

HILL LINE SUITS ARE DISMISSED

Condemnation of Right of Way in Terminal Grounds Abandoned.

WILL USE ANOTHER ROUTE

North Bank Road Drops Litigation Brought Against Northern Pacific Terminal Company Two Years Ago.

The two suits of the Spokane, Portland & Seattle Railway Company against the Northern Pacific Terminal Company over the condemnation of right of way for the North Bank road through the yards of the terminal company were dismissed in the State Circuit Court last Friday. In defending itself from the onslaught of the Spokane, Portland & Seattle Railway, the terminal company set up the Sherman anti-trust act in building its line between Seattle and Spokane.

Cyrus A. Dolph, one of the attorneys for the terminal company, said last night that the companies reached no agreement as to the amount of damages the terminal company would sustain, but that the Spokane, Portland & Seattle road had decided to utilize other property in entering Portland. This was suggested in the defendant's answer to the complaint which states that the entire property which the terminal company now holds is needed for its tracks, and that the new road can reach its terminus by deflecting to the west.

Suits Two Years Old.

Both suits were filed August 1, 1906. In the first the plaintiff company asked the court to instruct a jury to assess the damages which would result to the terminal company if the plaintiff should utilize a strip of land 44 feet wide from Seventeenth and Vaughn streets to Front street, in North Portland. The other suit is over land which adjoins the North Bank road, covering a fraction of an acre. The latter suit asks for the appointment of three commissioners to assess the damages, and that the court confirm their report.

The terminal company was incorporated in 1883 by what are now known as the Northern Pacific Railway Company and the Oregon Railroad & Navigation Company and the Southern Pacific Company. The terminal company asserts that the Spokane, Portland & Seattle road was incorporated by the Northern Pacific and the Great Northern under the laws of the State of Washington. The Northern Pacific was incorporated under the laws of Wisconsin, and the Great Northern under the Minnesota laws. The Wisconsin laws prohibit a railway from owning and operating two parallel competing lines at the same time, and the Minnesota laws prohibit a railway corporation from acquiring, operating or in any way becoming interested in railway properties or lines outside that state, and from operating competing lines.

Anti-Trust Law Invoked.

The terminal company contended that the Spokane, Portland & Seattle road intends to operate between Seattle and Spokane, and that its object is to acquire rights of way at strategic points and thereby prevent the location and construction of hostile and competing lines.

It was further asserted that the Sherman anti-trust law is being violated by the Spokane, Portland & Seattle road, and that the Northern Pacific is operating ostensibly as separate corporations, while their stock is owned by the same persons.

Resists making any concessions, the terminal company held that the Circuit Court is not the proper place for adjudication of such a case; that this power is vested in the Oregon Railroad Commission, and that application must be first made to that body.

The terminal company asked \$100,000 damages, should the first suit be decided in favor of the Spokane, Portland & Seattle road, and \$50,000 damages for the fraction of an acre involved in litigation.

CASES SET FOR HEARING

Congested Docket Ahead for Circuit Judges.

Presiding Judge Gantenben, of the Circuit Court, set 23 civil cases yesterday morning for trial in October and November. Besides these there were four criminal cases. This is an exceptionally large list, two or three times as large as that which is usually brought into court on Monday mornings. It has accumulated during the vacation months.

Among the criminal cases is that of John L. Smithson, charged with interfering with the stockpiles of a gas meter belonging to the Portland Gas Company without obtaining written permission to do so. He will be tried October 5. The case came into the Circuit Court on appeal from the Municipal Court. The offense was committed November 20, 1907, nearly a year ago, and has only now been set for trial. Because of the congested docket and the small number of judges who must handle the cases it has been impossible to reach it before this. Many other cases are in the same condition.

John Hardigan, charged with stealing brandy worth 75 cents, and about \$2 from a store at 81 First street, May 12, will be tried September 2.

The two statutory charges resting against Edna Smith, involving Jennie Sigbers, will be disposed of September 11 and 14.

