

GIRL IS WHIPPED, GEORGE BROWN

Foster Mother Says Congregation Interfered With Child's Training.

GRESHAM RECTOR DENIES

Judge Bronaugh Puts Lash Under Probation With Parents—Mr. and Mrs. W. Bachmeyer in Juvenile Court.

While Methodist preachers of the Portland district were holding a convention yesterday in which a discussion of child training was a feature, Judge Bronaugh was giving members of the Linnemann Memorial Church, of Gresham, a talk on child-training in the juvenile court.

William Bachmeyer and his wife, who conduct a general merchandise store in Gresham, had been accused by Dr. A. Thompson, W. W. Saton and Mrs. Mary Harvey of whipping their adopted daughter, Maryneal Bachmeyer, cruelly at least once a day for such trivial offenses as forgetting to close the door and burning the daily newspaper. Judge Bronaugh made the child, who is 12 years old, a ward of the court, on probation to Miss Butler, and allowed her to return with her foster-parents. The judge said the little girl had not received as severe punishment as he had at first supposed, but that he believed corporal punishment had been too freely administered.

Mrs. Bachmeyer told Judge Bronaugh that Greshamites are "in a perfect uproar" over the case. She declared that the girl told lies about the minister and broke up a revival meeting, and that she was such a bad singer punishment was demanded. The Gresham church had taken sides over the affair, she said, with the result that the church squabble was taken into court. Rev. M. B. Egan, a Congregational pastor of the church, denied, however, that the juvenile court proceedings were the result of a church row.

The child's foster mother said she had been a church-worker and missionary, that she had taken the child when she was little, and had tried to rear her properly. But the "church had to interfere," she said. She declared a plot had been laid against her.

"If I ever heard of another word of gossip in Gresham about this child," she told Judge Bronaugh, "I will make that person sweat for it, even if I lay down my life for it."

Bachmeyer called the whole proceeding a conspiracy against him and his business.

Judge Bronaugh went into star chamber session with the girl, Chief Probation Officer Teuscher and Assistant Probation Officer Butler before announcing his decision.

MENDENHALL TIES SEVERED

Wife Divorced From Attorney, Property Settlement Made.

Eliza M. Mendenhall secured a divorce from Edward C. Mendenhall, a well known local attorney, before Circuit Judge Gatens yesterday afternoon. Although when the divorce suit was originally brought by Mendenhall many charges and counter-charges were hurled back and forth by the contesting parties, the only ground urged yesterday was that of desertion.

Mendenhall's infatuation for another woman was originally alleged by Mrs. Mendenhall to be at the bottom of their trouble. J. M. Long, who took the witness stand for the wife and said Mendenhall had refused to become reconciled with her attorney.

George T. Smith, a son of Mrs. Mendenhall by a former marriage, said that for the past eight months his stepfather has refused to support Mrs. Mendenhall. He said the attorney had been swinging back and forth between his family and the alleged affair for four or five years. Mrs. Mendenhall originally demanded \$2000 suit money, \$500 attorney's fees, and \$150 a month support money. Mr. Long announced to Judge Gatens that the property rights have been settled.

The Mendenhalls were married February 2, 1882. Mrs. Mendenhall moved nothing out of the ordinary in her husband's conduct until 1901, when, she alleged, he began to remain away from home nights.

Cruelty is the ground upon which Mrs. Clara B. Turley seeks a divorce from Bert Turley. They were married September 11, 1907, and have a one daughter. Mrs. Turley was formerly Miss Clara B. Settelmeier. Property in Kentworth Addition, which she says belongs to her, she asks to be divided equally of any cloud her husband's interests might throw over it.

FATHER CITED FOR CONTEMPT

Fails to Produce His Son in Court When Ordered.

Henry Ridgeway, proprietor of an oyster-house at Fourth and Taylor streets, was fined \$100 by Juvenile Judge Bronaugh, yesterday afternoon, for contempt of court. He had been ordered to bring to court Chester Ridgeway, his 16-year-old son, who was sentenced to the Reform School but placed on probation. Instead of doing so he is said to have spirited the lad away to the State of Washington.

Judge Bronaugh gave him an hour in which to pay the fine or go to jail. Henry E. McGinn appeared as his attorney and announced that he would appeal to the Supreme Court.

The lad was at first brought into court on a statutory charge. After being placed on probation he was brought in for inciting other boys to throw stones at a man working upon a roof. He was to have brought witnesses with him yesterday.

CAR-AUTO MIX BASIS SUIT

Railway Company Sued for \$746 for West Side Accident.

