

ASSERT HARRIMAN HAS NO RIGHTS

Hill's Lawyers Consume All Day Attacking Deschutes Road's Standing.

OBSTRUCTION IS CHARGED

Legal Battle for Control of Valued Possessions in Central Oregon Territory Continued in Federal Court—Many Affidavits.

Fortified with more counter affidavits, counsel for the Oregon Trunk spent all day yesterday in the Federal Court defending the legality of its incorporation and urging the sufficiency of their survey for the southerly 60 miles of their proposed railroad up the Deschutes River. Judge C. H. Carey concluded his argument for the Hill road just before the noon recess, and was followed by his associate, J. B. Kerr, who spoke for three hours in the afternoon. Mr. Kerr will close this morning and will be followed by W. W. Cotton, who will conclude the argument for the Deschutes Railroad, the Harriman extension. Mr. Cotton said last night that it would take him about two hours to complete the presentation of his side of the controversy.

Harriman as Obstructionist.

Before concluding his argument yesterday Judge Carey made the charge that the Harriman people in their occupancy of the Deschutes Canyon were obstructionists, doing everything in their power to impede the progress of the Deschutes. Counsel alleged that the attitude of the Harriman forces was such as not to indicate any serious intention on their part of constructing a railroad, but rather to retain control of the Deschutes Canyon and prevent the entrance into Central Oregon over that route by any other company.

Tip Received From East That Professional Crooks Are Working Way to Seattle Fair.

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Have Practicable Surveys.

Another affidavit was presented from T. C. Hanaford, engineer in charge of field work for Porter Bros., in which Hanaford swore that in checking up the old survey of the Oregon Trunk he had no trouble in following the line by the simple method approved, the grade stakes as a rule being found intact. Later in the day further affidavits by George E. Nelson, brother of W. P. Nelson, original incorporator of the Oregon Trunk, C. L. Smith, and C. R. Crosswell, chief engineer of the Spokane, Portland & Seattle Railway, were submitted, in which the general character of the survey by the Deschutes Railroad was attested as indefinite and insufficient in vital particulars.

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Mr. Kerr, who followed Judge Carey, gave an exhaustive resume of the points raised by his associate, and the contentions of the Oregon Trunk to the sufficiency of its survey. Mr. Kerr insisted that the controversy involved only a question of property rights and not an adjustment of the boundary between the two contending railroads. He reiterated the statement of his associate that the Oregon Trunk, by the approval of its maps of survey, covering the upper 60 miles, had acquired from the Government title in fee simple to a strip of land 200 feet wide and 60 miles in length. He asserted further that the Deschutes road, which was without any standing in the court, was seeking to deprive the Hill road of its property rights despite the fact that the Harriman road did not undertake to make a survey of the upper part of the Deschutes canyon until the Fall of 1908 or three months after the maps of the Oregon Trunk had been approved by the Secretary of the Interior. He cited authorities and decisions to show that the Deschutes road possessed absolutely no title, priority of survey or priority of location to the 60 miles of disputed territory.

Harriman Has No "Rights."

Mr. Kerr renewed the contention of the Hill people that no property rights are acquired to public land until maps of survey are approved by the Interior Department. For this reason, averred counsel, the Harriman representatives were entirely without property rights for the reason that their maps of survey had not been acted upon. Counsel insisted further that the Secretary of the Interior, being constituted a special tribunal with judicial powers concerning all matters relating to the disposition of public lands, his rulings are final and conclusive and cannot be annulled.

Rooney's Heirs Sue.

Patrick Rooney, administrator of the estate of Fred J. Rooney, deceased, yesterday filed suit in the United States Court against the Portland Railway, Light & Power Company for \$500 damages. The plaintiff charges that young Rooney was struck and fatally injured by one of the defendant's streetcars at Third and Main streets, August 2, 1907. It is alleged that the streetcar was traveling at the rate of about 12 miles an hour, in violation of the city ordinance, and that it was provided with defective brakes and fenders.

Tiger Caught with Lime.

Trapper with Ringling Circus Tells How Royal Bengal Was Snared.

