

Among the attractions which the Grand will offer in its vaudeville entertainment next week will be moving pictures of the fleet of Admiral Evans, which is now on its way to the Pacific. The pictures show the fleet departing from the Atlantic. A troupe of eight Arabs will bead the new programme

AT THE VAUDEVILLE THEATERS

At the Grand.

Among the numerous excellent vaudeville programmes which Sullivan & Considine have sent to the Grand is the current bill. This has as its headline act the four Onetti sisters, who have an acrobatic act imported from Europe, which cellipses all others. Preston Kendall, in a protean sketch, "Through the Lines" shows that one man can play a military drama, assuming seven characters and making the transformations in the twinkle of an eye.

excelled Vaudeville.

Better raudeville has never been seen in Porthind then that which is presented at Pantages Theater this week. There are at least four feature acts and four other good turns. The Velde trio, with their loop-the-joop dogs is one ligh headliner. Jim Cronin, the noted mimic, monologist and comedian, is another. The fancy and novelty dancing team, the skating rube, the phenomenal contraito and all the others, combine to make the best show in a long time—and that's saying a great deal in view of the big acts Pantages puts on every week now.

TWO FRANCHISES REVOKED

Council Proceeds Against Market Corporation Power Company.

Franchises held by the People's Mar-Franchises held by the People's Market Company and the Cascade Power Company were revoked by the City Council at its session, yesterday afternoon. The holders of each franchise were declared by members of the Council to have failed in the fulfillment of the provisions of their grants.

Councilman Belding introduced the ordinance revoking the franchises.

ordinance revoking the franchise of the People's Market, and Councilman Vaughn took similar initiative relative

Vaughn took similar initiative relative to the Cascade Power Company.

In 1903 the Council granted a franchise to the Union Market Company to establish a public market on the block bounded by Second and Third and Clay and Market streets. They or their successors or assigns were to construct a \$30,000 brick building for the exclusive sive use of the market. Councilman Belding called up the matter at yester-day's Council meeting, and declared that none of the provisions of the franhise had been complied with, and in troduced an ordinance revoking the

Foreign Roberts, who has always been a Portland favorite, is at the Marquam this week in a new play, which judging from the effect produced last night will prove one or the greatest nuceases she has ever presented. "Zira" is a play which makes a strong appeal to the theater that it deals with wist questions that affect soriety and is worked out in a way that leaves the audicine completely satisfied. "Zira" tengint. Friday and Saturday nights and Saturday matines the two play. "Sham."

"SOLDIERS OF FORTUNE."

"SOLDIERS OF FORTUNE."

One of Most Beautiful Productions of Season at Baker.

The beautiful senery representing tife in South America as shown in "Soldiers of Fortune" at the Baker Theater this week.

tion of electric power. It was to have begun the construction of the pro-jected plant within one year from the granting of the franchise, but did noth-

Backs Round-World Auto Race. NEW YORK, Jan. 8.-The executive "At the Old Cross Roads."

At the Old Cross Roads."

At the Old Cross Roads continues to be life Empire attraction for the rest of the week with Saturday maintees. The title must not be confounded with the rural drama. For scenes and incidents are laid.

The asiates of several wealthy plandown for the confounder of the first which is to be run under the auspices of Le Matin, of Parls, and the Times, of New York.

Court Overrules Demurrer in the Marquam Case.

ROSS BANK IS UPHELD

Circuit Judge Cleland Holds That Plaintiff Is Not Entitled to Redeem From Sale Under . Mortgage.

The demurrer interposed by J. Thorburn Ross, the Title Guarantee & Trust Com-pany, and the United States Mortgage & pany, and the United States Mortgage & Trust Company to the complaint in the suit brought by P. A. Marquam to redeem the Marquam building from sale under mortgage foreclosure was sustained by Judge Cleland in the Circuit Court yesterday morning, thereby ending the suit. The ruling of the court was that Marquam had not stated facts sufficient to constitute a cause for action against

Marquam had not stated facts sufficient to constitute a cause for action against Ross and the trust company.

Litigation over the Marquam building has been in progress for four years, a suit similar to that dismissed yesterday having been filed in the State Circuit Court by Marquam. In the first suit, as in the others which have been filed, he sought to redeem the property from the \$300,000 mortgage held by the United States Mortgage & Trust Company. The money advanced to Marquam when the mortgage was made by him in favor of the United States company was advanced by the United States company was advanced. by the Title Bank with Ross as president



Called Upon to Defend His Integrity as a Scholar.

