

COURT HOLDS PORT OF BAY CITY VALID

Extensive Harbor Improvements on Tillamook Bay May Proceed.

UNITED RAILWAYS TO BUILD

Money Already Available for Jetty Work—Construction to Start Soon—Heavy Timber Districts to Be Opened.

When the Supreme Court at Salem yesterday handed down a decision affirming the claim of validity of the Port of Bay City it opened the way for extensive improvements on Tillamook Bay and the early extension of the United Railways to that port.

The decision was an approval of the decision of Judge Kelly, of the Circuit Court of Tillamook County, in the case brought by George Watts and associates against the Port of Bay City. Watts appeared as a relator for the State of Oregon attacking the validity of the port. The decision is in favor of the port and settles once and for all the question of legality of its incorporation.

The case has attracted much interest and has been of vital importance not only to the Port of Bay City but to the entire county of Tillamook as the immediate improvement of Tillamook Bay and Tillamook Bar by the United States Government and the Port of Bay City depend entirely upon the outcome of this case.

The last Congress appropriated \$100,000 for construction of a jetty on the north side of the channel and entrance to the bay with the understanding that additional \$200,000 will be appropriated by the present Congress.

These appropriations are conditioned upon an additional appropriation being raised by the port of Bay City. As the validity of the right of the port to exist had been questioned, this improvement work was suspended. The Supreme Court's finding now makes it possible for the port to issue bonds with which to secure its share of the cost.

The people of Bay City already have authorized the bond issue and the bonds will be placed on the market at once, thus making funds with which to carry on the improvement work immediately available. When this work is completed it will open an important port on the Oregon coast for sea-rocket navigation and will make possible the early development of the extensive timber resources that border close upon the shores of the bay. The early opening of the Port of Bay City will make this work all the more important and efforts will be made, it is understood, to complete it in time to share materially in the port's share of the traffic that is expected to develop with the canal's opening.

The United Railways of the Hill system have been surveyed to Bay City and to Tillamook and their extension to those ports have been delayed principally on account of the litigation over the validity of the port. Now with the validity established, completion of the road is made possible. Officials of the United Railways always have said that the road will be completed as soon as the timber market develops favorably and after the proposed harbor improvements at Tillamook make navigation economically desirable.

The timber market is in good enough condition, they say. They have been waiting only for a decision in the port case. It is possible, now, that the road construction will proceed simultaneously with the harbor development.

DIVIDEND IS DECLARED

LAND SHOW TO PAY BACK 25 PER CENT TO SUBSCRIBERS.

Promoters of Enterprise Prepare to Ask Legislature for Annual Guarantee Appropriation.

A 25 per cent dividend for the subscribers to the guarantee fund for the recent Northwest Land Products Show, was announced yesterday by the financial and executive committees. A strong indication of the complete success of the project. There are in the list of subscribers 184 persons.

In view of this success the committee adopted resolutions favoring plans to make the Land Products Show a permanent annual institution. A committee of three, consisting of William Murray, W. J. Hofmann and John S. Beall, was appointed to prepare a bill for submission to the Legislature calling for an appropriation for a guarantee fund for the show in coming years. It will be provided that, if success of future shows is equal to that indicated by the success of the one just held, the dividend shall be returned to the state. Resolutions were adopted at yesterday's meeting thanking the press of Portland for courtesies and acknowledging that one of the most important factors in making the show successful was the liberal publicity given it by the newspapers. A resolution thanking Mayor Rushlight for assistance given the show was also passed, and the executive committee gave to R. W. Raymond a memorial of a resolution of thanks for his activity and zeal as head of the financial committee of the show. A. P. Bateham, president of the Oregon Horticultural Society, was thanked for the two months of time and work which he gave, without pay, to the committee in preparing for the show.