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Lodge to Make Merry Over Big Increase in Membership.

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TRAPPER'S OWN

Hill and Harriman Fight for Passenger Business.

BETTER THROUGH SERVICE

New Union Pacific 69-Hour Train Between Chicago and Portland Forces Enemy to Reduce Running Time.

Announcement that the Union Pacific next Sunday will begin the operation of an additional Portland-Chicago limited train on a 69-hour schedule promises to develop a vigorous contest between the Hill and Harriman systems for passenger traffic between the East and the Pacific Northwest. Evidence of this impending struggle came yesterday when it was announced unofficially that the Hill system will meet any improvement in service which may be inaugurated by the rival road and, possibly, go it one better. From this rivalry Portland will derive the double advantage of a reduction in the running time and an improvement of the equipment of the trains of both systems.

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Everwear

Guaranteed Hosiery for Men and Women.

Lennon's

Specialists in Gloves, Umbrellas, Hosiery.

Grand Clean-Up Sale

FRIDAY AND SATURDAY.

Gloves

Women's black silk Gloves; 25c
16-B. L.; \$1.00 value; pair...
Women's 16-button length, Silk Lisle; black, white and colors; finest quality; \$1.25 value; 49c
Women's finest quality chamois; pique sewn; \$1.25 value; 75c
Women's finest chamois; tailored, outseam; pearl button; \$1.50 value; pair... 98c

Hosiery

Women's fine silk lisle; Marshall Field & Co.'s make; black, tan, catwaba, navy, old rose, reseda, gray, smoke, pink, sky, etc.; 40c 25c
Women's finest silk and plain lisle; all the new shades; values to 75c; pair... 39c
Women's Everwear Hose; guaranteed for six months; black and tan; box of six pairs \$2.00
Women's pure thread silk hose; lisle foot; black and colors; \$1.50 value; pair... 98c

Umbrellas

Women's union taffeta Umbrellas; latest directorio handles; \$3.00 values... \$1.95
Men's "Hercules" storm-proof Umbrellas; latest style handle \$2.25 value... \$1.50

Lennon's Umbrella Hospital

Ready for Fall Patients.
Repairing and recovering in the inimitable Lennon's way. Best work, Prompt service. Most reasonable prices.

Lennon's

FOR GLOVES AND UMBRELLAS
309 Morrison St., Opposite Postoffice.
Charles F. Berg, Manager.

Club to Send Frank

MULTNOMAH WRESTLER WILL COMPETE IN CALIFORNIA.

Probably Only Winged M Athlete to Enter Games at Portola Festival in October.

Where is John F. Stevens?

Neither John F. Stevens, personal representative of J. J. Hill, nor his associates here in Portland will confirm the report that Stevens, early this week, visited the McKenzie Valley in Lane County. It is known that Mr. Stevens was in Portland last Sunday, and he was interviewed by newspaper men Tuesday. He was also in the city Wednesday, and yesterday that it he visited Eugene at all it was on Monday. It is generally suspected that the purchase by Hill, through Stevens, of a controlling interest in the Oregon Trunk indicates his determination not only to invade Central Oregon, but to build eventually a railroad to San Francisco, with lateral branches across the Coast Bay being one of his objective points within the state. His mission in visiting Eugene undoubtedly was to determine the feasibility of the route from the McKenzie River to Central Oregon for the construction of a road into the Coos Bay country. The Willamette Valley Company, of which A. Welch is president, owns valuable water power sites along the McKenzie River and a right of way up the McKenzie Valley. It would not be regarded surprising if Hill really intends to build a Coos Bay, that his personal representative may even now be negotiating with the Welch interests for their right of way in the McKenzie Valley.

Ladies of Maccabees to Meet.

Ladies of the Maccabees of Portland and vicinity will hold a convention Tuesday, August 24, in the L. O. O. F. Hall, at East Sixth and East Alder streets, when various matters of importance to the order will be considered. Minnie

NOW OR NEVER

YOUR LAST CHANCE TO BUY

Crawford Shoes

AT CUT PRICES

We are Closing out the entire stock. The end is in sight. We bought Stock, Fixtures and Lease of

Crawford Shoe Store

To Secure a Portland Location

Attend this great sacrifice, whether you need shoes or not; at such savings it will pay you to supply yourself for future needs. Every pair of shoes in the store must be disposed of without delay.