Professor Herman V. Hilprecht who has been called upon by the Council of the Society of Biblical Literature and Exegesis to make a complete public reply to charges af-fecting "his integrity in oriental scholarship." is at the head of the Assyriological section of the University of Pennsylvania. He supervised excavations made by an expedition from the University of Pennsylvania at Babylon and Nippur. Much ma-terial from the ruins uncovered by him has been brought to the United States, and Professor Hilprecht has derived from it alleged discoveries that are considered startling by scholars. The charges are made by Rev. John P. Peters, of New York.

who as security for the money entered into an agreement with the United States Company whereby it could lay claim to the Marquam building in case the mort-

In the first suit for the privilege of re in the first suit for the privilege of re-deceming. Marquam won in the State Cir-cuit Court. The United States Company, the Title Company, and Ross then ap-pealed to the State Supreme Court, and the decision of the lower court was re-versed. Although the case was carried to the Supreme Court twice when the mortgage was first foreclosed, and twice on the first suit Attorney Waters mortgage was first foreclosed, and twice on the first suit, Attorney Watson, rep-resenting Marquam, declares it will again be taken to the higher court. He was granted 30 days to prepare an amended

omplaint.
Attorney Wallace McCamant for the Attorney Wallace McCamant for the defense opposed the granting of so much time, saying that the condition of affairs with the Title Company rendered a speedy realization on all its securities imperative. The United States Company, the Title Company and Ross demurred to Marquam's complaint for the following reasons:

First-Because the Circuit Court has no jurisdiction to entertain a suit having for its object the reversal of a Supreme Court

Because the record was not sufficiently pleaded in the present suit.

2. Because the present complaint, filed by Marquam, does not state facts sufficient to constitute a cause of suit. The demurrer was sustained on the first and third grounds, and overruled

on the second.

Judge Cleland construed the will of W. C. Noon to be so worded that Mrs. Noon is entitled to one-half of the \$26.427 dividend from stock of the W. C. Noon Bag Company, holding that the will does not restrict her dower interest in her husband's real estate.

The suit of the Portland Contains The suit of the Portland Cordage Company, involving the Tanner Creek sewer, will have to go before a jury, as Judge Cleland decided that only a Jury can settle the question of whether

or not the company's allegations are true or false. The company brought suit against the city to restrain, it from collecting an assessment for the sewer work.

The informations against Sam L. Beary, Val Liddell and John Fisher, charging them with selling obscene postcards, are alike, except that in the Liddell and Fisher cases there is the additional clause, "a further description is too gross and indecent to allege," hence Judge Cleland held that the added clause saves the latter informations. The demurrer in the case against Beary he sustained, but overruled the other two.

Judge Cleiand affirmed his decision which he announced some time ago, holding illegal the city bond issues. The suit was brought against the city

by Francis L McKenna CASE WILL GO TO TRIAL

Court Overrules Demurrer of Belle Waymire and E. E. Radding.

The Waymire-Lane case will come to trial in the State Circuit Court, for Judge Cleland yesterday overruled the demurrer of the defense to the information charging conspiracy on the part of Mrs. Bellef Waymire and E. E. Radding to blacken the reputation of Harry Lane, Mayor of Port. land. The demurrer was on the ground



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that the information did not state a cause of action. Judge Cleland said in rendering his decision:

"In this information is alleged an attempt to make the Mayor appear to be guilty of an act of lewdness, to discover him in the act, and to denounce him. This charge, in the opinion of the court, is sufficient to show an outrage against public decency. The public character of the Mayor adds nothing to the criminality of the charge. The court believes the dethe charge. The court believes the de-murrer not to be defective, and the de-

DECISIONS BY JUDGE CLELAND

Opinions Handed Down in the State Circuit Court.

State against Belle Waymire and E. State against Belle Waymire and E. E. Radding, demurrer denied.
P. A. Marquam against the United States Mortgage & Trust Company, the Title Guarantee & Trust Company and J. Thorburn Ross, demurrer sustained.
Portland Cordage Company against City of Portland, to go before jury.
State against Sam L. Beary, demurrer denied.

