

PAY DUE ONLY ON ACTUAL ACREAGE

Supreme Court Ruling Favors Purchaser of Farm Land in Lane County.

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 opinion 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 of the transfer there was a larger acreage. The decision was in the suit of A. H. Hinson and J. Nicolier, appellants, vs. J. E. McCrea, respondent, and involved farm land in Lane County. The defendants executed to McCrea, on August 4, 1909, a contract for an option on the farm which was in sections 4 and 5, township 16 south, range 3 east. McCrea paid them \$300 to bind the contract and September 3, 1909, made a further payment of \$1500, the option being extended 90 days. Both thought the tract contained 400 acres. The United States made a survey in July, 1909, but the plaintiff and defendants did not know of it. It was approved January 23, 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 176.61 acres. McCrea refused to pay for more than that amount and the Supreme Court holds that even if no fraud were intended, he cannot be compelled to pay for land that does not exist. In a decision by Judge Eakin, judgment for \$3218.88 for plaintiff by Judge McGinn, in suit of J. C. Stuart against the University Shingle & Lumber Company, was affirmed. The suit related to a contract for \$1,175,000 cut on Lewis River, Clark County, Wash. It was contended that the company accepted and paid for only \$7,472 ties and the remainder were disposed of at a loss. A judgment of the Circuit Court awarding the plaintiff 5 per cent commission for selling a farm was affirmed by the Supreme Court today, 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 Marion County for \$300 an acre and that A. M. Abbott agreed to buy the property. Will and Abbott drew up a contract for the transfer, but a disagreement arose as to the payments and finally the sale was declared off. Stewart sued for 5 per cent of \$27,500, and the court holds that the contract between Will and Abbott entitles him to his commission.

GRANTS PASS IS HOST Oregon Medical Men on Programme of Technical Papers.

GRANTS PASS, Or., May 13.—(Special)—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 Club, who turned over the keys of the city in a speech of welcome. The programme as carried out consisted today of technical lectures, followed by general discussions. Lecturers and the audience were in the auditorium in the first stage of labor. R. W. Stearns, of Medford; "Certain Localized Forms of Chronic Pericollitis," Noble Wylie, of Portland; "Some Changes of Technique in Muscle Operations," M. C. Findly; "Surgical Relief of Intestinal Stasis," Dr. A. E. Rookey, of Portland; "Present Status of Inflammation of the Stomach," D. Stricker; "X-Ray and Bone Surgery and Location of Foreign Bodies," E. B. Pickett, Medford; "X-Ray Diagnosis of the Gastric Intestinal Tract," Charles E. Sears, of Portland; "Diagnosis of Visceral Lesions by Exclusion," G. O. Jarvis, and A. W. Bostough, of Astoria. At the close of the afternoon session, automobiles were provided for the visitors, who were taken over the valley to view the bloom of fruit trees and the beauty of the surrounding country. A big banquet will follow in the evening's entertainment. Dr. Calvin S. White, of Portland, will deliver a lecture on "A New View of Rural Life" at the Commercial Club rooms tonight.

SUICIDE ATTEMPT FOILED Vancouver Woman Throws Herself in Front of Moving Train.

THE DALLES, Or., May 13.—(Special)—Throwing herself in front of a moving train in the town of W. E. N. Company yards today, Mrs. E. H. Patton, of Vancouver, Wash., attempted to end her life, but quick action on the part of Car Repairer Myers, who was working near at hand, saved her from being crushed to death. The woman alleged that after her marriage to Patton, in Portland, her husband's sister, Mrs. J. C. Wilson, showed her a photograph of Patton with another woman and a number of children, which Mrs. Wilson said were the legal wife and children of Patton. Mrs. Patton was in a delicate condition and did not know what to do. Sheriff Christian learned that the woman was married to Patton, but the remainder of her story is doubted. Mrs. Patton was in a delicate condition and did not know what to do.

MRS. OSGOOD MAY NOT DIE Surgeon Hopeful of Saving Life of Woman Shot by Husband.

SEATTLE, Wash., May 13.—Surgeons believe that Mrs. Lucy Osgood, who was shot twice last night at her home in this city by her divorced husband, Herbert C. Ingalls, before he shot and killed her husband, H. L. Osgood, she herself, has a chance of recovery. One bullet fired by Ingalls entered the upper part of Mrs. Osgood's right breast and coursed downward. It probably lodged at the backbone. Physicians hope the lung was not penetrated. Another bullet was deflected by a corset steel. Both the Osgood and Ingalls families are prominent in Clatsop County, Oregon, having homesteaded in pioneer days land now valuable.

Joseph Hirschman, bachelor, 88, of Marshfield, N. J., is suffering his first illness. He has adopted and reared 20 orphans.

The Victrola entertains every member of the family and all your friends besides.