WE MEAN BUSINESS

\$3.50 Grades \$4.00 Grades \$5.00 Grades
\$1.95 \$2.45 \$3.85

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G. K. Baker
270 WASHINGTON STREET

THIS IS THE BEST TIME OF THE YEAR

FOR A NEW PLATE OR BRIDGE. As there is little or no danger of some gums or other troubles while the warm weather lasts. Our plates give the mouth a natural expression, and will prove a lasting comfort.

DR. W. A. WISE
President and Manager.
22 Years Established in Portland.

We will give you a good 22k gold or porcelain crown for... \$3.50
22k bridge teeth... 1.00
Gold or enamel fillings... 1.00
Silver fillings... .50
Inlay fillings of all kinds... 2.50
Good rubber plates... 5.00
The best red rubber plates... 7.50
Painless extraction... .50
Painless extraction free when plates or bridge work is ordered.
Work guaranteed for 15 years.

THE WISE DENTAL CO.

(Inc.)
The Falling Bldg. 2d and Wash. Sts.
Office Hours—8 A. M. to 8 P. M.
Sundays, 9 to 1.
Phones A and Main 2029.

HAND SAPOLIO

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.

Actual \$35 Values at \$21.95

See Display in Our Show Windows

Club to Send Frank

Edgar Frank, the crack 125-pound wrestler of the Multnomah Club, is to be given a chance to demonstrate his prowess next Fall preparatory to his trip to Athens next May, when he will engage the McKenzie Valley in Lane County. It is known that Mr. Stevens was in Portland last Sunday, and he was interviewed by newspaper men Tuesday. He was also in the city Wednesday, and yesterday that it he visited Eugene at all it was on Monday. It is generally suspected that the purchase by Hill, through Stevens, of a controlling interest in the Oregon Trunk indicates his determination not only to invade Central Oregon, but to build eventually a railroad to San Francisco, with lateral branches across the Coast Bay being one of his objective points within the state. His mission in visiting Eugene undoubtedly was to determine the feasibility of the route from the McKenzie River to Central Oregon for the construction of a road into the Coos Bay country. The Willamette Valley Company, of which A. Welch is president, owns valuable water power sites along the McKenzie River and a right of way up the McKenzie Valley. It would not be regarded surprising if Hill really intends to build a Coos Bay, that his personal representative may even now be negotiating with the Welch interests for their right of way in the McKenzie Valley.

Today is positively the last day for discount on East Side gas bills. Read "Gas Tips."

GRAND LEADER

HIGH-GRADE WEARING APPAREL AT POPULAR PRICES

SPECIAL FRIDAY BARGAIN DAY AND SATURDAY SPECIAL

\$35 Fall Suits for \$21.95

AUTUMN TAILORED MODELS

READY TO PUT ON

In this, our initial sale of Fall Suits, we shall continue to prove that we can and do undersell any suit house in this city, and when you see the style, work and fabrics in these suits you will be thoroughly convinced of our extraordinary suit bargains.

An extremely pretty 45-inch tailored Coat Suit with 3/4 fitted back and straight button front, skirts with new yoke top, plaited in clusters. In the season's smartest fabrics of herringbones, English tweeds, diagonals, manish worsteds, serge and chiffon broadcloths, in all the new Fall shades.

Don't miss this extraordinary opportunity to buy a new Fall suit of the very latest style and newest materials.



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Cocoa Fact

No. 7

in the making. Fragrant, delicious, nourishing. Less than one cent a cup.

Don't ask merely for cocoa—ask for Ghirardelli's.



Ecuador (South America) furnishes nearly one-fifth of the world's production of cocoa beans, now estimated at 300,000,000 pounds. A world-wide demand exists for Ecuador cocoa beans, for which that country enjoys a high reputation. We import the best direct.