DESCHUTES SUIT IS TRANSFERRED

Twohy Bros.' Action Against Oregon Trunk Sent to Federal Court.

WILL BE FOUGHT OUT HERE

Injunction Proceedings Brought by Harriman Contractors at The Dalles Will Be Heard Before Judge Wolverton.

Responding to the request of Carey & Kerr, attorneys for Porter Bros., Circuit Judge Bradshaw, of The Dalles, yesterday transferred to the United States Court in this city the injunction suit filed in Wasco County several days ago by the Harriman forces against the Oregon Trunk. This proceeding was brought by Twoky Bros., Harriman contractors, for the purpose of restraining Porter Bros. from all operations for a distance of about seven miles in the Horseshoe Bend disseven miles in the Horseshoe Bend distriet, where the surveys of the rival roads conflict. The suit was transferred to the Federal Court, where it may be more expeditionsly disposed of and at the same time better serve the convenience of the litigants and their attorneys.

This suit has no connection with the injunction proceeding filed in this city Monday by the Oregon Trunk against the Harriman interests. It relates to a disputed right of way for a distance of about seven and one-half miles in the first 40 seven and one-half miles in the first 40 miles of the proposed railroads up the Deschutes. The attempt of the Harriman officials to oust the Porters from this disputed ground will be resisted vigorously by the Oregon Trunk. It hasts that it has an equal right to the property involved. The maps of survey of both companies for the first section of 40 miles were approved on the same day by the Secretary of the Interior, and it is on this fact that the Porters will insist on an equal right to the possession of the an equal right to the possession of the

Arguments Being Prepared.

Opposing counsel are preparing for argument in the injunction of the Oregon Trunk against the Deschutes Railroad Company, Harriman's extension into Central Oregon, which will be argued before United States Judge Wolverton to-morrow. This promises to be one of the most notable legal battles ever witnessed between two rival railroad interests. The situation is regarded to have passed a fight to the finish is looked for. The argument on the motion to dissolve the in-

junction promises to be exhaustive and will probably take more than one day. In the meantime, representatives of the rival companies report that they are con-tinuing their activities in the Deschutes Canyon. Work has been abandoned only at the conflicting points covered in the two injunction suits and from which the rival companies are enjoined. While the two injunction suits and from which the rival companies are enjoined. While the suit of the Oregon Trunk against the Harriman read temporarily prohibits the Harriman forces from trespassing on the right of way of the Oregon Trunk for the southerly 60 miles of its survey. Twohy Bros. are really prohibited from carrying on their operations only for about 12 miles in the entire 60 miles. This is due to the fact that it is only for a distance of about 12 miles that the two surveys conflict. With that exception the surveys do not conflict and there tion the surveys do not conflict and there is nothing to prevent the Twohy Bros. forces from working on the remaining 40 miles so long as they do not trespass upon the Oregon Trunk survey.

No Cessation, Say Both Sides.

It is denied by the Harriman repre-It is denied by the Harriman repre-sentatives that any cessation has resulted in their operations from the filing of the injunction suit, with the exception that ther are not attempting to do any work where there is a conflict between the

two surveys.

"Porter Bros, are confinuing their operations zealously, save for about seven miles in the Horseshoe Bend distriot from which they have been enjoined temporarily," said C. H. Carsy, of counself for the Oregon Trunk, yesterday. "Pur the present, the principal part of their work consists of building wagonroads down to the river over which supplies and equipment may be taken. Camp sites have been selected and cetablished and accommodations provided for 5000 laborers and before the end of another week we expect to have fully that many men on the ground. At the rate Porter Bros. are increasing their construction crews, they will have fully 2000 men in their employ before the close of the present week."

OREGON TRUNK LINE PROTESTS

Wants Harriman Road on Opposite Side of Canyon.

OREGONIAN NEWS BUREAU, Washington, Aug. II.—The General Land Of-fice today received the protest of the Oregon Trunk Line against the approval of maps of section 4 of the Harriman railroad right of way along the Deschutes

It is alleged that in the 33 miles cov-It is alleged that in the 33 miles covered by this section railroads will not pass through any canyon, such as contemplated by the previsions of the act of March 3, 1875, and therefore there is not sufficient ground for granting the Harriman line the privilege of building on the Oregon Trunk right of way. It is suggested that Mr. Harriman be required to build this section of his line on the opposite side of the Deschutes River.