An automobile-streetcar wreck at Sixteenth and Everett streets is the basis for a damage suit, filed in the Circuit Court yesterday by William H. Franklin. He sues the Portland Railway, Light & Power Company for \$746.10, \$200.00 of which is for repairs to the machine and \$546 for loss of its use while in the repair shop.

The car was going more than 12 miles an hour, it is alleged, in spite of the fact that another car was standing on the east track. Franklin says the automobile, filled with passengers, was caught on the coupling-iron of the car and carried 25 yards. The accident happened about 11 P. M. September 18.

Bartender Sues for Pay.

After working for a year as steward,

bartender and bookkeeper for the Portland section of the International Geneva Association, Charles Dupper thinks he should be paid for his services. He has brought suit in the Circuit Court against J. B. Henrich, and W. K. Sales, trustees of the association, to recover \$386.65 and 7 1/2 attorney's fees. Dupper was company notified him the wages are to have been paid from the barroom receipts, he alleges, but hasn't received a penny.

WATSON'S \$500 IN BALANCE

Fugitive Alleged "Bunco" Man Must Appear Thursday or Forfeit.

CIRCUIT JUDGES TO ROTATE

Judge Morrow Will Take Bench Next February.

The judges of the Circuit Court have adopted a new rule by which the presiding judgeship shall pass in rotation every six months. The change has been made only once a year. Judge Morrow will become presiding judge next February, as he is next in order.

Besides attending to an endless amount of work looking after cases before they are assigned to the other judges for trial, the presiding judge acts also as judge of the juvenile court. In addition to this, Judge Bronaugh has taken it upon himself to hear divorce cases, in order to lighten the burden of the other judges.

W. P. Fuller & Co. and Nottingham & Co. have taken their differences over a point bill for \$4274 into the Circuit Court, the action having been brought yesterday by the Fuller Company. The concern alleges only \$904.50 was paid on the original bill, leaving \$3370 balance now due.

Irene G. Gordon is suing the Rector Realty Company for \$973.97 before Circuit Judge Morrow.

F. E. Manchester and Floyd S. Wilson recovered \$78.25 from J. L. O'Donnell by a verdict of a jury in Judge Gatens' department of the Circuit Court yesterday. They sued for \$1825.25, alleging O'Donnell failed to clear a 10-acre tract in time for planting to apple trees last Spring.

GADSBY KNOCKS HILL DOWN

Losers in Alienation of Affection Case Strikes Plaintiff's Father.

Captain William Gadsby, senior member of the firm of William Gadsby & Sons, and the defendant in a suit for damages brought against Captain Gadsby by the wife of his son, Walter Gadsby, had a personal encounter with George H. Hill, father of Mrs. Walter Gadsby, yesterday morning at Third and Washington streets.

Captain Gadsby struck Mr. Hill and knocked him down. Further violence between the two was prevented by the interference of Walter Gadsby, who accompanied his father, and by J. W. Olds, a passer-by, who dragged Captain Gadsby out of fighting range. Hill was knocked into the gutter, but did not sustain any serious injury.

Mr. Hill says the encounter was without provocation, while Captain Gadsby asserts Hill made faces at him on the street. It was the first time the two men had met since the trial in which Mr. Hill's daughter was awarded a verdict by a jury of \$800 damages against Captain Gadsby for alienating her husband's affections.

Captain Gadsby has settled the \$8000 judgment in the \$10000 damage suit, recently won in the Circuit Court by his daughter-in-law, Mrs. Beatrice M. Gadsby. Hill has had to pay her attorneys the \$8000 with interest.

PHONE TRUST CUTS RATES

Tolls Between Manhattan and Suburbs Reduced \$500,000.

NEW YORK, Nov. 30.—Telephone tolls between Manhattan and suburban points were cut five cents a call today, the cut to go into effect tomorrow. The telephone company estimates the reduction at \$500,000 a year.

DAILY METEOROLOGICAL REPORT.

PORTLAND, Nov. 30.—Maximum temperature, 49.7 degrees; minimum, 27.8. River reading, 41.9. 10 feet, change in last 24 hours, total 0.9 inch. Total rainfall, 3.2 to 5 P. M., .05 inch; total since September 1, 12.45 inches. Total sunshine November 29, nil; possible, 9 hours. Barometer, reduced to sea level, at 5 P., 30.12 inches.

PACIFIC COAST WEATHER.