Declares Husband Beat Her.

That Joseph W. Dean was in the habit of knocking her down in a violent temper is the charge made by his wife, Mrs. Bessie E. W. Dean, in a suit for divorce, filed in the Circuit Court yesterday. She says that on one occasion she was pushed against a stump and hurt her back, and that at another time she fell upon the floor and struck her head. When she threatened to leave her husband she says he told her he would kill her. She also charged him with compelling her to support herself. She asks to resume her maiden name, Bessie E. Winter. They were married January 6, 1907.

Says Neighbor's Lawn Encroaches.

To compel D. S. Dufur to remove two feet six inches of his lawn is the object of a suit brought in the Circuit Court yesterday by Victoria Thome. She says the embankment of the lawn has been extended until it encroaches upon her premises. Besides its removal she demands \$100 damages. The plaintiff owns lot 5, block 7, Dunn's Addition. The property is located at East Davis and Twenty-first streets. The lawn is on the west side of her property. She has employed four attorneys—Ralph Wilbur, S. C. Spencer, A. M. Dibble and W. E. Farrell.



EUGENE COMMERCIAL CLUB HAS EFFECTIVE MEANS OF ADVERTISING OREGON.

EUGENE, Or., Aug. 24.—(Special.)—The above picture taken for The Oregonian gives a glimpse of the work being done by the Eugene Commercial Club. The scene represents the office force engaged in preparing the cherry number of Nobody's Magazine. Each month not less than 3000 and up to as high as 4000 copies are mailed to homeseekers. This particular number contains inserts to the number of seven per magazine, making a total of 21,000 pictures to be pasted in the booklet. Instead of the usual follow-up letter, the Eugene method is to send a readable, attractive monthly magazine. It is handsomely illustrated, thereby taking the place of the customary illustrated booklet sent out by other communities. No other commercial body in Oregon employs so large an office force as does the Eugene Club, and the active advertising campaign commenced in December, 1907, has resulted in bringing the Willamette Valley to the notice of thousands of people.

CIRCUS IN TOWN TODAY

BARNUM & BAILEY'S BIG PARADE THIS MORNING.

Small Boy Will Be Up Early and Busy All Day If He Sees All the Wonders of the Show.

ROUTE OF CIRCUS PARADE.

Leaving the show grounds, Twenty-ninth and Raleigh streets, at 9:30 o'clock this morning, the parade will move east on Overton street to the bridge at Washington street; east on Washington street to Fifth street; south on Fifth street to Taylor street; east on Taylor street to Third street; north on Third street to Everett street; west on Everett street to Seventeenth street; north on Seventeenth street to Overton street, thence to the show grounds. There will be no parade Wednesday morning.

Today and tomorrow will be "circus days."

From early in the morning, when the circus comes to town, when the small boy hurries through his breakfast, or goes without, to hurry to the ground where the big tent is being put up, watching every preparation for the big parade, there will be something doing. It is fortunate for the boys, and the girls, too, that the circus is a summer institution, thus enabling the young folks to enjoy its pleasures without seriously interfering with school duties. The clown, who is the dominant figure in the parade, with his father and mother laughing at his antics, raising acrobats, the beautiful horses, the hundred and one pictured features will make their appearance, and the long anticipated enjoyment of circus day will be a reality.

The Barnum & Bailey Greatest Show on Earth is a new institution this year. Its promoters have brought all their combined resources to aid in perfecting an organization which it is hoped will win for itself the distinction of being the greatest circus exhibition in the world.

Chief among the many features in the new sensational thriller, Barnum & Bailey always present something distinctly breath-catching in the way of a headliner. This year the two automobiles, the two French scientific engineers, who have for two years been working upon models, perfecting a Mephistophelian invention styled "Auto That Falls in the Air," two automobiles are waiting on landings high up in the great canvas dome. From this landing runs an almost perpendicular incline, down which the two automobiles (one red and one blue) are driven by two young French women. Reaching an upward curve in the incline, the red auto shoots into space, describing an absolute somersault, while the blue auto passes swiftly underneath the revolving auto. There is a second of breathless, terrifying suspense. Then the blue auto lands safely upon a massively counterbalanced platform, closely followed by the red car. The execution of the feat occupies about eight seconds of time.