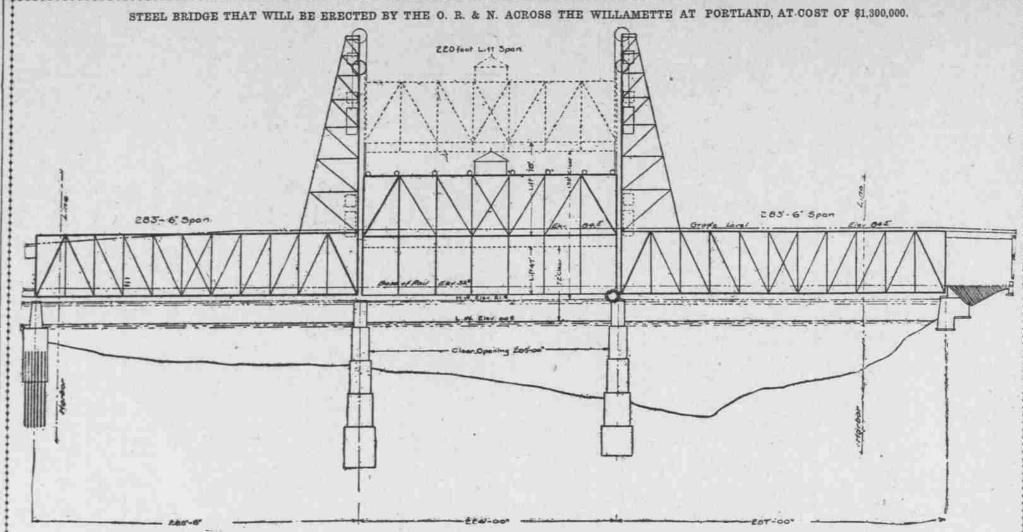
The Harriman road will be given an opportunity to answer the protest of the Oragon Trunk before any action is taken by the department. Before determining whether or not the protest shall be heed-ed, the Land Office will make inquiry to determine whether or not there are nar-row canyons in section 4 of the road, and its decision, it is said, will largely depend upon the nature of the country traversed, by this 23 miles of right of way. No in-timation is given as to when action can be expected.

The Oregon Trunk has not yet made any showing with respect to maps of sec-tions 3 and 5 of the Harriman right of way.

Injunction Hearing Postponed.

THE DALLES, Or., Aug. II.—(Special)
—The hearing of the proceedings for an injunction filed in the Circuit Court here Monday by attorneys of the Deschutes Railroad Company against the Oregon Trunk Line, Porter Bros., et al., which was to come up before Judge W. L. Bradshaw at 2 o'clock this afternoon, was postponed until September 1 by agreement of opposing counsel. of opposing counsel.

If you are not satisfied after using according to directions two-thirds of a sattle of Chamberlain's Stomach and Aver Tablets you can have your money sack. The tablets cleanse and invigorate the stomach, improve the digestion, regulate the bewels. Give them a trial



VIADUCT WILL BE ALMOST TWICE AS WIDE AS PRESENT RAILROAD STRUCTURE, AND LIFT SPAN CAN BE RAISED TO HEIGHT OF 135 FEET. The accompanying illustration gives an idea of the new steel bridge which the Oregon Railroad & Navigation Company proposes to construct across the Williamette River from Glisan to Oregon streets in this city. It will be a double-decker structure 1306 feet long, including the approaches. It will be provided with a lift draw which, when raised, will present an opening 205 feet for passing steamboats. The lift span is located in the center of the bridge and the lower deck can be raised independently of the upper. The lower, or railroad section, can be raised to a height of 72 feet above low water, which is sufficient to enable all river craft to pass beneath the obstruction without disturbing the upper deck, which will be used by streetcars, vehicles and pedestrians. By elevating both decks, vessels to a height of 1-- feet can pass beneath the structure. The bridge will be 32 feet wide, or nearly double the width of the old steel bridge which it will replace. The cost of the structure will be about \$1,300,000. Work of construction will begin as soon as the plans have been approved by the Port of Portland and the War Department, to which they have been submitted.

National Undertakers to Meet Soon in Portland.

PLANS ARE NOW COMPLETE

Oregon and Washington Funeral Directors Will Join in Entertaining Delegates From Other States.