Observations taken at 5 P. M., Pacific time:

STATIONS.	Temperature.		Wind.	State of Weather.
	Maximum.	Minimum.		
Baker City.....	50.00	41.00	4NW	Partly cloudy
Boise.....	50.18	41.4N	Clear	
Butte.....	50.06	42.2N	Clear	
Helena.....	48.7	38.5W	Clear	
North Bend.....	48.0	38.20	S	Cloudy
Portland.....	50.0	41.0	4SE	Partly cloudy
Red Bluff.....	48.0	38.0	4NW	Cloudy
Roseburg.....	48.0	38.0	4NW	Cloudy
Salt Lake.....	40.0	31.0	4SE	Rain
San Francisco.....	50.0	41.0	8SW	Cloudy
Spokane.....	49.0	40.0	4NW	Cloudy
Tacoma.....	44.0	35.0	6SW	Cloudy
Tulsa.....	44.0	35.0	6SW	Cloudy
Walla Walla.....	44.0	35.0	6SW	Cloudy
Wenatchee.....	44.0	35.0	6SW	Cloudy
Yakima.....	44.0	35.0	6SW	Cloudy
Kalispell.....	40.0	31.0	12SW	Clear

T.—Trace.

WEATHER CONDITIONS.

Generally cloudy weather prevails over the Pacific slope except in Eastern Washington, Northern Idaho and Western Montana. Light rains have fallen in all sections. The temperature is rising over the northern half of the Pacific Coast and falling over the southern. The area of low pressure over the Valley of the Colorado is causing rains in California and the intermountain region. There has been a decided fall in temperature over Western Montana, Northern Idaho and Eastern Washington. Conditions are changing rapidly and the present fair weather will probably not last longer than Wednesday.

FORECASTS.

Portland and vicinity—Cloudy; light southeast wind. Oregon—Cloudy; light south wind. Washington—Cloudy, with showers in west portion; light south wind. Western Idaho—Cloudy, probably showers.

Local Forecaster, Temporarily in Charge, H. WILSON.

The French government financially assists young French merchants to visit foreign countries to the extent of 3000 francs the first year, and a possible second year 2400 francs. Competitive examinations are necessary.

WARONSQUATTERS, VETERAN'S ADVICE

Civil War Soldier Sounds Call to Arms Against Siletz Invaders.

FIGHT FOR CLAIMS URGED

T. Holverson, Original Entryman, Favors Ejection by Force—He Recounts Homestead History. New Complaint is Filed.

Among claimants to timber lands in the Siletz Indian reservation there are a few who advocate use of physical force in ejecting squatters who have entered upon the claims with the announced intention of acquiring preference rights of entry, should the present locations be cancelled.

"I am calling on the original entrymen, whose filings have been held for cancellation, and if they will join the expedition I will lead them to their own lands and we will throw the squatters off."

With flashing eyes, and his military figure as erect as when he marched away from Vancouver with the fighting Forty-third Infantry, T. Holverson, veteran of the Civil War and residing at 204 East Fifteenth street, thus declared yesterday.

Veteran Would Fight.

"When the courts refuse to give us the right to our own property, I propose to fight for it," continued Holverson. "We will submit the case December 6 and again ask for an injunction against the squatters trespassing upon land which belongs to us. We want peaceful possession if possible, but those claims mean money to us as well as an enforcement of our rights, and we cannot surrender tamely."

"I went in there in 1860 and located as a homesteader. I erected a cabin, cleared several acres of land, I was able, raised a crop of potatoes and a patch of garden. Then I planted an orchard. After 18 months, during which time I was away from the claim several times to earn a living, I computed the entry and paid \$240 to the Land Office. A receiver's receipt was issued and I received a receipt for the entry was suspended and held for cancellation upon the report of an inspector."

"I proceeded in good faith, and there was never any question about my profits. I do not propose now to permit anybody to remain on that land and acquire the right to enter it at the Land Office in case my claim shall be finally cancelled. We will go back there if necessary and become actual settlers for the second time."

Others are Involved.

Mr. Holverson confirmed the assertion that there were from 150 to 200 claims affected by the pending litigation. He named a few of the men whose lands adjoined those located by himself. They are Dr. Willis Morse, Paul H. Sproat and Lyman Lee.

A. W. Lafferty, attorney for A. B. Lawton and Chester V. Hare, who were accused as injunctive defendants yesterday filed an amended complaint by permission of the court, and has served notice that he will call up the case next Monday. In the amended complaint Attorney Lafferty laid out the Hare located the land in June, 1901, and submitted commutation proof February 1, 1902. It is claimed that the Department of the Interior has not passed finally on the application, but is holding it for cancellation, an instructor of the department having reported against it.

Timber Cut Alleged.

It is asserted that August Birkenfeld took forcible possession of his land October 15 of this year and has refused to vacate. Hare values the property at \$10,000 and says Birkenfeld cut a portion of the timber.

