OREGON SUNDAY JOURNAL, PORTLAND, SUNDAY MORNING, MARCH 19, 190

BADGER LAWSUIT

FACTS ABOUT THE

BADGER OWNERS SEEM TO

Stockton Owners Had Never

Heard of Vendor to Badger

Until Recent Years.

in the property. The men interested at present did the work that opened the ore. I. J. Simmons testified that he ex-

ADMIT MOST OF FACTS

LEAGUE UMPIRES Brief History of the Three Men

Who Are to Handle the Indicators.

PACIFIC COAST

CUS KLOPF IS THE LEAST KNOWN

Slats Davis and Bull Perrine Are Well Known Down California Way.

(Special Dispatch by Leased Wirs to The Journal) San Francisco, March 18.—The staff of umpires for the Pacific Coast league will be new to many habituss of the pastime, although they are all known more or less to the baseball world. Each has a reputation for a thorough knowledge of the intricacies of the game, and is reputed to be made of the stuff to command respect and obedience from the players. The least known out here probably is Gus Klopf. He is 35 years of are, and made his entry into professional base-ball in Minneapolis in 1858. In 1858 he played with St. Joseph, Mo., and with

all in Minneapolis in 1888. In 1889 ne layed with St. Joseph, Mo., and with pokane. The next three years he was rith Stockton, going to Charleston. S. , in 1894. In 1895 he was playing with

with Stockton going to Charleston. 8. C. in 1894. In 1896 he was playing with Milwaukes. In 1896 he was playing with City. Newark. N. J. Worcester, Mass., Seattle and Spokane. For-years he was a pitcher, but played both in and out-field owing to his heavy hitting abili-ties. Since 1891 he has principally held down an infield position. This will be his first season with the indicator, but his long experience as field captain makes him thoroughly familiar with all the fine points of the game, and those who know him beat predict he will be one of President Bert's umpires, is a character well known wherever the game is played. Davis has been playing ball since 1894, and is yet capable of doing a few stunts himself. He can hold down first base with any of the young-sters coming into prominence. Davis is said to be a second Arile Latham, and has a fund of humor about him which ofter nelleves the tedium of the game. He has always been a prime favorite with the public. He has played in many clubs throughout the country, being at times with Washington, D. C., and New York Giants. In 1901 he played the latter part of the season with Sacra-mento and is favorably remembered. The third man is Fred (Bull) Perrine. He was born and bred in Oskiand, and has already difficiated in the Coast league, giving general satisfaction. He pretty generally known from British Columbia to old Maxico as a ball-tosser, He played one year in Honolulu in the Bugar. Cane league. President Bert has no more serious

He played one year in Honolulu in the Sugar Cane league. President Bert has no more serious President Bert has no more serious and arduous duty to perform than ap-pointing impires, and it is believed he has used excellent judgment in naming his staff this year. At best an um-pire's life is not a happy one and time alone can tell how the populace will re-gard them, but if they will instantly quell all rowdyism and force the play-ers to run in and off the field between innings and start games promptly, keeping things moving all the time, it will go a great way toward everlook-ing mistakes they may make in judg-ment, for mistakes are sure to be made. Ginger can be put into the game by the umpire's not allowing players to grow listless, coming to bat and going on the field between innings. ing umpires, and it is believed he used excellent judgment in naming staff this year. At' best at umpires, and the paying material state to excellent judgment in naming staff this year. At' best at umpires, and the paying material state to excellent in the state to excellent to the property owners is a state state to excellent in the state t

PORTLAND HAS FINE

Complains That Portion of Chestnut Street, the Pet Boulevard, Is Already Full of Holes----The Bituminous Macadam Crumbles Away.