During the latter part of September and the first part of October Portland will be the scene of the greatest gathering of funeral directors ever held in this coun-try. It will be the occasion of the an-nual convention of the National Funeral Directors' Association, in conjunction with which the annual convention of the Oregon State Funeral Directors' Asso-ciation and that of the Washington State Funeral Directors' Association will be held. the first part of October Portland will be

Final arrangements were completed vesterday for the gatherings and grammes for the conventions and the entertainment of the delegates were outentertainment of the delegates were out-lined. September 2s, 2s and 3s, and Octo-ber 1 and 2 are the dates which have been set for the three conventions. The two state conventions will be held in joint session on September 2s, in the Knights of Pythias hall, while the four-remaining days will be given over to the National body, the meetings of which will occur in the Massonic Temple. It will be the first time the National convention has been held on the Pacific Coast. Portland was selected as the re-sult of efforts made by the members of the Oregon State Funeral Directors' As-

the Oregon State Funeral Directors' As-sociation, chief among whom are E. E. Ericson, president; Arthur L. Finley, secretary, and M. A. Rader, of Pendie-ton, Or., and S. N. Wikins, of Corvallis, Or., both former officers of the associa-The delegates to the National conven-

tion will represent every state and, inas-much as many of the members have never been West, it has been arranged for the delegates' families to accompany them. It is estimated that nearly a thousand people will attend. The dele-gates will meet in Chicago, where, acgates will meet in Chicago, where, according to a letter received yesterday from National Secretary Kilpatrick, of Elmwood, III., they will board a number of special trains for this city.

The route taken will be via the Chicago, Milwaukee & St. Paul, the Canadian Pacific and the Northern Pacific, allowing a three days stopover in Seattle to enable a visu to the Exposition. The

enable a visit to the Exposition. The return trip will be made via California and the Grand Canyon of the Colorado. In addition to the three conventions the funeral directors of Idaho, who have not funeral directors of Riaho, who have not yet organized, and many from California will attend the meetings. Numerous features of entertainment have been planned, among which is a daylight ride up the Columbia River.

Elaborate preparations have been made for the national meeting, which will be welcomed to Portland by an address by Mayor Simon. There will also be an ad-

Mayor Simon. There will also be an address by President Wetherbee, of the Commercial Club. A banquet at the Commercial Club, a saimon dinner at Collins Hot Springs and several other sightseeing trips in and around Fortiand will be provided by the local members of the association, who will be helped in entertainment expense by the members from

association, who will be helped in entertalnment expense by the members from Washington.

The complete programme for the National body is as follows:
September 29—Call to order, President Farley, Battle Creek, Mich., invocation, Rev. J. Whitcomb Brougher, Portland; appointment of committees on credentials; music, Rose City Quartet; address of welcome, Mayor Simon, response, A. Elekelburg, New York City; music, Rose City Quartet; rolical of state associations, report of exemitive committee, annual message, Fresident Farley; report of secretary, H. M. Kilpatrick, Elmuwood, Ill.; communications received; music, Rose City Quartet; report of committee in credentials.

Afternoon sension—Appointment of committees; address, "Mestern Blivers and Mountains," Dr. J. R. Westherbes, president Fortland Commercial Cinh, address, "The Professional Side," Kenyon Warren, Passident Conference on Considered Historically, Beneficially and Prophetically," George L. Thomas Milwaukee, Wis; milkedlancous business.

Evening session—Conference on state association secretaries and others
September 80—Steamboat trip up the Co-

lumbia River, leaving Washington-street dick at 8 A. M., arriving at Collins Hot Springs at 12:30 P. M. Leave Springs at 2 P. M., arriving at Portland at 5:50 P. M. October 1—Reports of committees on organization. legislation, constitution and bylaws, transportation rules, scientific research, sea butials, Federal legislation, rules of transportation of dead hodies into Mexico, education, and a special committee from New York City; report of representatives to the meeting of the American Association of General Bagagage Agents, L. M. Penwell, Topeka, Kan.; report of representative to the Conference of Sinte and Povincial Boards of Health, William J. Phillips, Albany, N. Y.

Afternoon session—Reading of the written reports of delegates from the several state associations; address, George W. Lunt, San Francisco; address, Bev. Benjamin Young, Portland; miscellaneous business.

Qetober 2—Reports of special committees; report of committee on finance; report of treasurer, Charles A. Miller, Cincinnati, O.; election of officers; adjournment.

Amusements What the Press Agents Say.

"Polly of the Circus" at Bungalow Tonight "Polly of the Circus at Business of the Meginning tenight at \$1.5 o'clock and continuing tomorrow and Satugday night, with a special matinee Saturday the attraction at the Bungalow Theater, Twelfth and Morrison streets, will be Frederic Thompson's magnificent production of Margaret Mayo's beautiful play, "Polly of the Circus," Portland theatergoers are promised a delightful treat in this interesting drama. Seats are now seiling for engagement at theater.