"The Birkenfelds, of Clatskanie," said Attorney Lafferty, "have made a business of settling on homesteads ever since the upheaval of 1860, and in 1905. They were among those who complained the loudest because of the inoperative right to enter the claims personally of their own men, and that were taken away from the original entrymen by them and no sooner were the patents granted than they came from the land, bag and baggage, and within a few weeks had sold the claims for \$70,000."

Preference Right Obtained.

"Their plan is to get on every valuable claim that is held for cancellation as settlers. Then if the entry of the original claimant is finally cancelled they will have acquired a preference right. It was so decided by the Department of the Interior in the McMichael vs. White case from Oklahoma, and which was afterward sustained by the Supreme Court.

"If a settler is actually residing on the land at the time of the cancellation, his rights attach instantly. Justice Harlan decided that so long as the entry on the land remained uncancelled it segregated and tract from the public domain, and precluded McMichael from acquiring an inoperative right, thereby by use of his alleged settlement. I contend in this case that my clients have acquired the only right that is enjoyed by anybody to settlement on that land. I deprecate the talk of violence being indulged in. It never does any good unless as a last resort. It is true that these men are getting pretty wild over the situation, but I hope their better judgment will prevail."

Attorney Lafferty says that after the evidence of the robbery and the original entrymen proposed to sell their relinquishments on the claims, and that offers had been made for such assignments reaching as high as \$4000. The claims in question are in the heaviest timber belt of Lincoln County, situated in the Federal Court No. 29, 1908. Moulton, Scooby appear for the Birkenfelds.

RAIL COMMISSIONERS LOSE

Court Holds Injunction Against Their Rates Still Stands.

Attorneys for the Oregon Railroad Commission yesterday failed in an attempt to free it from an injunction issued in the Federal Court May 29, 1908, which restrains the Commission from enforcing its order establishing lower freight rates over the lines of the Oregon Railway & Navigation Company between Portland and points west of the Dalles.

The suit began May 11, 1908, and the complaint was followed by the issuance of a temporary injunction by Judge Wolverson. Later J. N. Teal and C. E. Altholen, attorneys for the state, filed



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Royal Baking Powder Absolutely Pure

a demurrer to the complaint. This was sustained, the attorney for the railroad, W. W. Cotton, being allowed to file an amended bill.

No further steps having been taken in the case, the lawyers for the Railway Commissioners believed the time ripe to dispose of the case by procuring an order dismissing the injunction. This step would have the effect of disposing of the entire case.

Attorneys for the Railroad Commissioners based their hope on the wording of the last order by Judge Wolverson, wherein he sustained the demurrer. Judge Wolverson explained that his order was intended to keep the injunction alive until the complaint had been remedied and the case heard upon its merits.

The complaint questions the validity of the existence of the Railway Commission and indicates that the railways were determined to resist fixing of rates for freight traffic. Since the issuance of the last order by Judge Wolverson, the commission has been able to bring about a reduction in freight charges upon specified lines of merchandise.

FATE OF CHINESE IN BALANCE

Oriental Woman Pleads Against Deportation.

Alleging that she was imported to the United States for immoral purposes and that she should be deported, the case of Leon Soe again rests in the hands of a United States Court.

Leon Soe was first arrested in San Francisco, but escaped and came to Portland. Here she was taken in custody by the Federal authorities and asked to be sent home. An order of deportation was issued, but before it could be carried into effect the California authorities asked to be allowed to extradite her on a charge of larceny. Leon Soe was sent back to San Francisco for trial and discharged. She then returned to Portland.

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FARMER-ROBBER IS GUILTY

John Love Convicted of Dynamiting Monmouth Postoffice.

John Love was yesterday found guilty by a jury in the United States Court of burglarizing the Postoffice at Monmouth on the night of November 24, 1908. The penalty which may be inflicted by the court consists of a fine of not more than \$1000 or imprisonment for not more than five years, or both.

Love was a farmer, living in the vicinity of Shattuck, and attempted to establish an alibi. His father testified that Love had been at home for three days prior to the robbery and that he was there the evening of November 24. A ranch hand testified that Love came out where he was hauling wood between 9 and 10 o'clock of the morning of November 25, the day following the burglary.

The conviction was obtained upon the evidence of Gust Johnson, a 17-year-old boy, who claimed to have accompanied Love and assisted him in the job, and who is now serving a term in the Salem penitentiary for another offense. The Johnson boy said that he was with Love all of the day preceding the blowing up of the Postoffice safe. Johnson confessed the statement that the proceeds amounted to \$500, and claimed that he received one-third of that amount. After dividing the swag they separated.

CAPTAIN FOSEN PAYS FINE

Skipper of Melville Dollar Broke Quarantine Rules.