Keeping the little folks in mind, Barnum & Bailey have for this season's performances secured a number of trained animal acts. At the Paris Hippodrome one of this last Winter's hits was Mary Petroff's pony, dog and donkey circus. The three Menetins, French pantomime artists, assisted by their monkey and dog clowns. Professor Wormwood's educated bears will go the limit in rousing merriment. It is said that Seymour Eaton, in his Teddy Bear drawings did not exaggerate the humorous stunts which a mischievously inclined bear can be made to perform. Miss Sickney, assisted by her pony and dog, will present a highly cliffy act. Nowhere else in the world can one see such herds of trained elephants. The entertaining pantomime work of these mammoths is beyond the power of words. The Edwards Shippers' string of beautiful Kentucky thoroughbreds—every one a blue-ribbon winner—will go through the curriculum of an equine high school.

The joyousness of circus day will materialize with the free street parade which is scheduled to start from the show grounds at 9:30 o'clock. Much that is amusing, interesting and entertaining is promised in the street pageant, the completeness of which represents an outlay of more than \$100,000. The amiability of the management is manifest in the statement that the cages containing rare wild animals will be arranged in a manner allowing the public to have a full view of the collection as the parade passes along the streets.

Suburb Wants Engine-House.

The Holladay-Irvington Improvement Association favors an engine-house and fire equipment near East Twenty-second and Thompson streets, according to a letter from that organization, which was read at the meeting of the ways and means committee of the City

PLANS FOR NOVEL SALOON

COUNCILMAN WILLS ATTEMPTS NEW REFORM.

Would Banish Many Attractions and Make Publicity Cure Present Evils.

PLANS FOR NOVEL SALOON

A saloon without chairs, tables or seats of any kind and with but one entrance and no alcoves, screens, partitions or curtains and no frosted windows or anything to obstruct a view of the entire room is what Councilman Wills wants to see in Portland. Therefore he has the draft of an ordinance, constructed by the City Attorney, which will be submitted to the Council tomorrow for action. It will go away with loungers and the thousands who "hang around" saloons. Absolute publicity, he thinks, combined with the bare floors and walls, there being nothing on which to sit, will correct the "loafing" habit and will prove of great benefit.

MAY DEMAND TO SEE PLANS

Local Architects Likely to Start Legal Proceedings.

In order to secure access to the design of the new Albina High School building, a number of local architects have started legal proceedings in the Circuit Court. Members of the School Board, however, deny that such proceedings will be instituted.

The opinion prevailed in certain quarters that it might be a good idea to build the bridge at some other location, but the committee will report favorably to the Madison street proposition. The fact that the new bridge can be built 23 feet higher without any inconvenience to property interests at the present site, is said to be a big point in its favor. This will remedy the present situation as to the numerous openings of the draw, inasmuch as the large majority of vessels could pass under the bridge.

THE PERMANENT HOME

Of the Wiley E. Allen Co.

Three floors in the Archer-Schanz building are now loaded with fine pianos and piano-players.

For the last three weeks carpenters, painters and plasterers have been busily engaged in remodeling the interior of the large building, corner Fifth and Oak streets, opposite the Commercial Club, for conducting their wholesale piano business.

Never less than one hundred and fifty pianos will be displayed at any one time on the ground floor (the wholesale sample room) one of each style of piano carried by this great house will be on exhibition.

Our business is principally the wholesale. This does not necessitate our renting a retail store on the principal street at an enormous expense which adds so much to the selling price of a piano.

We are selling many pianos here in the city from our wholesale warehouses because it can be done without any additional expense, and thus we save our customers the large amount of money added to the price—that must be added to the price of each piano sold by retail dealers who have extremely high rents to pay for retail stores.

