

ROSEBURG RAILWAY CONTRACT HELD VOID Supreme Court Rules Against Bond Issue of \$300,000 to Aid Construction.

CHARTER VIOLATION FOUND

Roseburg Citizens Win Suit Instituted to Prevent Issue by City to Build Line—Benefit by Corporation Alleged.

SALEM, Or., March 21.—(Special.)—Contract made by the city of Roseburg with the Roseburg & Eastern Railroad company for the construction of a railroad from Roseburg to a point on the north Empress River was held void today by the Supreme Court, and a decree prohibiting the issuance of \$300,000 in bonds for the road's construction was rendered. Justice Ben Huntley, in his opinion in the case of John Huntley and others, appellants, against the city of Roseburg. The decision constitutes a reversal of the judgment of Circuit Judge Skipworth, of Douglas county.

Hunter and a number of Roseburg taxpayers instituted suit in the Circuit court to prevent the city from issuing bonds for the road's construction, contending that the contracts were contrary to the city charter and constitution.

City Agreed to Pay \$300,000. The city had agreed to pay the railroad company \$300,000 for building the line and also to obtain rights of way to give the company a 60 years lease. The terms of the lease the company contracted to pay the city 25 percent of its net profits as rental and to carry logs and other forest products at a reasonable price. An option to buy the city's interest in the railroad for \$300,000 was given to the railroad company.

The evidence shows that the estimated cost of the railroad is between \$300 and \$750,000, wrote Justice Ben Huntley in his decision. The contract is voided in its entirety, but the court is not authorized by the charter as amended by the legal voters of Roseburg did not ratify the contract in its entirety or wholly for the benefit of any persons or corporations other than the city.

Insurance Suit Restrained.

The court issued an order in the case of N. Wheelon, appellant, against the Pacific Life Insurance Company, restraining the company's receiver from dealing with a certain life insurance policy owned by the company, until the court should pass upon the appeal.

The case of Will E. Purdy, appellant, against the estate of H. D. Hunter, Agnes Butts and C. M. Idelman, co-defendants, in an opinion by Justice Ben Huntley, affirmed the judgment of Circuit Judge McGinn, of Multnomah county, who ruled against Purdy.

Purdy brought suit for damages against Agnes Butts and her attorney, C. M. Idelman, on the ground that in former case evidence had been suppressed so that the court in the first case was a suit to quiet title in the winter estate.

Other decisions today: Sarah L. Salisbury et al. vs. John Bruce Ward et al., appellants, involving a real estate deal; opinion by Chief Justice Moore; suit by Judge Gantebel's judgment for suits reversed.

W. E. Wilson vs. Investment Company et al., appellants, appealed from Multnomah county, action on an account; opinion by Justice Benson; Circuit Judge Moore's judgment for plaintiff reversed.

George W. Meek, appellant, vs. John Meek et al., appellants, appealed from Clatsop county, action on an account; opinion by Justice McBride; suit Judge Calkins' judgment for defendant reversed.

L. Hanna vs. Alluvial Farm Company, appellant, appealed from Polk county, action involving a note; opinion by Justice Meek; former Circuit Judge Holmes' judgment for plaintiff affirmed.

D. Lange vs. Hood River Orchard Company, appellant, appealed from Multnomah county, involving a contract for the sale of land; suit dismissed; opinion by Justice Meek.

James E. Allen et al., appellants, vs. C. McNeilan, appellant, from Multnomah county, involving the sale of land and contract; Circuit Judge Hamilton's judgment for defendant affirmed.

Lee Chenk vs. Lee King, appellants, appealed from Multnomah county, on an account; opinion by Justice Benson; Circuit Judge Davis' judgment for suit reversed.

Actions for rehearings were denied in Riley vs. Hadley.

ROSEBURG CONSIDERS APPEAL

Appeal May Be Carried to Highest Court in United States.