Captain Fosen, skipper of the steamer Melville Dollar, yesterday pleaded guilty in the Federal Court to running his vessel through quarantine at the mouth of the Columbia River more than



GOOD NEWS, INDEED

A Cake Without an Egg
(And Eggs are High)

Three cups flour, one cup sugar, two teaspoons Crescent Baking Powder, half cupful raisins, one teaspoonful cinnamon, one teaspoonful cloves, one teaspoonful vanilla, one-half cup lard with small piece of butter, one and one-half cups of milk. Filling and icing if required.

REMEMBER, YOU MUST USE CRESCENT EGG PHOSPHATE BAKING POWDER

NO OTHER KIND WILL DO, BECAUSE NO OTHER IS GOOD ENOUGH. Crescent is the life of dough—the sunshine of all risen foods. It is used by the Army and Navy, and guaranteed under all pure food laws.

Made by the Crescent Manufacturing Company Makers of Mapleine—the New Flavor

The body was sent to Portland this morning for burial. Edward McCann, recently found guilty of accepting bribes, was today denied a new trial by Justice A. C. Barnes.

Chicago Grafter Loses Appeal. CHICAGO, Nov. 30.—Police Inspector

YOUTH CAUGHT BY UNCLE SAM. Spencer Cooper, a 17-year-old boy employed as a carrier by the Journal Publishing Company, was yesterday convicted in the United States Court of sending an obscene letter through the mails. He made no attempt to disguise his signature. Sentence was deferred for six months and the lad allowed to go free upon a promise of good behavior.

PRELATE NAMES DATES

Bishop Scadding Gives Out His Appointments for December.

Bishop Scadding has announced his appointments for December as follows:

December 2—Conference on Inspection of Churches, Portland, 9 A. M.
December 5—Second Sunday in Advent. Eugene. Confirmation in morning, missionary service at night.
December 6—Eugene. Conference on Mary R. Rodney Memorial House in connection with the State University.
December 7—Medford. Welcome to the new rector, Rev. William Lucas.

December 8—Astoria. Welcome to the new rector, Rev. Charles Baker.
December 12—Hillsboro. Morning service and sermon; evening, preach at Good Samaritan Hospital, Portland.
December 13—Chinese Mission, S. P. M.
December 14—Address men's meeting St. Mark's Church, 8 P. M.
December 15—Irvington. Grace Church. Address on "Hillsboro." S. P. M.
December 16—Meeting of Board of Missions, S. P. M.
December 19—Fourth Sunday in Advent. McMinnville. Preach morning and evening.
December 20—Corvallis. Welcome to new rector, Rev. F. M. Haury.
December 21—St. Thomas day. At Home at Bishopcroft.

December 22—Good Samaritan Hospital. Reception Miss Jolly, newly appointed head of Nurses' Training Home.
December 23—Christmas day. Pro-Cathedral of St. Stephen.
December 26—St. Stephen's day. Morning, preach at St. Stephen's. Evening service and sermon at St. Stephen's.
December 27—Meeting trustees hospital, 9:30 A. M.
December 28—Chinese Mission Christmas festival.
December 31—Seaside. Calvary Church.

Vancouver Woman Buried Here.

VANCOUVER, Wash., Nov. 30.—(Special)—Mrs. Selma Lewis, aged 36, died Sunday afternoon of heart trouble at the home of H. S. Stockford, in Hazel-dell, five miles north of Vancouver. She was a widow and a sister of Mrs. Joseph Mayer, of 181 Twelfth street, Portland.

GOOD CHANGE

Coffee to Postum.

The large army of persons who have found relief from many chronic ailments by changing from coffee to Postum as a daily beverage, is growing each day.

It is only a simple question of trying it for oneself in order to know the joy of returning health as realized by an ill, young lady. She writes:

"I had been a coffee drinker nearly all my life, and it affected my stomach—caused insomnia and I was seldom without a headache. I had heard about Postum and how beneficial it was, so I concluded to quit coffee and try it."

"I was delighted with the change. I can now sleep well and seldom ever feel the heftiness of Postum. My brother also suffered from stomachic trouble while he drank coffee, but now, since using Postum he feels so much better he would not go back to coffee for anything and try it."

Read "The Road to Wellville," in pig.

Ever read the above letter? A new one appears from time to time. They are genuine, true, and full of human interest.

Postum Cereal Co., Ltd., Battle Creek, Mich.

When he knows only the best will satisfy you, the dealer will send a can of Ghirardelli's COCOA because it is perfect and goes farthest—less than a cent a cup. Cocoa Fact No. 6

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

December 13th Will Be Your Lucky Day