Don't expect to find here polished floors, Turkish rugs, French plate mirrors and rich tapestries, because you will be disappointed. We have not fitted up, nor are we conducting a retail store, strictly speaking. However, the pianos we have are nice new ones, in perfect time. We are endeavoring to give more piano value for the money than has ever been offered in this city.

Our leading piano is the Mason & Hamlin. It is the costliest piano in the world and recognized by all piano men as being absolutely the best piano made. Read what the Scientific American, Harold Bauer and other construction experts have to say regarding its being "The Leader of Them All," and you will be convinced that our assertions are true—that it is the costliest and finest piano in the world.

The Hardman is an old standard instrument, esteemed in 1842. So many hundreds of which have been sold and used here in the past thirty years that we need not enlarge on its good qualities.

The Price & People is a wonder. The tone is soft and sweet. It has a French repeating action, admired so much by pianists. The case-work on these pianos is simply beautiful.

Our Player-Pianos are the Knabe Angelus, the King of them all; Emerson Angelus, Hardman, Harrington, Wegman and Milton Players.

THE WILEY E. ALLEN CO.,
304 Oak Street, Bet. Fifth and Sixth,
Opposite Commercial Club.

Special sale The shoes at Rosenthal's.

PLAN FINE PARADE

Unions to Have Five Thousand in Line Labor Day.

GAMES AT FAIR GROUNDS

Sports Will Follow Addresses by Governor and Mayor—Grand Ball in Oriental Building at Night.

Five thousand union men and women are expected to participate in the street parade that will precede an elaborate celebration of Labor Day in Portland, Monday, September 7. The principal exercises will be held at the Lewis and Clark Exposition grounds and will include addresses by Governor Chamberlain and Mayor Lane. The committee in charge of the arrangements has planned for an all-day demonstration. It will conclude with a grand ball at night in the Oriental building, which affords the largest floor space of any available building in the city.

Last year the trades unionists made their first attempt properly to observe this anniversary, which is of significance to organized labor. An entertaining program was devised and there was a general participation in the day's festivities by the friends of organized labor. The exercises this year will be more elaborate than those of a year ago. Extensive plans are being provided for a general turnout of men and women whose standing industrially is indicated by the union card. It is proposed to have in line every union man and woman that can be persuaded to report, in order that the best possible appearance may be made representing the real strength of organized labor in this city and what it means in a business way. Most of the unions are planning to assess a severe fine against every member who fails to report for the parade.

The street parade will consist of the various union organizations of the city, together with several appropriate floats. Following this procession over the main streets of the city, the trades unionists, accompanied by their friends, will assemble at the exposition grounds, where an entertaining program will be followed during the afternoon. It will include a balloon ascension and parachute jump by Princess Flavia, queen of the fair, a thrilling slide for life by Professor Wilder, hanging by his teeth, from the dome of the Agricultural building, for a distance of 250 feet to the ground. Other features of the afternoon program will include a tug-of-war contest, door hanging, pole climbing, nine throwing, joint wringing, hole boring and nail driving, between the members of the different unions.

In addition to the addresses of Governor Chamberlain and Mayor Lane, the following speakers are scheduled for the talks: C. O. Young, National Organizer of the American Federation of Labor; E. J. Lewis, Dan A. White and W. S. U'Ren, of Oregon City.

Young Tramps Sent on Way by Police

Two Boys, Beating Trains to Tacoma, Picked Up by Officers, but Are Quickly Set Free.

FRANK and John Roberts, 13 and 14 years old, respectively, were taken from a boxcar by the police yesterday and held for just one hour. For the police found out they had made a mistake in interfering with the youthful tramps and let them go.

The boys are just completing a remarkable experience, considering their ages. A month ago they left their home in Tacoma for the purpose of visiting an aunt, Mrs. Alice McDonell, at Salem. When they reached the Oregon Capital they started them back home. Without money or transportation, they have been working their way back by easy stages. When picked up by the police they were seemingly well fed, although both were badly in need of a little water and soap.