ROSEBURG, Or., March 21.—(Special.)—Whether or not the case of John Huntley vs. the City of Roseburg, which was decided adversely to the municipality by the Oregon Supreme court today, will be appealed to the United States Supreme court, the final determination will not be known for several days, according to City Attorney and his associates. News that both the bonds and contract had been declared invalid by the Supreme Court occasioned much surprise here, and disappointment was felt on every hand. The result was expected by even those who were opposed to the railroad and sawmill. A slight modification of the contract. The attorneys for the city were greatly surprised by the action of the Supreme Court in declaring the bonds invalid. These bonds were taken previously in the case of Harry Pearce, who sought to enjoin the city from issuing the bonds. Judge Skipworth, of Lane county, held that the bonds were valid following a hearing in the Circuit court, and his decision was later affirmed by the Supreme Court. This decision was rendered last August. At the time of the special election the voters were authorized by a vote of more than nine to one, to ratify tentative contracts for ties and other material for the railroad and sawmill had been prepared and actual work on the project was to have been begun within two weeks. It is practically agreed here tonight that further efforts to build the railroad and sawmill will be abandoned.

MAN IS FOUND ALONE

Klamath Resident Lies Three Days in Unused Dillard Building.

ROSEBURG, Or., March 21.—(Special.)—Harry Appleton, of Klamath county, was found lying in a warehouse near Dillard from ptomaine poisoning, from which he had been suffering for several days. He was brought to Roseburg and admitted to a hospital, where he is receiving medical treatment. Appleton said today that he was taken with illness last Friday when he awoke from a train at Dillard. His condition became worse and he

WOMAN FILES FOR OFFICE

Linn County Has Candidate for School Superintendent.

ALBANY, Or., March 21.—(Special.)—Linn County's first woman candidate for a county office has formally made her declaration of candidacy. She is Mrs. Ida Maxwell Cummings, of Halsey, and seeks the Republican nomination for County School Superintendent. Incidentally Mrs. Cummings was the first candidate in Linn County to take

PORTLAND MAN DIES WHILE IN EAST ON BUSINESS TRIP.

W. A. Coughlan, of 957 Mississippi avenue, died at Mayo Bros. Hospital, Rochester, Minn., Friday, March 17, following an operation. Mr. Coughlan, who was 45 years old, was East on a business trip at the time.

Mr. Coughlan is survived by his widow and parents, who also are Portland residents. He also leaves four sisters and three brothers, as follows: Mrs. R. C. Wallace, Mrs. Emil Prischke, Miss Rebecca Coughlan, Miss Charlotte Coughlan, E. C. Coughlan, B. Coughlan and A. B. Coughlan, all of Portland.

Funeral services will be held in Portland from Finley & Sons' undertaking parlors.

advantage of the new law providing for the payment of a filing fee instead of circulating a nominating petition. She paid a filing fee of \$20.

Cowlitz Republicans to Meet.

KELSO, Wash., March 21.—(Special.)—The central committee of the Republican party of Cowlitz county will meet Monday at Kalama. C. C. Ruffison, of Carroll, is chairman, and W. F. Moffatt, of Kalama, secretary. The date for precinct caucuses and for the county convention of the party will be determined at the meeting.

Tong War Assault Case Goes Over.

LA GRANDE, Or., March 21.—(Special.)—Lem Quong, alleged Chinese highbinder, who it is alleged assaulted Eng Chong in the tong war, will not be tried this term of court, the case going over to June by court order today.

Arrest Soon Follows.

The description of Siskos given by

GIRL'S GLIB TALE OF ATTACK FALSE

13-Year-Old Vera Stennett Accuses Aged Italian, Then Admits Story Is Untrue.

BLACKMAIL IS SUSPECTED

Child Insists Mysterious Stranger Induced Her to Tell That Luigi Siskos Dragged Her to Woods and Mistreated Her.

Thirteen-year-old Vera Stennett's glib tale of a vicious attack made upon her by an aged and well-to-do Italian, as she was passing through a wooded stretch on her way to school yesterday morning, fell down under keen cross-examination in the afternoon, and the girl admitted that she had been prompted to tell the story and accuse the man who had been arrested for the supposed crime.