State against Val Lidell, demurrer de-State against John Fisher, demurrer

Francis I. McKenna against the City of Portland, bonds quashed. Bingham against F. W. Paine demurer sustained. C. L. Diven against Bertha Carlson, motion to strike out parts of complaint

allowed.

Wong Chuck Wey against Tom Kay and wong Chuck wey against 10m Kay and Joe Kienlen, motion to make complaint more definite allowed. Portland & Scattle Rallway Company against the Northern Pacific Terminal Company, motion to make complaint spe-

Castle Rock Water Company against Portland Lumber Company, motion to strike out allowed.

A. R. Carroll against the O. R. & N., motion to strike out denied.

Bernard Gobbie against Francesco Dello et al., demurrer overruled.

Lena J. Eaton against Garrett J. Eaton, motion by defendant for sult money denied.

Frank A. Sweeney against A. P. Card-well, motion to strike out parts of answer denied; demurrer to answer over-

Thomas O. Hague against Anna E. Hague, motion by defendant for suit money allowed, \$150.

Olson-Roe Transfer Company against C. M. Olson, petition for preliminary in-junction denied.

Najib Kuhury against Louise Kuhury, petition for suit money denied.

Emma Phillips against Arthur Phillips, petition for suit money denied.

B. L. Bailey against W. D. Gellison et. al., motion to make complaint specific allowed. Olympia Brewing Company against Olympia Bottling Works, motion to quash service of summons denied.

YOUNG HUSBAND 10 BE FREE

Wife Seeks Divorce From M. T. Wilkins, 19 Years Old.

M. T. Wilkins, a youngster who shed his knee pants only a short time ago, is now happy with the thought that his wife, who has also been a mother to him, is about to leave, and that he will be tied to her. to her apron strings no longer. At least the boy did not appear at all alarmed at the prospect of becoming an orphan when he appeared at the Sheriff's office in the Courthouse yesterday, and asked Chief Deputy Proebstel if he hadn't seen his familiar face before. Mr. Proebstel had a hard time identifying the chap, and called on Deputy Frank Beatty, who said this was "Mount Tabor Bill." It was apparent that "Bill" did not take kindly to the epithet, although he passed it off with a laugh and a word to Beatty not to volunteer any more information. He to her apron strings no longer. At least

with a laugh and a word to Beatty not to volunteer any more information. He then said he came in to be served with some papers, as his wife had brought suit against film for a divorce.

"I don't know why she wants to get rid of me this way," he continued, still smiling, "but if she wants to go I guess I can't help it, and she can have her way." can't help it, and she can have her way My wife had the finest time of her life

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fore Friday evening for complimentary you must secure tickets beforehand. tickets. GENUINE PIANOLA PIANOS AND THE PIANOLA CANNOT BE BOUGHT IN ANY OTHER

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we were at Seaside in 1906, so I don't see why she wants to complain about it. But then I guess we all have to take things as they come in this life." Mary E. Birks married Wilkins in Portland December 24, 1905. In her complaint for a divorce she asserts that on June 1, 1906, he pounded her with his fists. She says that, in August, 1906, when the ouple were at Seaside, he again gave her a severe beating. The complaint further states that because of his threats she went to live with her mother on De-cember 14, 1907, and that he even went so far as to call her up by phone the next day and threaten to do her bodily injury if she did not return home at once. She says that he works only part of the time, loitering from place to place, and that she is compelled to earn her own living. As the couple have no children she asks to resume her maiden name of Mary

E. Birks.

Mary R. Rivears is suing Fred Rivears in the Circuit Court for a divorce, alin the Circuit Court for a divorce, alleging desertion on March 7, 1904. They were married at Vancouver, November 6, 1902.

FEDERAL JURY LIST DRAWN Contains the Names of 100 Citizens

of Oregon. The new Federal Jury list, from which the jurors who will try the pending land-fraud cases will be chosen, was drawn yesterday morning. Judge Wolverton israud cases will be chosen, was drawn s. Philippi. Stayton: Lawrence J. Plowman esterday morning. Judge Wolverton is used the order when the court opened for Ramer. Crabtree: Thomas Rand. Sheridan: the last days for discount on West usiness. The list includes 100 men, Edward Rose Portland; Andrew Saling, Port. gas bills. Portland Gas Company.

the state. The names were turned over to Marshal Reed and notices were sent out directing all the citizens drawn to report Monday at 10 A. M.

