

MAKE SETTLERS PARTIES TO SUIT

Judge Wolverton Passes on Bill of Exceptions in Land-Grant Case.

SOME SUSTAINED, SOME NOT

More Time Granted by Court, Over Objection of Counsel, for Filing of Demurrer to Complaint—To Be Taken Up in February.

The first preliminary move in the suit of the Government against the Oregon & California Railroad Company to recover lands valued at about \$4,000,000, was made in the United States district court yesterday when Judge Wolverton ruled on exceptions by the defendant railroad company to the bill of complaint filed by John L. Snyder demanding that the defendant corporation be ordered to sell to him 100 acres of the granted lands at the price of \$250 an acre, the price stipulated in the grant by which lands were acquired originally by the railroad company.

SHOWS HOW REALTY ADVANCES

Suit to Get Possession of Realty Brings Out Big Increase.

An evidence of the extent to which realty values have advanced in Portland was furnished in the Federal court yesterday in consideration of the principal case, Luce Scott Bower against Hartman Stein. This litigation involved lots 2 and 3, block 256, Couch's Addition. In 1863 this property was mortgaged to the Bowers and the papers in the case it is now worth \$20,000 and its increased value was suggested by the court as the basic reason for an attempt to recover possession of the property, which has since been foreclosed.

WANTS TO SELL NEAR-BEER

Eugene Dealer Carries His Case Into Federal Court.

Alleging that the ordinance recently enacted by the City Council of Eugene prohibiting the sale of near-beer is unconstitutional, attorneys for Charles F. Kuthe, of that city, yesterday applied to Judge Wolverton in the United States court for a writ of habeas corpus. The application was argued, submitted and taken under advisement by the court.

Says He Will Not Live With Wife.

Frank H. Dighton, arrested yesterday by Sheriff Stevens for non-support, said last night that he has given his wife \$100 in the last three weeks. He is a cement-worker and was employed on the Cornelius Public School and on the Methodist Church at Hillsboro.

Allen May Bring Suit.

By overruling a demurrer to the complaint in the suit of C. F. Candiani against C. C. Wilson, Judge Wolverton in the United States Court yesterday held that an alien is entitled to bring in the Federal court an action for personal injuries resulting in death. In the case at bar, Candiani, an alien, had been ap-

pointed administrator in Probate Court of the estate of Angelo Orsi, who also was an alien, and within the jurisdiction of the court at the time of his death. Candiani instituted suit to recover for personal injuries which resulted in the death of Orsi. To this proceeding the defense demurred, alleging a lack of jurisdiction of the plaintiff in the United States Court.

Files Amended Bills.

United States Attorney McCourt yesterday filed in the Federal Court amended bills of complaint in the suit the Government has instituted against C. A. Smith and others to recover several thousand acres of valuable timber lands in the Willamette Valley alleged to have been acquired fraudulently by the Minnesota millionaire and his associates. The amended bill differs from the original complaint in but one important respect.

Sues for Back Salary.

Judge Wolverton in the United States Court yesterday fixed February 8 as the date for the trial of the suit of C. J. Braucher against the Pacific Coast Lumber & Furniture Manufacturing Company.

BUILDS GYMNASIUM FOR YOUNG PEOPLE OF FLOCK.

Rev. Harold Oberg, Aggressive Pastor of Montavilla Methodist Church.

Lumber has been delivered for the gymnasium to be erected in connection with the Montavilla Methodist Church, on Hubbard street and the East Lane road. Work has been started on the foundation. The cost is estimated at \$2000. The object of the gymnasium is to provide a place for the young people of the church.

BRASCHER IN HIS COMPLAINT ALLEGES THAT HE HAS EMPLOYED BY THE DEFENDANT COMPANY AS HIS MANAGER ON A SALARY OF \$500 A MONTH; THAT HE SERVED IN HIS EMPLOY UNTIL HIS WAGES AMOUNTED TO \$2100, NO PART OF WHICH HE HAS RECEIVED.

TANGLE OVER FRANCHISES

COUNCIL MAKES SLOW PROGRESS DISCUSSING GRANTS.