The summary of the financial report submitted by W. F. Jones, treasurer, follows:

Table with financial data: Receipts from subscriptions, Receipts from Oregon Horticultural Society, Receipts from attendance, Receipts from concessionaires, Payments to Dairy Show, Balance for Land Show, Disbursements: Salaries, etc., Building repairs, etc., Advertising, Music, Printing and stationery, Postage, telephone and telephone, Rent, light, insurance and water, Apples and cider, Furniture, etc., Oregon Agricultural College, Miscellaneous, Dividend to banks, Cash balance for purpose of dividend.

Milheur Trappers Thrive.

VALE, Or., Jan. 21.—(Special).—Milheur County has more trappers this season than have operated here in sev-

eral years and all of them are doing a thriving business. Their furs are shipped to all parts of the United States and bring top prices. One of the best has sold more than \$250 worth of furs since November. D. W. Deffenbaugh, who resides in the extreme southern portion of Malheur County, near the Nevada line, brought to Vale this week 55 coyote hides, 16 cat hides and 5 badgers. One of the cat hides measured 38 inches.

NORDICA MAIL ORDERS

Mail Orders Received Now for Concert at Heilig, February 5.

The world's greatest dramatic soprano, Madame Lillian Nordica, assisted by William Morie Rummel, violinist, and Romayne Simmon, pianist, at Heilig Theater, Wednesday evening, February 5, Lower floor, 8; last four rows, \$1.50; balcony, three rows, \$1; rows, \$1.50; six rows, \$1; four rows, 75 cents. Address letters and checks to W. T. Pangle, manager Heilig Theater.

Printer Killed by Train.

As the Shasta limited, bound south, pulled out of Centralia Monday night, two men jumped on the blind baggage to beat their way to Portland. As the train approached Chehalis one of the men leaped out to take a look ahead and, losing his balance, fell under the train and was instantly killed. His companion was Charles Bruno, an Aberdeen logger, who had met the man at Centralia for the first time but did not learn his name. The man, who was a member of the Christian Church at Tacoma and having failed to get employment in Centralia, had decided to go to California. Charles Bruno, who arrived in Portland last night, says that the body of the dead man was examined by the coroner, but nothing could be found that gave any clue to his name or home.

Roseburg Resident Passes Away.

ROSEBURG, Or., Jan. 21.—(Special).—Mrs. Edith Truelove, aged 25 years, and since her birth a resident of Oregon, died here after an illness of two days. Intermment was in the Odd Fellows Cemetery. Other than leaving two children, Mrs. Truelove is survived by her mother, Mrs. Mary Leabo, of West Roseburg; three sisters, Hazel and Bertha Freda Leabo, of Roseburg, and Freda Leabo, of Woodville; two brothers, Pifny Leabo, of Roseburg, and James Leabo, of Portland. Mrs. Truelove was a member of the Christian Church and belonged to the local lodge of Yeomen.

Boise Capital Enters Nysa.

NYSSA, Or., Jan. 21.—(Special).—The Golden Rule store has been sold by its founder and proprietor, C. E. Bean, to J. N. Ames, of Boise. The purchaser is a member of a large wholesale firm in Boise and expects to make this store a feeder for the larger establishment in charge. Already the new owner is buying anything grown on the farm at the top cash price. This is a big boost to the farmers of the district. It has always been a goal to market the product of the small farm especially.

CO-OPERATION IS AIM

Chief Slover Proposes Central Detective Bureau.

MORE POLICEMEN WANTED

Official, in Annual Report, Asserts That Increase of Alien Settlements Calls for Addition to Force.

Organization of a central detective bureau, to serve all the cities of the Pacific Coast and the inter-mountain country, is proposed by Chief of Police Slover, in his annual report, completed yesterday. Under the argument that one photograph and description often is of more value than the best efforts of half a dozen detectives, Chief Slover seeks an extension of the present arrangement whereby Portland exchanges criminals' photographs, fingerprints and Bertillon measurements with nine Coast cities.