Following is the list of names drawn:
E. A. Alderman, Dayton: Nimrod F: Baker.
Warren; M. S. Barnes, Beaverjon; James Barr.
Clatskanie: George G. Bartlett, Portland; John Bordahl Warren, George Bette, Portland.

Bordahl, Warren, George Betts, Portland; John Bier, Corvallis; J. M. V. Bllyou, Thomas: Owen Bowen, Silverton; A. N. Clark, Houlton; Thomas Cummings, Albany; Willis S. Duniway, Portland; John J. Finn, McCoy; H. G. Fitch, Cornellus; Alfred Freericsen, Laborat, March. H. G. Fitch, Cornellus, Alfred Freerken, Lebanon: Henry Freerkeen, Shedds, R. W. Fry. Albany; William Fuqua, Parkers; Thomas J. Gardner, Salem; George Hancock, Forcet Grove; E. X. Harding, Gaston; Simon Harris, Portland; L. H. Hendson, Halsey, John Henry, Sherwood; O. O. Hodson, Mc-Minnville; George B. Hoyt, Jefferson; August Huckestine, Salem; Eudschub Kacoler, Fankton; Minnville; George B. Hoyt, Jefferson: August Huckestine, Salem; Budelph Kappier, Ianhton; Henry Keyt, Perrydale; Andy King, St. Helens: Frank Lines, Albany: M. Link, Goble: Floyd Long, Sheridan; D. W. McKay, Gervals: G. W. McLaughilin, Parkers: J. B. McPherson, Forest Grove; P. S. Malcolm, Portland; William Martin, Portland; John N. Matschek, Portland; the Meeker, Albany: Samuel W. Miles, Rickreal; Mart Miller, Albany: Frank Moore, Dayton; Thomas J. Nealeond, Portland; Otto Nelson, Portland; William Obermeyer, Tangent: Emery Cliver, Portland; Philip Painter, Salem: Thomas Papworth, Fortland; Elmer C. Patton, Portland; Christopher C. Pauling, Portland; Gustaf Peterson, South Mt. Tabor; S. Philippi, Stayton; Lawrence J. Flowman

drawn from practically every county in land; George Sanders, Albany; George O. Sav. the state. The names were turned over age. Salem; Robert W. Schmeer, Portland age, Salem; Robert W. Schmeer, Portland; William Schulmerich, Farmington, O. M. Scott, Portland; Lewis C. Shorno, Portland; Grover B. Simmons, Monitor; I. M. Simpson, Afrile: Marlon Smith, Monmouth; H. B. Sprenger, Shedds; B. N. Sproat, Reedville; Sprenger, Shedds R. N. Sproat, Reedville; A. Stanton, Hillsboro: Thomas M. Stevens, Portland; Charles W. Stinger, Portland; Frank Stow, Sheridan: Fred H. Strong, Portland; Justus M. Strowbeldge, Portland; Charles J. Sunderland, Portland; John W. Sweeney, Port-land; Ed. Taylor, Sheridan; R. R. Templeton, Brownsville; George W. Thatcher, Portland; John Thomburg, Forest Grove, Watter F. Til-John Thornburg, Forest Grove; Walter F. Til-ton, Portland; G. N. Townsend, Perrydale; A. ton, Fortland; G. N. Townsend, Perrydale; A. S. Vaughn, Sherwood; Frank Von Wamenhove, Champoeg; Maurice Walton, Portland; Frederick S. West, Portland; Williams, Portland; Ivor Williams, Portland; Williams, Portland; Ivor Williams, Portland; Williams H. Wilton, Portland; Samuel A. White, Lents; John Wittschen, Turner; Cyrus B. Woodworth, Portland; Clies Wright, Molalla; Glen Zunwalt, Perrydale.

Suit Against Street Railway Lost. The jury in Judge Gantenbein's department of the Circuit Court brought in a verdict for the defendant last night in the suit of Edwin Taft, by his guardian, J. C. Taft, against the Portland Rallway Company, to recover \$10,000 damages for injury by being struck by a streetcar at East Morrison and Sixth streets. The defense showed that the child ran directly in front of the car and that there was no criminal negligence on the part of

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