Blackmail is suspected by Sheriff Hurburt and District Attorney Evans and a rigid investigation will be made today.

Who told her to subject Luigi Siskos, aged 63, to possible punishment under one of the most severe criminal statutes?

A mysterious man, smooth-shaven, about 25 years old, who wore a green coat, blue serge suit and tan shoes, says the girl. She met him about a week ago, so she asserts, and he told her that Siskos was rich and would pay them some money if she would play her part well. The existence of such a man is scouted by the authorities, who believe there is a more sinister connection behind the affair.

Girl Accuses Man. "You're the dirty thing, and you know it," accused the girl when Deputy Sheriff Phillips, Christofferson and Ward confronted the Stennett girl with the man whom they had arrested on her perfect description of her assailant. Not only had he mistreated her that day, she said, but he had accosted her several weeks before, when she escaped by flight.

Later the child admitted that the only time she had ever seen Siskos before was when she came upon him one time while he was picking mushrooms in the woods, and that he never made any attempt to molest her.

The original tale, adhered to by the girl through several retellings, savored of similar occurrences reported by schoolgirls in other sections of the city and which led to the recent brush-clearing at Ockley Green.

She was on her way to the Woodstock school, she said, and was taking a short cut through a wooded patch when a man came up behind her, seized her, blind-folded and gagged her with a handkerchief. Her assailant proceeded, she explained, to drag her into the woods to a clearing, where he had laid some fir boughs, some distance from the trail. He later carried her back to the pathway, threatened her with untold dangers if she told anyone of the assault, it seems, and left her there. So she ran to the home of her grandparents, Mr. and Mrs. T. A. Lewis, who live at the intersection of seventy-third avenue Southeast and Fifty-fourth street Southeast.

Arrest Soon Follows. The description of Siskos given by

the youngster was perfect. It was recognized by a storekeeper, and the man was arrested at his home, 5735 Sixty-second avenue, Southeast. Though at first accepted without the least suspicion, the girl's tale had a stereotyped ring, as though rehearsed. Detailed investigation of the occurrences revealed small discrepancies.

The evidence implicating the man stopped with the girl's story. Deputy District Attorney John Collier quizzed the girl in the morning, but she stuck to her story. Deputy Collier saw her again in the afternoon. His questioning hit the weak points of her story. She stubbornly insisted that she was telling the truth, but in the end broke down and sobbed out the admission that it was all a "frame-up."

Vera is the daughter of Wilson B. Stennett, of Winona, Or., and her stepfather, Lon Storey, lives at Merrill, in Klamath county. She has been staying with her grandparents and attending the Woodstock School.

Siskos is a well-to-do laborer. When released from jail he has five \$10 bills and a \$50 bill pinned to his undergarments. He has lived in Portland about 20 years and owns his home. He was released from custody last night.

MRS. BOOTH AGAIN LOSES

NEW TRIAL IS DENIED TO WOMAN UNDER SENTENCE FOR MURDER.

County to Pay for Transcript for Appeal, Since Defendant Is Without Funds of Her Own.

McMINNVILLE, Or., March 21.—(Special.)—Mrs. Anna Booth, convicted March 11 of second degree murder, lost the first appeal of her conviction today. The penalty of a life sentence now hanging over her, when Judge Belt overruled her motion for a new trial today.

William Booth, husband of defendant, was shot and killed in a brushy thicket on the edge of the Willamina River, a short distance from Willamina, October 8. Suspicions led to the arrest of Mrs. Booth and young William Branson, and the two were jointly indicted. They were first tried together in November, the jury failing to agree. They then demanded separate trials, and were each convicted of second degree murder. Branson's case is now on appeal, and the attorneys for the defense immediately served notice of appeal in Mrs. Booth's case on the overruling of the motion today.

The contention of attorneys was mainly on the ground that the state failed to prove such a prima facie case on conspiracy as to make admissible the acts or declarations of the co-defendant Branson, against the defendant, Mrs. Booth. The defendant being without means, Judge Belt issued an order for the county to bear the expense of the transcript.