Chief of Police Slover intended notifying the parents of the children of their plight, but the boys spoke up and objected.

"I don't want 'em to think we couldn't make it," said Frank, the youngest.

"Sure not; let us go. We can make it home in a couple of days just like fun," put in the 14-year-old.

After talking the matter over with Chief Trimmacher, the captain decided that the youngsters were able to shift for themselves and started them towards Tacoma.

YOUNG MOTHERS



A mother who is in good physical condition transmits to her child the blessing of a good constitution; sickly, ailing mothers, the reverse. The tiny babe brings to her a living responsibility. At such a time too great care cannot be taken to build up the mother's general constitution, and restore her feminine system to a healthy, normal condition. The greatest assistance that any woman can have in accomplishing this all-important work is

LYDIA E. PINKHAM'S VEGETABLE COMPOUND

Mrs. M. Gilmer, of West Union, S. C., writes to Mrs. Pinkham, Lynn, Mass.

"I was greatly run down in health, suffering from a weakness peculiar to my sex. I began to take Lydia E. Pinkham's Vegetable Compound, and I was not only restored to health but am the proud mother of a fine baby girl. I wish every sick and ailing woman would give Lydia E. Pinkham's Vegetable Compound a trial."

Mrs. Paul Oliver, of St. Martinville, La., writes to Mrs. Pinkham:

"For years I suffered from the worst form of female troubles, and the doctor said I could not get well without an operation. Lydia E. Pinkham's Vegetable Compound restored me to perfect health, and I have the sweetest little baby girl. I will never cease to praise Lydia E. Pinkham's medicine."

FACTS FOR SICK WOMEN.

For thirty years Lydia E. Pinkham's Vegetable Compound, made from roots and herbs, has been the standard remedy for female ills, and has positively cured thousands of women who have been troubled with the worst forms. Why don't you try it?



ATHLETES

TO KEEP IN GOOD TRIM MUST LOOK WELL TO THE CONDITION OF THE SKIN. TO THIS END THE BATH SHOULD BE TAKEN WITH

HAND SAPOLO

All Grocers and Druggists.

THOSE BEAUTIFUL Auburn Tints, so noticeable among fashionable women, are produced only by Imperial Hair Regenerator. It is the cleanest and most lasting hair coloring known. It is easily applied, absolutely harmless, unaffected by bath. Any Shade produced. Sample of hair colored free. IMPERIAL CHEMICAL MFG. CO., 125 W. 12th St., New York. Have a Martin, 225 Washington Street.

LASH'S BITTERS

KIDNEY & LIVER CURES DYSPEPSIA

TO-NIGHT tascarets

ONLY FOR THE BOWELS AND SLEEP BETTER FOR THE BOWELS AND SLEEP

Stomach Ache and Diarrhoea

are often brought on by eating green vegetables and unripe fruit, or by sudden changes in weather, excessive heat, gulping down iced drinks, etc., and are prevented and quickly cured by

Duffy's Pure Malt Whiskey

Mrs. Freeman Vigorous at 114.

