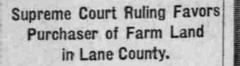
THE MORNING OREGONIAN. WEDNESDAY, MAY 14, 1913.



ACTUAL ACREAGE

PAY DUE ONLY ON

STUART CASE IS AFFIRMED

Judgment for \$3218 Against University Shingle and Lumber Company Upheld-Commission for Unsold Land Awarded.

SALEM, Or., May 13.-(Special)-The Supreme Court today, in an opin-ion by Judge Bean, decided that a person buying real estate had to pay for only the actual property transferred, although it was believed at the time

only the article property that the time of the transfer there was a larger acroage. The decision was in the sult of A. H. Hinson and J. Nicoler, appel-lants, vs. J. E. McCrea, respondent, and involved farm land in Lane County. The defendants executed to McCrea, on August 4, 1905, a contract for an option on the farm which was in sec-tions 4 and 5, township 16 south, range 3 east. McCrea paid them \$200 to bind the contract and September 3, 1909, made a further payment of \$1500, the option being extended 60 days. Both thought the tract contained 400 acros. The United States made a survey in

thought the tract contained 400 acros. The United States made a survey in July, 1909, but the plaintiff and de-fendants did not know of it. It was approved January 22, 1910, and then it was announced that the tract bought by McCrea, because of the fractional township being much smaller than was thought, only contained 175.61 acres. McCrea refused to pay for more than that amount and the Su-preme Court holds that even if no fraud were intended, he cannot be compelled to pay for lisnd that does not compelled to pay for land that does not exist.

exist. In a decision by Judge Eakin, judg-ment for \$2218.86 for plaintiff by Judge McGinn, in suit of J. C. Stuart against the University Shingle & Lumber Comthe University Shingle & Lumber Com-pany, was affirmed. The suit related to a contract for 51,179 ties cut on Lewis River, Clark County, Wash. It was contended that the company ac-cepted and paid for only 27,472 ties and the remainder were disposed of at a loss.

At a loss. A judgment of the Circuit Court awarding the plaintiff 5 per cent com-mission for selling a farm was af-firmed by the Supreme Court today, Judge Moore writing the opinion, in Judge Moore writing the opinion, in the case of S. B. Stewart against George Will. The plaintiff averred that he entered into a contract with the defendant to sell 275 acres in Ma-rion County for \$100 an acre and that A. M. Abbott agreed to buy the prop-erty. Will and Abbott drew up a con-tract for the transfer, but a disagree-ment acrose as to the payments and finally the sale was declared off. Stew-art sued for 5 per cent of \$27,500, and the court holds that the contract be-tween Will and Abbott entitles him tween Will and Abbott entitles him to his commission.

HOST

GRANTS PASS IS

GRANTS PASS IS HOST oregon Medical Men on Programme of Technical Papers. GRANTS PASS, Or., May 13.—(Bpe-cial.)—The annual session of the Southern Oregon Medical Association opened here today. Professional men were welcomed to the city by R. E. Kroch, president of the Commercial were welcomed to the city by R. E. Kroch, president of the Commercial

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I You can select your talent from among the foremost artists in every line, arrange your own programme to suit yourself and have an entertainment that is impossible in any other way.

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evening's entertainment for

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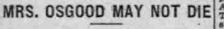
Shogren, who is in charge of the crew his sentance was not set. Afterward Independent Order of convicts. the trial of S. D. Strong, cashier of the convention is heid convention is held in this city May 20-22. One hundred automobiles have been offered by citizens and more will bank, jointly indicted with Parker, was Medford to Entertain Oddfellows. MEDFORD, Or., May 18 .- (Special.)

be pressed into service when the delegates arrive for trips through the Val-MEDFORD, Or., May 13.-(Special.) -The people of Medford are preparing to entertain over 1000 guests when the corporation for \$350,000.

bbO to

Club, who turned over the keys of the city in a speech of welcome. The programme as carried out con

sisted today of technical lectures, fol-lowed by general discussions. Lectur-ers and their subjects were: 'Analgeaers and their subjects were: 'Analgea-ica in the First Stage of Labor," R. W. Stearns, of Medford; "Certain Local-ized Forms of Chronic Pericolitis," Noble Wylle Jones, of Portland; "Some Changes of Technique in Mus-cle Operations," M. C. Findly; "Surgi-cal Relief of Intestinal Stasis," Dr. A. E. Rockey, of Portland; "Present Status of Inhalation Anesthesia," F. D. Stricker: "X-Ray and Bone Sur-D. Stricker; "X-Ray and Bone Sur-gery and Location of Foreign Bodies, E. B. Pickell, Medford; "X-Ray Diagnosis of the Gasta Intestinal Tract," Charles E. Sears, of Portland; "Diag-nosis of Viscerial Lesions by Ex-clusion," G. O. Jarvis and A. W. Bos-tough, of Ashland.