Souvenir Matinee Saturday

Saturday matinee Saturday.

Saturday matinee, August 14, will be children's day at the Orpheum, when the total will have the opportunity of seeing the beautiful sketch. Jack the Giant Killer, presented by the famous Captain George Auger and company. After the matinee a reception will be held upon the stage and all present can meet the giant and his little partner, Ernent Rommel. Souvenirs will be given away.

Camp Rest at Pantages Scenically, "At Camp Rest," the comedy sketch presented at Pantages this week by Carter. Taylor and company, is one of the finest in vandeville. With witty lines, clever actors in the cast, it is a 15-minute scream from start, to finish.

Three Supple Sisters.

Three supple sisters are Les Poletz Lar-cilas, the headliners at the Grand. These girls from France are expert contentionisms who do not exhibit the usual bending spe-cialities, but do their twisting in their acro-bitic and balancing feats. They have one of the greatest contortion acts on the stage. This is their fifth week in the United States.

Portland's Crowning Glory-the Oaks. Portland's Crowning Glory—the Oaks.

Portland has to its credit almost perfect residential districts and matchless environments, making a tour of the city an experience long to be remembered. Its business district furcianes an object lesson to visitors they are quick to appreciate, but one of the crowning glories of the city is the magnificent pleasure park at the Caks. Don't miss it.

Fight Pictures Tonight.

The motion pictures of the great Ketchel-Papke fistic battle will be on exhibition at the Lyric tonight, Friday and Saturday, with matiness the last two days at 2:28 o'clock. The films are declared the best over shown. There will be exhibitions each night at 8 and 9:15 o'clock. Pictures at Star Theater.

The new show at the Star is an excellent one. Last night on the stage an impression of Don Fulano's tooth was taken for the gold crown that will be put in the horse's mouth next Friday night. "The Coward," a strong drams, is a novelty as well as a beautiful picture. "The Cyclist's Horn," a screaming farce, is thoroughly enjoyed.

COMING ATTRACTIONS. Orpheum Next Week.

Hymms and McIntyre are a pair of clever artists coming to the Orpheum next week in a clever comedy sketch called "The Quakeress" The offering is full of bright wittlelams, simple humor and clever songs and it is said to be one of the distinct vaude-ville delicacles of the season. Mary Humpton at Pantages.

A delightful comedy satire in which Miss Mary Hampton & Co. appear, will be one of the features on Pantages programme next week. The comedy, "The Melodrama," is by that peer of Western writers, Edmund Day, and Miss Hampton is well known in Portland, having appeared here several times at the head of her company.

Sensational Cycling. The three Roehrs will head the new programme at the Grand next wook in their sensational cycling act. One of the Roehrs rides upside down on a revolving apparatus, keeping this position by shear strength and speed. This is a cycling powelty which has never before been seen on the Pacific Canst.

Liberati's Band at the Oaks. Liberati and his famous band of musical artists have been secured by the Oaks management for two concerts to be given next sunday, at 2:50 P. M. and in the evening at 8:15. The name of Liberati is one to conjure by, for he is in the foremost rank of the world's greatest cornet soloists—in fact. tales first place.

Dramatic Season Opening.

The regular dramatic stock season opens at the Lyric Sunday matines, when the popular Athen Stock Company will present as an opening bill "Deris" the drama with a moral greater than a sermon. Priceilla Knowles will be seen in the little role. Season seat male opens on Thursday at 10 o'clock.

Port of Portland Will Consider O. R. & N. Bridge Today.

APPROVAL IS LOOKED FOR

Franchise, Which Provides for Renting of Upper Deck to City or County, Also Will Be Passed Upon.

Plans for the Oregon Railroad & Navigation Company's new \$1,300,000 stee bridge will be considered by the Port of bridge will be considered by the Fort of Portland at a meeting this afternoon. George W. Boeschke, chief engineer for the Harriman lines, has prepared the de-tailed plans of the structure, which must be approved by the members of the Port and by the War Department at Washing-ton before actual construction work can begin. Duplicate plans have been for-warded to the War Department for con-firmation.

American Summer drink.

coffee and use Postum.

lieve fatigue" in the natural way.

sentatives feel confident that the detailed plans for the bridge will in themselves satisfactorily disprove the objections which have been presented.

At a former meeting the Port approved the change of location requested for the new bridge. In addition to passing on the plans for the structure liself, the Commissioners will also be called on to consider the provisions of the franchise regulating the construction, maintenance and operation of the bridge, which has been submitted by the legal department of the Harriman system.