With a Victrola in your home the world's greatest artists will provide an evening's entertainment for yourself and friends—whenever you wish and as often as you wish.

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Victor-Victrola X Mahogany or oak With Victor record albums, \$85 Without albums, \$75

Steinway and Other Pianos

Sherman Clay & Co.

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Opposite Post Office

Player Pianos of All Grades

LEWIS SPAN READY

Woodland Prepares to Entertain 5000 at Barbecue.

STATESMEN ARE TO SPEAK

General Invitation Extended to All Interested in Good Roads—Ten Passenger Trains Daily Are Run Each Way.

WOODLAND, Wash., May 13.—(Special)—The citizens of Woodland and the farmer of the west end of Clark County are diligent and enthusiastic in making preparations to entertain from 2500 to 5000 people on May 19, when the Pacific highway state bridge across Lewis River will be dedicated and opened to the public. For two days volunteers have been clearing away the brush to produce a natural stadium or public forum at the east end of the bridge where the public speaking will be held. The scenery in the vicinity of the bridge is beautiful. It is 50 feet above the surface of the Lewis River, and affords a view for miles up and down the Columbia, and in good bridges to attain the surrounding Woodland and of the long ridge in Oregon that culminates in Council Crest back of Portland. Many men of state-wide reputation have signified their intention to be present and to speak at the afternoon or evening gatherings upon subjects suitable to the occasion. Among these are the Governors and ex-Governors of Oregon and Washington, members of the last two Legislatures who passed bills appropriating for the state the money Commissioners of Clark and Cowlitz County who had to do with building of the bridge, county and state engineers who were consulted with regard to the structure. The little town of Woodland issues a general invitation to all citizens everywhere who are interested in good roads and in good bridges to attend the celebration. It makes all comers its guests at a free barbecue of the choicest fatted cattle its pastures can produce. It is served by the passenger train a day each way, running between Seattle and Portland. The last train leaves for Portland at 9:30 P. M. just after the evening entertainment. The street parade and parade will start at 11 A. M. and cross the bridge at 12 noon. The hot roast beef sandwiches will be served from 1 P. M. to late in the afternoon. A German army barbecue expert has been engaged to superintend the roasting of the beef carcasses. Coffee Expert Blithen will supervise the coffee pots. Ladies of the Granges of Clark and Cowlitz counties will serve the coffee in 1600 tin cups. Arthur Cavill, of the Multnomah Amateur Athletic Club of Portland, will conduct a series of diving and swimming feats.

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Work of Convicts on Columbia Auto Road Nears End.

WEST MAKES INSPECTION

Hood River County Commissioners Believe Agreement With Railroad Company Due in Near Future—Extension Urged.

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WIRELESS TO BE PROBED

STRIKERS SAY LEASING SYSTEM IS TARGET. Charges Are Monopoly Created in Violation of Sherman Anti-Trust Law.

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Cemetery Company Incorporated.

ASTORIA, Or., May 13.—(Special)—Articles of Incorporation of Evergreen Cemetery Company, at Seaside, were filed in the County Clerk's office today. The incorporators are Fred H. Moore, Rex A. Price and C. M. Godfrey and the capital stock is \$2000, divided into 200 shares of \$10 each.

Cotton seed crushing establishments in the United States now number 845, and crushed the 1912 crop, prior to January 1, 1913, 2,741,394 tons of seed.

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Advertisement for Campbell's Soups and Wiesbaden hotels. Includes text: 'A child can now make a perfect tomato bisque. There's nothing difficult about it with Campbell's Tomato Soup at hand; nothing uncertain. Just heat the contents of the can—first adding a small pinch of baking-soda. 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. You can add a little cream to the milk if you want a very rich bisque. The whole process takes less than three minutes. 21 kinds 10c a can Look for the red-and-white label Campbell's Soups' and 'WIESBADEN HEALTH, PLEASURE, The Most Fashionable Resort in Germany. Easy access from everywhere; Hot Mineral Springs (135 degrees F.) Highly Efficient for GOUT, RHEUMATISM, PARALYSIS and RESPIRATORY, DIGESTIVE and NERVOUS DISORDERS. New, Large RADIUM EMANATORIUM - KAISER FRIEDRICH BAD—New Municipal Bath House and Inhalatorium. Magnificent Kurhaus, Royal Opera, Races, Golf, Tennis, Booklet & Hotel Lists FREE from the MUNICIPAL ENQUIRY OFFICE, WIESBADEN, GERMANY.' and 'Wiesbaden PALACE HOTEL with THERMAL BATHS AMERICAN COMFORTS: HOT AND COLD RUNNING WATER IN EVERY BEDROOM: Numerous Private Baths.' and 'The RHINE DRESDEN HOTEL BELLE VUE' and 'DRESDEN LEADING HOTEL, OPPOSITE STATION American Quarter, E. Postal, Manager THE CONTINENTAL'.