The basis of the plan would be a centrally-located bureau, maintained at the joint expense of the cities, through which would flow all information of criminal operations in each. As operated at present, the work is done over and over, in the identification department of each police force, and even then it is only done partially.

Following up this project, if adopted, Chief Slover would have a periodic exchange of detectives among the cities, by which each would profit not only in gaining an insight into work of young officers, but also in becoming familiar with their history and methods.

General satisfaction with present conditions is expressed throughout the report. Moral conditions, it is said, are greatly improved and part of the credit is given to the new "tin plate" ordinance, which Chief Slover says has served to bring out of their hiding "so-called respectable society people," who own places used for immorality. He also expects to see the conditions in cheap tenements.

Increase of alien settlements is given as one reason why an enlarged police force is needed, as these colonies are said to breed crime and require much policing. Sub-stations, an old project, are again urged as an expedient for saving time and expense. A training school for young officers is urged. Pensions for old and disabled officers are said to be only a matter of justice. The work of City Physician Fred J. Zeigler calls for the special praise of the head of the department. All records for the percentage of cleared-up cases were broken by Captain Baty and his force of detectives.

who are credited with having solved 75 per cent of the cases referred to them. Fifty per cent is generally recognized as a high average. The detective department in addition to its criminal work, answers 143 letters asking information about persons living here, many of them requiring much work. Most of this business was handled by Detective Harlow. Sergeant Hunter and his assistant, Patrolman Flack, photographed 571 men, beside filing an immense amount of data from other cities. Ninety-two numbers of 297 men apprehended for other cities and 98 were caught in other cities for the Portland department.

PRISONER GETS LIBERTY

Man Collects Rents Intended for Benefit of Wife.

Confined under a sentence of 90 days at the City Jail with the primary object that his wife might have the benefit of his income, Adolph Schieve has circumvented all his restrictions and is doing a thriving business on the outside, while ostensibly sweeping the cobwebs from the corners of the jail building. Finding that the money was not coming in as expected, Mrs. Schieve sent an emissary to Judge Tazewell, saying that her husband was out of town.

The court expressed much surprise and at once ordered a bench warrant issued for the man. Yesterday it was found that he is still on the jail roll, but that the police, unaware of the circumstances, had allowed him his liberty to go out and collect rents which were due him. When the wife went after the money later, she found that her prisoner-husband had been ahead of her.

Schieve, who is little above five feet tall, is the stepfather of 16 children, having married a portly widow with a thriving family last Summer. She caused his arrest last November and he was sentenced for 30 days, but no sooner had the complainant attained her object than she relented and beseeged the court until on Schieve was found drunk and the sentence went into effect.

Next step, it is indicated, will be proceeding to the County Court to restrain Schieve from the use of his property, the jail sentence not having been found effective as anticipated.

UNION PREPARES FOR SHOW

First Week of June to See Big Event of 1913.

UNION, Or., Jan. 21.—(Special).—The 1913 stock show at Union is getting under way and considerable enthusiasm is shown among those having the matter in hand. There is comparatively a new set of men handling the show this year, though all of the old wheel-horses who have made such a success of the show during the past year are named on the committee and assigned to slightly different places in the work of the present year. At a meeting Saturday night, steps were taken toward outlining plans for the present year, and the machinery fairly set in motion for the association are: J. F. Hutchinson, president; A. G. Paddock, vice-president; E. T. Kaster, treasurer; G. A. Solberg, secretary. President Hutchinson has announced the following standing committees: Executive, Robert Withycombe, Ralph Hutchinson, V. Levey, W. B. Butterfield, G. S. Wright, W. B. Gasset, finance, L. A. S. Levy, W. Spencer, J. P. Myers; publicity, M. S. Levy, Robert Withycombe, Will Vogel; racing, O. Zeigler, E. G. Cameron, Walter Cook, John Welch; music, L. I. McKennon, George Baird, J. W. Spencer; transportation, G. S. Levy, George Benson, F. A. Bidwell.