In this city by here divorced flucture flucture

hope the lung was not penetrated. Another bullet was deflected by a corset steel. Both the Osgood and In-galls families are prominent in Clatsop County, Oregon, having homesteaded in ploneer days land now valuable.

h Hinchman, bachelor, 55, of Mer-lie, N. J., is suffering his first filness, adopted and reared 20 orphans,

STATESMEN ARE TO SPEAK General Invitation Extended to All Interested in Good Roads-Ten Passenger Trains Daily Are Run Each Way.

tain 5000 at Barbecue.

land, testified that the "O. K." mark on the oplum trunk had been made by In-spector MacArthur. MacArthur's name was mentioned several times during the preliminaries to the trial. In his open-ing statement Assistant District At-torney Sullvan asserted that the Gov-ernment would show that Louie had made the statement that he had a

It is above the state in the indication of the atternor of the state of the data in the indication of the atternor of the state of the state indication of the atternor of the state indication of the st

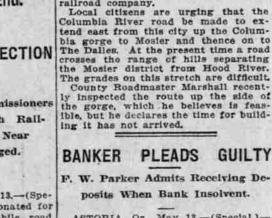
Cemetery Company Incorporated.

a Opium Case. SEATTLE, Wash., May 13.—Evidence tending to show that Nell MacArthur, the missing customs inspector, was on intimate terms with Charlie Louie and John Raiston was introduced today
when the trial of Louie and Returns of the United Everyties of the United Everytics of the Unit

Work of Convicts on Columbia Auto Road Nears End. Auto Road Nears End. 10, he was in the gallery of a millinery shop on Union street. Scattle, behind which is the house in which Raiston lived prior to his arrest. While he was there, Hamer said Louie and his at-torney, George F. Vanderveer, entered the shop and in presence of a young woman, whom Raiston had befriended and Mrs. Marion Bargman, who accom-enter Balton on his trin to Portland. WEST MAKES INSPECTION and Mrs. Marion Bargman, who accom-panied Ralston on his trip to Portland, Louie admitted that he had taken five tins of opium from Ralston's house and had shipped it to Portland. Hood River County Commissioners Believe Agreement With Rall-Customs Inspector Roy L. Sischo, who followed Raiston from Seattle to Port-land, testified that the "O. K." mark on road Company Due in Near Future--Extension Urged. HOOD RIVER, Or., May 13 .- (Spe

cial.)-The fund of \$10,000 donated for the Columbia River automobile road Attorney Vanderveer to by S. Benson, the Portland lumberman oArthur, but Vanderveer who passed the Winter in Southern then urged Attorney Vanderveer to by S. Benson, the Portana lumberman produce MacArthur, but Vanderveer who passed the Winter in Southern protested that he did not know the missing inspector's whereabouts.

California, has been depleted, accord-ing to County Judge George R. Castner. However, the work, done by state con-viots, who began their task May 23, 1912, is almost completed. Governor West went from Salem to Wyeth, the nearest station on the line of the O.-W. R. & N. Company, Sunday, to inspect the work and to confer with Adam



ASTORIA, Or., May 13.-(Special.)-The case against F. W. Parker, owner of the defunct Bank of Skamokawa, was called for trial before Judge Wright in the Superior Court at Cath-

of convicts. Up to the present time no agreement

has ever been reached between the county officials and the railroad com-pany. However, because of the con-

tract that was signed last week be-

lamet today. Parker was indicted on a having accepted deposits at the bank when he knew the institution was insolvent. Today he withdrew his for-mer plea of not guilty. The time for

ENGLAND.



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nothing uncertain. Just heat the contents of the canfirst adding a small pinch of bakingsoda. Heat separately an equal quantity of milk. And when ready to serve, mix the milk and soup together, bring them to boiling-point and serve. Don't let them boil.

A child can now make a





this Spring-alpine crown with flattish brim and bow behind.

For colors - everything to match your suit.

Derbies are still indispensable for certain times and occasions - here in tans as well as blacks. Also all varieties of soft and shaggy hats. Caps too.

And the straws are peeping out.

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