Councilman Vaughn Sticks for Franchise to Packing Plant Separate From Others Asked.

The City Council, at its adjourned session yesterday afternoon, made slow progress in the consideration of the various applications for franchises for extensions and additions to the lines of the Portland Railway, Light & Power Company. Two hours' time was consumed going over a portion of one section of a proposed blanket franchise, and a complete adjournment was taken for further work on this matter at 2 P. M. Thursday. Councilman Baker occupied the chair during most of the session.

SELL BONDS FOR PARKS

HALF OF MILLION ISSUE TO BE SOLD THIS YEAR.

Council Recognizes All Speed Must Be Used to Make Money Available for Purpose.

Following the recommendation of the Park Board, the City Council, at an adjourned session yesterday afternoon, passed an ordinance authorizing City Auditor Barber to advertise for sale \$500,000 worth of the bonds voted by the people for the purpose of providing playgrounds throughout the city. This makes it certain that the first half of the money to be used for this purpose will be available for use this year.

QUARREL LEADS TO DEATH

San Francisco Lawyer Fatally Wounded Hotel Proprietor.

SAN FRANCISCO, Cal., Nov. 16.—Hugh O'Neill, an attorney, with offices in the Pacific building, shot and seriously wounded Michael Factor, a retired hotelman, on the street in front of the Waldorf saloon, on Market street, about 1:30 o'clock. The two men had quarreled over a business transaction. Factor was immediately taken to the Central Emergency Hospital. O'Neill is in a cell in the city prison.

O. R. & N. CO. WIPES OUT ITS SUPERFLUOUS BAGGAGE

Dividends of \$27,430,000 Declared and Debt of Union Pacific Canceled.

JUICY MELON IS SLICED

Facts Come Out at Hearing of Board of Equalization When Railroad Men Protest Against Assessment of \$14,400,000.

Through its attorneys, Arthur C. Spencer and James G. Wilson, together with J. W. Morrow, tax and right-of-way agent, the Oregon Railroad & Navigation Company yesterday submitted to the County Board of Equalization its petition for a reduction of the assessment of \$14,400,000 against its money, notes and accounts. County Judge Webster, County Clerk Fields, and County Assessor Sigler comprise the Board of Equalization, and heard the objections of many interested parties developed during the hearing, one of the most prominent of which was the fact that the O. R. & N. declared dividends to the amount of \$27,430,000, which assessed the company on the same kind of property in the sum of \$14,400,000.

TICKETS SELLING RAPIDLY

Benefit at Hellig Theater Friday Night for St. Agnes Baby Home.

Tickets are selling with great rapidity for the concert which will be given Friday evening at the Hellig Theater for the benefit of the St. Agnes Baby Home, which is to be under the direction of the Ladies' Aid Society of the Cathedral. A number of other prominent local artists will appear. The quartet consists of Mrs.

INVOLVES LARGE PROJECT

Would Introduce New Patent Material—Second Resolution Offered, Calling for Use of Belgian Blocks.

A large improvement district, with vitrified brick specified as the material to be used, will be created in North Portland, if the City Council acts favorably upon a resolution introduced at the adjourned session of the Council yesterday afternoon by Councilman Annand, by request. It is impossible to estimate the cost of the work until City Engineer Taylor can make up his figures, but it is certain to be one of the most expensive paving projects ever contemplated in Portland. If the resolution passes, it will introduce into this city the products of the Denny Clay Company, this being a Seattle firm.

UPWARD START

After Changing From Coffee to Postum.

Many a talented person is kept back because of the interference of coffee with the nourishment of the body. This is especially so with those whose nerves are very sensitive, as is often the case with talented persons. There is a simple, easy way to get rid of coffee evils and a Tonn, lady's experience along these lines is worth considering. She says: "Almost from the beginning of the use of coffee it hurt my stomach, and the time I was fifteen I was almost a nervous wreck, nerves all unstrung, no strength to endure the most trivial thing, either work or fun. "There was scarcely anything I could eat that would agree with me. The little I did eat seemed to give me more trouble than it was worth. I finally quit coffee and drank hot water, but there was so little food I could digest I was literally starving; was so weak I could not sit up long at a time. "It was then a friend brought me a hot cup of Postum. I drank part of it and after an hour I felt as though I had had something to eat—felt strengthened. That was about five years ago and after continuing Postum in place of coffee and gradually getting stronger, today I can eat and digest anything I want, walk as much as I want. My nerves are steady. "I believe the first thing that did me any good and gave me an upward start, was Postum, and I use it altogether now instead of coffee. "There's a Name."