The stock show will be held in June, probably the first week.

DAMAGE SUIT IS DECIDED

Judge Instructs Jury to Find Verdict for Defendant Corporation.

A decision made by Circuit Judge McGinn in the case of Mary J. Hagadone, administratrix of the estate of Harry W. Norman, against the Brayton Engineering Company was not concurred in by Circuit Judge Davis yesterday, who ordered a jury to return verdict in favor of the defendant corporation. The administratrix was suing for \$7500 damages for the death of Norman, who was killed during the construction of the Holtz building. A surety company which took the risk on the Brayton Engineering Company's employees had previously by stipulation permitted judgment of \$4000 to be entered in favor of Mrs. Nettie R. Norman, the widow. She signed a check. Later the administratrix brought suit to recover. Attorneys for the surety company tried to drop the complaint, stating because it was not a contract with the widow, but Circuit Judge Morrow held that the estate had a right to sue, despite this settlement.

At the conclusion of the plaintiff's testimony yesterday, Judge Davis refused a non-suit, but after the evidence for the defense was in he instructed a verdict for the defendant company.

SWIGERT MEETS REBUFF

Attempt to Enjoin Sheriff From Closing "The Hut" Fails.

When Attorney Frank Collier applied to Circuit Judge McGinn yesterday for an order restraining Sheriff Word from prohibiting the operation of "The Hut" on the Linnton road, as a chicken dinner and soft drink establishment he met with refusal. The result was that Mr. Collier did not even file his complaint.

Billy Swigert, proprietor of the place, was arrested by Sheriff Word when he opened up on this basis Monday night. He was released on bond and will be given a preliminary hearing before Circuit Judge Morrow some time this week.

"I don't believe that it is the province of the courts to interfere with an officer by injunction," said Judge McGinn. "The plaintiff in this case has a clear, plain and adequate remedy. If it so happens that Mr. Word is exceeding his powers suit for damages can be brought against him and his bondsmen."

GLEE CLUB EXCHANGE PLAN

University and O. A. C. Troupes Will Show Abilities.

UNIVERSITY OF OREGON, Eugene, Or., Jan. 21.—(Special).—An exchange of glee clubs, a winter edute troupe body, is planned by the University of Oregon and Agricultural College managers.

The Oregon club will make the first invasion, their concert in Corvallis being scheduled for tomorrow evening, February 8, and the Agricultural College will present its entertainment in the Eugene Opera-House. In each case, the student body of the home college will support the visiting troupe.

Last Call Great Annual Clearance Sale

Want you? When we pay for this give you this

No Time to Lose Now! Come Today

Ask to See the Nine Remaining Highest Grade \$575 and and \$675 Sample Pianos Now Offered at Exactly Half Price. Payments Only \$8 a Month.

Here, then, is your last opportunity to benefit by these drastically reduced prices. Never before have prices been so mercifully butchered. And never before have so many fine pianos and player pianos been sold. The clearance this year has been a record-breaker, not only because the prices have been placed so low but also in that the volume of business caused thereby has been the greatest in the history of the House.

Now, for the final wind-up. As the clearing has been somewhat broken, we make prices still lower. If you act promptly you can still secure choice of a number of strictly brand-new, desirable upright pianos, factory samples, slightly shorn. Pay \$175 and \$165 for the remaining three large, full-sized ones, and \$137 for the smaller styles. \$5 or \$10 down and \$15 weekly for \$3 a month secures choice.

Or, if you prefer a playable used piano we still have a number for as low as \$75, \$45, etc. Every instrument in this sale is worth at least double.

Eilers Music House, Eilers Building, Seventh and Alder

troubadours and the receipts will be divided equally between the two managers.