There has been some talk, is a mild nort of way, from the Wells apologists, about the "permanent pavements" put down by the present administration-at a cost about double the former prices Chestnut street, the Wells pet down-to be the the former prices Chestnut street, the Wells pet down-to me that the "big cinch" boosters are pragging about, however. Chestnut its new World's Pair pavement, is not one that the "big cinch" boosters are pragging about, however. Chestnut street, according to reports around the city hall, which are virtually confirmed by officials of the street department, will have to be repayed. As one street the street has "gone to bed." Chestnut street, from Broadway to said he understood the sepairs were only temporary, and the paving would have to be done over. He said John Kelvey, the superintendent on the job, had indicated as much. If this is carried out, the street will be torn up for weeks again, traffic blocked and Chestnut street put out of the boulevard business for awhile. The Chestnut street boulevard plan was the pride of Mayor Wells, and the street was opened with considerance celat. The introduction of bituminous ma-cadam into St. Louis under the Wells

with considerable eclat. The introduction of bituminous ma-cadam into St. Louis under the Wells administration has been the source of continuous trouble and protests.' Prop-erty owners fought the innovation from the start. Residents on West Eine street took the matter into the courts and held the contracts up until the supreme court decided against them. Lindell boulevard residents rose up in protest and fought the matter until they saw it was useless. The board of public im-provements disregarded its rule of al-lowing the majority of property owners to select the paving material and ordered bituminous macadam when less than 1 per cent of the property owners asked for it. the street has "gone to seed." Chestnut street, from Broadway to Twentieth street, is one of the bitumin-ous macadam boulevards, some fifteen miles of which have already been put down in the last two years and more of which is under contract. The mile of the new pavement on Chestnut street cost the city \$51,840. It was also put down on Lindeil, West Pine and other show streets, where it cost still more.

present did the work that opened the ore. I. J. Simmons testified that he ex-tended the tunnel to a good showing and mank the shaft into high grade ore, aided by H. H. Ames. In Mr. Bradley's testimony he said that Moran was brought to his office in the early part of 1963, when the San Francisco mining engineer and Welling-ton Gregg were acquiring interests in the Sumavilite district. Mr. Bradley paid Moran \$56 for his deed to a half in-terest in the Stockton, and had him sign an affidavit that he was able to perform his absence and that his address was well known. Moran did this, and re-ceived his \$50, saying that he did not think he was conveying any interest to the property.

Now Use Liquozone.

Testimony Shows Case Hinges on Sufficiency of Published Forficience Notice. Millions of people, of nine different nations, are constant users of Liquo-cone. Some are using it to get well; ome to keep well. Some to cure the diseases; some as a tonic. No medicine was ever so widely em-ployed. These users are everywhere;

medicine was ever so widely em-ployed. These users are everywhere; your neighbors and friends are among them. And half the people you meet --wherever you are--know someone whom Liquozone has cured. If you need help, please ask some of these users what Liquozone does. Don't blindly take medicine for what medicine cannot do. Drugs never kill germs. For your own sake, ask about Liquozone; then let us buy you a full-size bottle to try. We Paid \$100,000

Will the Badger Gold Mining and Milling company win its suit for a half interest in the claim of the Stockton. We Paid \$100,000 For the American rights to Liquo-zone. We did this after testing the product for two years, through phys-icians and hospitals, after proving in thousands of difficult cases that Liq-uozone destroys the cause of any nging to the Stockton Gold and Co belonging to the Stockton Gold and Cop-per Mining company, Grant county? is a question asked frequently the past week by mining men. After the evi-dence was submitted to Judge Bellinger Wednesday and it was learned that the Badger company relied on its success on technical compliance with the statute

uozone destroys the cause of any germ disease. Liquozone has for more than zo years, been the constant subject of scientific and chemical research. It is not made by compounding drugs, nor with alcohol. Its virtues are derived solely from gas—largely oxygen gas —by a process requiring immense ap-paratus and 14 days' time. The re-sult is a liquid that does what oxygen does. It is a nerve food and blood food—the most helpful thing in the in iding how to advertise a partner out of a mining claim, it has dawned that a new point in Oregon litigation is to be the plott of the case. Is to be the plott of the case. Fred W. Bradley, the mining engineer, testified that the Badger company had done about \$25,000 worth of work on the Stockton claim, all of which had been without the knowledge of the os-tensible owners of the Stockton and through deep workings of the Badger mine. William Moran, who executed a deed for his half interest in the claim, testified that he did so against his own judgment, and believing at the time that he conveyed to the Badger company no itle or right. Other men testified that Moran had not endeavored to exercise any right or control over the Stockton for many years, having departed and never afterward contributed for assess-ment or maintenance. It was estab-lished that a forfeiture notice was pub-lished according to the requirements of the law, as the Stockton management thought, that a copy of the paper car-rying this notice was sent to Moran. that he asked advice concerting a fight and later acquiesced in the loss, as he believed the property worth little. All of these admitted facts prove that the Stockton was acting in good faith in its transactions, and proceeded with development under the assumption that the Stockton same acting in good faith in its assigns until development in the for to contest in behalf of Moran or his assigns until development in the Stockton and the claim to have great value. When Moran left he had driven a tunnel 75 feet, reaching a low rade ore body, but he did not think this of sufficient value to hold a half interest in the property. The men interested at present did the work that opened the the pivot of the case. Fred W. Bradley, the mining engineer,