WOMAN'S BAGGAGE

The back is the mainspring of woman's organism. It quickly calls attention to trouble by aching. It tells, with other symptoms, such as nervousness, headache, pains in the loins, weight in the lower part of the body, that a woman's feminine organism needs immediate attention.

LYDIA E. PINKHAM'S VEGETABLE COMPOUND

Mrs. Will Young, of 6 Columbia Ave., Rockland, Me., says: "I was troubled for a long time with dreadful backaches and a pain in my side, and was miserable in every way. I doctored until I was discouraged and thought I would never get well. I read what Lydia E. Pinkham's Vegetable Compound had done for others and decided to try it; after taking three bottles I can truly say that I never felt so well in my life."

TO PAVE WITH BRICK

Resolution Before Council to Create New District.

Simultaneously Councilman Kellaher introduced a resolution before the Council petitioning for Belgian blocks, to be laid on a concrete foundation, in the same territory. Mr. Kellaher endeavored to secure the passage of a motion granting his petition, but as Mr. Annand's resolution had been referred to the street committee.



handsome cuts and the covers are of special design in color. The text is descriptive of the resources of Unimatic County and the attractions it has for the new settler. Thousands of copies of the new book will be distributed throughout the East.

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What Swift's Means to Portland As With Chicago As With Kansas City As With St. Joseph, Fort Worth So With Portland And so With FAIRPORT

Developed in a few years from a good-sized city to the second city in importance in America, principally through building of railroads and the establishment of the packing-houses of the Swifts, Armour, Morris and other Titans of commerce.

Which was more than quadrupled in size and its commercial activity increased a thousandfold by the coming of these gigantic interests within its borders.

And other towns which have been benefited by the advent of these gigantic interests and have gradually become numbered among the most important commercial centers of America.

The commercial supremacy of Portland is assured in the Northwest. Realty values have already shown a decided increase in properties adjacent to the sites, for these interests will eventually triple and quadruple in value.

This addition is the choicest of any that has been offered. It lies directly adjoining Kenton, the site purchased by the Swifts for the establishment of a great commercial center.

FAIRPORT - LOTS \$250

Has graded streets, Bull Run water and an unexcelled view. It is convenient to public schools and churches, and is 25 minutes' ride from the heart of Portland. Every one in Portland should have some money invested here.

MIKKELSEN & TUCKER,

GENERAL AGENTS, 301-302 CORBETT BUILDING

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FOR A PURE TONICAL STIMULANT, FOR CHEER OR COMFORT, STRENGTH AND HEALTH, FOR RECOVERY AND RESTORATION

HUNTER BALTIMORE RYE

IS ABSOLUTE PERFECTION GUARANTEED UNDER THE NATIONAL PURE FOOD LAW

Sold at all first-class cafes and by jobbers. WM. LANAHAN & SON, Baltimore, Md.

To Heat a Cold Corner

Don't sit in the cold—a touch of a match—a steady flow of genial warmth and in the corner that's hard to heat you'll have real solid comfort with a

PERFECTION Oil Heater

(Equipped with Smokeless Device)

Just what you need to help out in a cold snap or between seasons. No smoke—no smell—no bother

—it's the smokeless device that does it. As easy to operate and clean as a lamp. Brass font holds 4 quarts—gives intense heat for 9 hours. Finished in nickel and japan—every heater warranted.

The Rayo Lamp is the best all-round lamp made. Equipped with latest improved central draft burner. Made of brass throughout, nickel plated. Just the light to read by—bright and steady. Every lamp warranted.

If your dealer doesn't carry the Perfection Oil Heater and Rayo Lamp, write our nearest agency for descriptive circular.

STANDARD OIL COMPANY (Incorporated)