This franchise authorizes the Railroad Company to lease the upper deck of the structure either to the city or to the structure either to the city or to the control of the provisions of the First Christian Church, Park and Columbia.

Company to lease the upper deck of the arructure either to the city or to the county, or to both, and to charge for its use a consideration equal to 5 per cent of the actual cost of constructing the additional deck. If such a contract is not executed with the city and county, the grant permits the Railroad Company to construct and maintain the upper deck by charging tolls in an amount sufficient to guarantee it 6 per cent on the cost of to guarantee it 6 per cent on the cost of building the second deck and a further allowance of 5 per cent for deterioration.

MAN GETS ANOTHER'S CASH

Stevenson Veterinary Under Arrest Charged With Forgery.

STEVENSON, Wash., Aug. 11.-(Spe cial.)-Last July Tom McClain, a vet-erinary of this place, received through the mail a letter addressed to J. A. Mc-Clain. Inclosed was a check drawn by the Northern Pacific for \$11.96. This Tom McClain proceeded to cash, and then left

Iced Postu

(Served with cracked ice, lemon and sugar to taste)

See how the old "go" and "feel good" comes back when you quit tea and

"There's a Reason"

entatives feel confident that the detailed | prisoner was let out on bonds of \$300.

Church Is Growing Hapidly.

Rev. W. F. Reagor, paster of the First Christian Church, Park and Columbia streets, reports that his church is filled to overflowing every Sunday, that great progress is being made in the various church activities, and that continued growth is expected. Large congregations during the midsummer months are regarded as a rather remarkable condition, as many of the church members are away on their Summer vacations. The Sunday school and Christian Endeavor departments of the church are reported as especially prosperous. The Christian as especially presperous. The Christian Woman's Board of Missions and the Sis-terhood of the Disciples of Christ are also doing active work.

"Twas A Glorious Victory.

Twas A Giorious Victory.

There's rejoicing in Fedora, Tenn. A man's life has been saved, and now Dr. King's New Discovery is the talk of the town for curing C. V. Pepper of deadly inng hemorrhages. "I could not work nor get about," he writes, "and the doctors did me no good, but, after using Dr. King's New Discovery three weeks, I feel like a new man, and can do good work again." For weak, sore or diseased lungs, Coughs and Colds, Hemorrhages, Hay Fever, LaGrippe, Asthma or any Bronchial affection it stands unrivaled Price 56c, and \$1.00. Trial Bottle free. Sold and guaranteed by all A few East Side property-owners have filed a protest against the bridge with the same officials, but the Harriman representations of the placed him under arrest. The balles, but the Harriman representations of the placed him under arrest. The druggists.

AUGUST 15, 1909

THE

EQUIPMENT OF

MR. LOWNSDALE'S

BIG ORCHARD IS

Without an adequate ware-

To provide all these arti-

cles involves the expenditure of a large sum of money.

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All for the benefit of the bondholders. This equipment represents a considerable

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profit that accrues to you. One bond may be had for \$100, and as many more in multiples of \$100 as you feel

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of the property, \$294,750. The purchase of only one bond makes you a part owner

house, packing-house, spray-

ing and cultivating equipment, a large orchard would

VALUABLE

be worthless.

things.

3000-acre tract placed on the market. Thirty-eight miles from Portland. One and one-half miles from railroad station and boat landing on Columbia River. Tracts of 20 acres and up. Excellent fruit and vegetable land. Prices \$20 to \$40 per acre. Easy terms.

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1018 Board of Trade, Portland, Oregon.

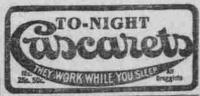
HAND

Is especially valuable during the Summer season, when outdoor occupations and sports are most in order.

GRASS STAINS, MUD STAINS AND CALLOUS SPOTS

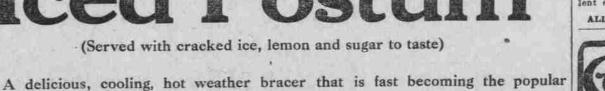
yield to it, and it is particularly agreeable when used in the bath after violent exercise.

ALL GROCERS AND DRUGGISTS.



FOR WOMEN ONLY Dr. Sanderson's Compound Savin and Cotton Root Pills, and best only reliable remedy for FEMALE TROUBLES.

in 8 to 10 days. Price 22 per box, or 3 for \$5, mailed in plain wrapper. Address T. J. PIERCE, 318 Allsky bidg., Woodard, Clarke & Co., 4th and Wash.



Contains no stimulant, but is rich in the true rebuilding food elements which "re-