It is expected that by interesting both bodies of students in this way large crowds will be secured for the engagements. The Oregon Agricultural College club is said to be the strongest ever turned out by that institution. The Oregon club has showed marked improvement since its initial appearance. Eugene last Friday evening having proved a more finished production. Several new "wrinkles" will be introduced for the edification of the Corvallis audience. It is felt that if both troupes are well received by the rival student bodies no further test will be needed to prove that amicable relations exist.

F. L. MARY BUYS SAWMILL

Redondo Beach Plant May Be Located Near Chehalis.

CHEHALIS, Wash., Jan. 21.—(Special).—F. L. Mary, formerly land commissioner with the Southwest Washington Settlers' Association, has purchased a sawmill at Redondo Beach which he will move to some other location not yet decided upon. The capacity of the mill is 50,000 feet in ten hours. The Marys says he has had several sites under consideration. If a suitable location can be found he will move the mill and may locate near the Hill Logging Company at Adna.

Kelso Restaurant Burns.

KELSO, Wash., Jan. 21.—(Special).—Fire Monday morning destroyed the Kelso Restaurant, owned and conducted by William Heberden. The loss on the building is about \$500 with so insurance. Heberden's loss on furniture and stock will amount to about \$1500 with \$500 insurance.

Indictments Are Returned.

Indictments were returned by the grand jury yesterday charging Jack H. Williams with the theft of clothing and jewelry of the value of \$50 from Walter Dodge and Joseph Lousignout with the larceny by bailer of a Winchester rifle belonging to William Dodge.

Discolored, Wrinkled Skin Easily Renovated

From the Woman Beautiful. Since brown or yellow, over-red or blotchy complexions are decidedly not the fashion, I cannot understand why so many women have heard of mercolized wax. This I know—from my own and others' experience—will positively really takes off a bad complexion. It gradually, harmlessly, absorbs the thin layer of surface skin with all its defects, as chaps, liver spots, pimples, freckles, blackheads. Just as gradually the discarded skin is replaced by the clear, white, youthful skin underneath. Mercolized wax procures at any drug store, is applied nightly like cold cream and erased mornings with warm water. One ounce will produce the loveliest girlish complexion in less than a fortnight.

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WARFIELD GLAD HE WAS MEDIOCRE USHER ONCE

Unnoticed as Theater Attache "in Front," He Finds Niche and Proceeds to Become Great Actor—Ambition Still Yearns for Bigger Things.

BY LEONE CASS BAER.

DAVID WARFIELD says one of the big things he thanks his guardian angel—not meaning David Belasco—for, is that he was such a mediocre usher in a San Francisco theater many years ago that he never was brought to the attention of somebody higher up and promoted. For if he had been made head usher or even assistant to the head usher he wouldn't be the foremost actor on the American stage today. Mr. Warfield didn't say the last night. He is only thankful that he didn't stay ushering. Not that the profession of ushers isn't a noble calling, but it has its drawbacks. One of them, says Mr. Warfield, is the fostering of a wild and hectic idea that actors are made, not born.

Every little usher, it seems has a banker all his own for the incandescent. This was one of the few things David Warfield, David Wolfeld, as is his actual name—shared in common with his co-workers.

The height of his dreams was to be a composite edition of all the comic opera Justus archbishops and tragedians he had ever seen, with a ventriloquist and a contortionist thrown in for good measure. All the time he was handing nice old ladies and giggling girls into the seats, or mouthing his heraldic "checks please." David Warfield was carrying a regular empty void in his heart. Of course it was aching. All voids ache for some reason.

Ambition Still Yearns. And would you believe it, David Warfield—greatest comedian on the stage today—started still an empty aching void. Probably not so large, nor so empty, maybe not so aching, but all the same there's an unfilled spot in his soul. He said so himself. And it's all because he isn't satisfied with David Warfield and David Warfield's achievements.

As Maurice Katten says in his John and Mrs. John pictures, "Can you beat it?" Here is David Warfield at the top of his profession still so chuck full of that nerve agitator, ambition, that it makes him restless. "I want to do something more," is his big cry, and it comes out in an interview cry either. It was that void working overtime.