Mrs. Booth will be taken to the Multnomah County Jail tomorrow, where she will be held pending the appeal.

BROCCOLI RETURNS COME IN

Roseburg Growers Receive \$1.35 a Crate in East.

ROSEBURG, Or., March 21.—(Special.)—The first returns from the sales of this year's crop of broccoli, which included four carloads consigned to Chicago, were received here Monday. The price obtained was \$1.35 a crate for Roseburg, or 10 cents more than was averaged last year. Thirty-four cars of broccoli have been shipped during the past two weeks and the growers predict that no less than 60 cars will be necessary to handle the season's product.

It is estimated that \$20,000 will be received in exchange for the broccoli shipped from Douglas county. The growers will net \$1 a crate, or about

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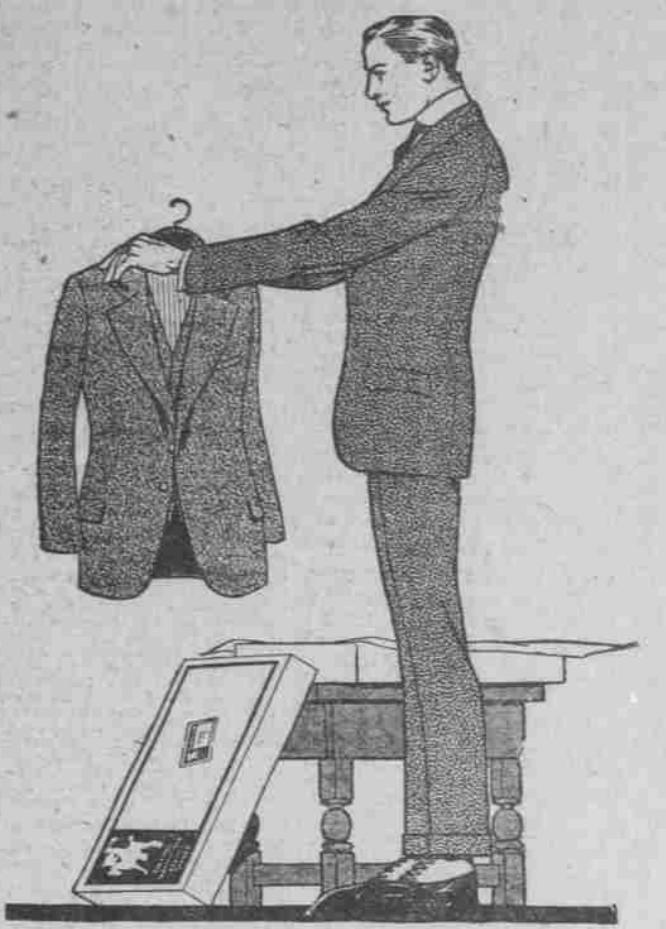
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Says Woman's Beauty Depends Upon Health

Health and Vigor Necessitate Regulation of Organs of Elimination.

Skin foods and face creams and powders cannot make a woman beautiful, because beauty lies deeper than that—it depends on health. In most cases the basis of health and the cause of sickness can be traced to the action of the bowels.

The headache, the lassitude, the sallow skin, and the lusterless eyes are usually caused by constipation. An ideal remedy for women, and one that is especially suited to their delicate organisms, is found in Dr. Caldwell's Syrup Pepsin, a mild laxative compound, pleasant to the taste and free from opiates and narcotic drugs of every description. Mrs. Gertrude Jordan, 522 North Liberty St., Indianapolis, Ind., says: "It is simply fine; I have never been able to find anything to compare with Dr. Caldwell's Syrup Pepsin. I started using it for the baby and now it is my family standby in all cases where a laxative is needed."

Dr. Caldwell's Syrup Pepsin is sold in drug stores for fifty cents a bottle; a trial bottle can be obtained, free of



MRS. GERTRUDE JORDAN, charge, by writing to Dr. W. B. Caldwell, 454 Washington St., Monticello, Illinois.

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