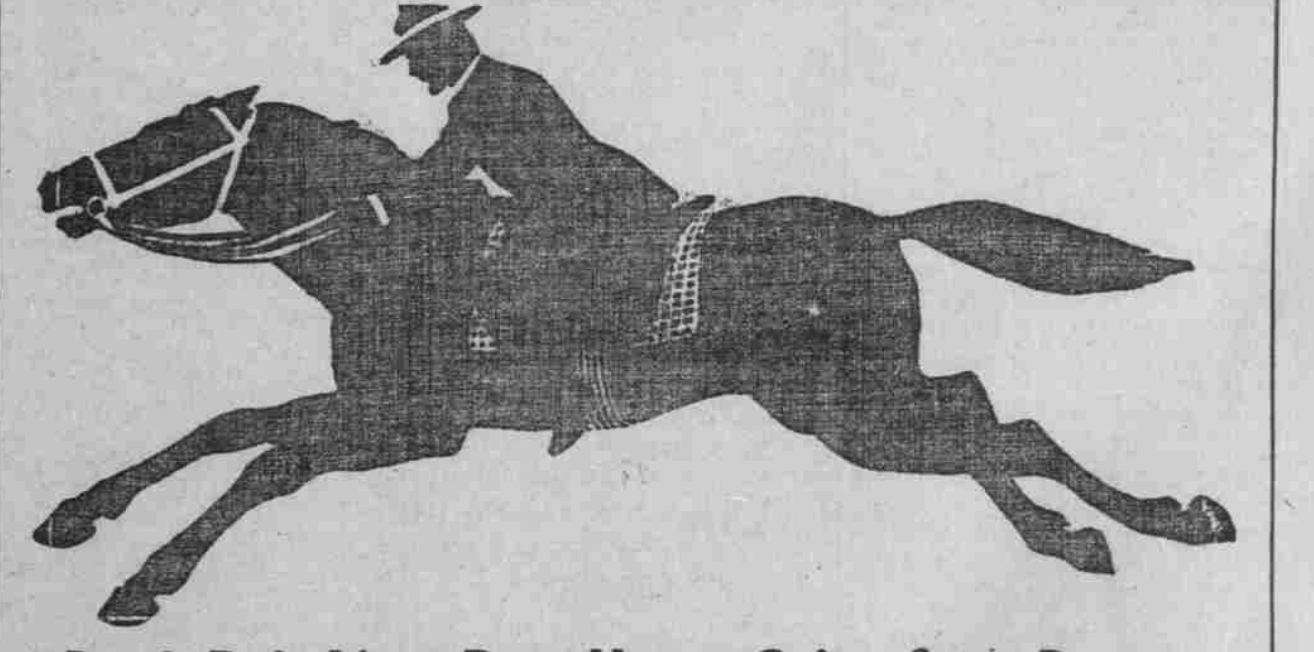
In an interview with Mrs. Campbell, who lives at Red Bank, Pa., and who is the daughter of Mrs. Freeman (114 years of age), she stated: "My mother has been using Duffy's Pure Malt Whiskey and is anxious to have me tell you that she felt its strengthening effects at once. We know that it has done her a great deal of good. She is 114 years of age and needs something to sustain her strength. She thinks it is a great stimulant and no old person should be without it. I, myself, know what she says about your medicine is the truth."

Duffy's Pure Malt Whiskey kills the disease germs and keeps the system in a normal, healthy condition. It keeps the old young, the young strong; it is invaluable as a tonic for overworked men, delicate women and sickly children. Duffy's Pure Malt Whiskey is an absolutely pure distillation of malted grain; great care being used to have every kernel thoroughly malted, thus destroying the germ and producing a predigested liquid food in the form of a malt essence, which is the most effective tonic stimulant and invigorator known to science; softened by warmth and moisture, its palatability and freedom from injurious substances render it so that it can be retained by the most sensitive stomach.

If weak and run down, take a teaspoonful four times a day in half a glass of milk or water.

Duffy's Pure Malt Whiskey is sold throughout the world by druggists, grocers and dealers, or shipped direct for \$1.00 per bottle.

If in need of advice, write Consulting Physician, Duffy Malt Whiskey Company, Rochester, New York, stating your case fully. Our doctors will send you advice free, together with a handsome illustrated medical booklet containing some of the many thousands of gratifying letters received from men and women in all walks of life, both old and young, who have been cured and benefited by the use of the world's greatest medicine.



Don't Ruin Your Best Horse Going for a Doctor

Bowel complaints are always more or less prevalent during the Summer months, and many a man has ruined his best horse going for a doctor when some of his family was suffering from cramp colic or cholera morbus. Be prepared for such an emergency.

Chamberlain's Colic, Cholera and Diarrhoea Remedy

Is the most successful medicine yet produced for these diseases and can always be depended upon. No doctor can prescribe a better medicine. It is almost certain to be needed before the Summer is over. Buy it now.