"But," I expostulated, "look at the classics identified with your name and personality; why 'The Music Master' alone is worth dying for, just to have it recorded on your tombstone that you made it."

"Maybe so; I do not know," modulated the quiet, beautifully low modulated voice, the wide-set, soft gray eyes of Warfield looked millions of miles away into space. "That is never for me to say. I only do the best that is in me. I am content with myself give a performance. I have seen my imitators."

A Warfieldian chuckle, infectious in its warmth, and unique in its direction, interrupted the line. "One of those if you—don't want her—I want her people. Maybe I do say it as they say it—I do not know. I am unable to judge of my own voice, because I never have heard it on the stage. If ever I would become conscious of my voice I would know I had lost my art."

"Lessons" of Little Value. "Dramatic schools and elocutionists spare the market! I give hundreds of lessons to aspiring young actors in voice, Great heavens, it is all time thrown away. Of what earthly good is a perfectly memorized direction of how to emit a yell if the feeling that would produce the yell isn't traveling right along with it. Imagine having to give a laugh—a spontaneous happy laugh—and all the while you are doing it trying to be concerned greatly on whether the palate is exposed sufficiently, if the left nostril is far enough from the tongue, and if the head is tilted in any particular direction too little or too much. Bah! and



David Warfield, Whose Ambition is Yet Unsatisfied and Who Yearns to Do Bigger Things.

the Warfield eyes expressed large contempt.

"Acting is a gift of God. Every true actor is guided by him. Actors are not accidents, although a great many of them appear to be such.

"There is very little good acting on the American stage today, and very few good actors, just as there are all too few good musicians, and a dearth of good music, or writers, or painters. These things I think move in cycles. We have had them and we will have them again—the master minds in art. The Trivins and Booths are not being replaced just now, but it will come."

Then we got back to the void. I wanted to discover the why of it. I do not know what I want to do, but I feel that I have a mission—something bigger and better and more beautiful than anything I ever have done. I must go on and on; but I am not satisfied to sit still and twiddle my thumbs and reflect on the glory of past achievements. I do not for one minute think I am not. It is only that I am always looking, searching, reaching out for something else—a bigger step, perhaps; another and a different role to leave after me. Always I am trying to improve. Each performance I give is not a copy of the preceding one, but as full of incidents and discoveries for me as for the audience. I never tire of any role I play."

In the next 14 months Mr. Warfield is going to create a new Shylock; Trudy of the Shylock; and the old money-tender's heart as soft toward the wayward Jessica as is old Peter Grimm's heart tender toward his lovely protégée, A. Warfield Shylock. He is going to have the old actor's and pathetic devotion to be wished. Then I hope he allows himself to be put in the movies, so that when we've had a drought of near-actors and pathetic devotion to be wished, he can take a half hour off and see the real.

Advertisement for Oriental Rugs and ATIYEH BROS. featuring a rug image and text: 'ATTEND OUR Clearance Sale For here—the tales of rug sales greet you on every hand—is one sale where only ORIENTAL RUGS of highest merit are offered—every Rug reduced. For instance—One group of Rugs, \$18.50 worth \$23.00 to \$48.00. ATIYEH BROS. 10th and Alder.'

Advertisement for Hop Gold Beer featuring a beer bottle image and text: 'The Beer That Portland Likes Best! Order from Your Dealer. No matter what other beer you try—local or Eastern brews—you're sure to like the favor of Hop Gold Beer. better than any of the rest. It's as good as the best of hops, the finest of malt, the purest of water and the highest skill in brewing can make it. I can't understand, either, why folks will be bothered with wrinkles, since the famous saxolite formula has become public property. One ounce of powdered saxolite dissolved in a half-pint witch hazel, makes a wash lotion that will quickly efface every line, even the deepest—Adv.'