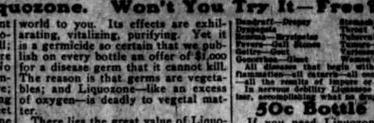
out this plan, he says, that the purchase was made of Moran. The case promises to be long drawn, and will probably result in requests for injunctions restraining the Badger com-pany from working the Stockton ground while suit is pending. This is the first instance in Oregon where a big suit has hinged on a mere technical interpretation of the law of forfeiture notice. As the ground in question is regarded as valua-ble, and perhaps carries the rich Badger ore shoot which has often been reported to be pitching into the Stockton, gea-eral attention will be given the issues until there is a final determination.

BOSTON AND MONTANA

MINE CASE DECIDED

(Special Dispatch to The Journal.) Helena, Mont., March 18.—An echo the celebrated Boston and Montana re-

the celebrated Boston and Montana re-ceivership case was heard in the supreme court here today, when that body handed down an opinion denying a re-hearing in the case of James Forrester, John Mc-finnis and Thomas R. Hinds, against the Boston and Montana company, but ordering it remanded to the lower court with the direction to ascertain how 4,000 tons. Ginnis and Thomas R. Hinds, against the Boston and Montana company untry vices. How much he did with which it was his duty to do and how well he did it. In other words the lower court worth while acting as receiver of the Boston and Montana company untry Judge Clancy had awarded Hinds a 100,000 fee for his six days' service,



If you need Liquozone, and I never tried it, please send us coupon, We will then mail you order on a local druggist for a size bottle, and we will pay the di gist ourselves for it. This is our gist ourselves for it. This is our free gift, made to convince you; to show you what Liquozone is, and what it can do. In justice to yourself, please accept it today, for it places you under no obligation whatever. Liquozone costs 50c and \$1.

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all the results of in In nervous debility L

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Germ Diseases

These are the known germ diseases. All that medicine can do for these troubles is to help Nature overcome the germs, and such results are indi-rect and uncertain. Liquozone at-tacks the germs, wherever they are. And when the germs which cause a disease are destroyed, the disease must end, and forever. That is in-evitable. evitable.

THE TROP

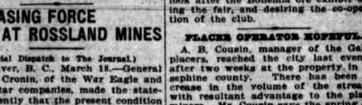
Any physician or haspital not yet and means to properly advertise the state during the fair. The president appointed as a committee any and all members who could arrange to attend. A letter was also received from the Bo-hemia Mineowners' association concern-ing the arrangement for some one to look after the Bohemia ore exhibit dur-ing the fair, and desiring the co-opera-tion of the club. but this was overruled by the supreme court. Hinds made an application for a re-hearing which was today denied, but the former price of the court was modi-fied to the extent that a jury will now be called upon to determine the value of such services.

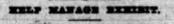
Manager Cronin, of the War Eagle and Centre Star companies, made the state-ment recently that the present condition of the two properties in the Rossland camp will necessitate employment of not less than 500 men before the end of the year. Over 50 new employes have been put at work within the last 30 days, and before the first of May a total of fully 400 will be employed, the present payroll being 50.

being 250. The reas being 250. The reason for increasing the force is recent discovery of high-grade ore in the lower levels of both mines and the need of an enhorate system of develop-ment. It is expected that the mines will soon increase the weekly output from the present rate of shipment of 3,000 to 4.000 tons

ULLA

INCREASING FORCE (Special Dispatch to The Journal.) Vancouver, B. C., March 18.—General Manager Cronin, of the War Eagle and





FLACER OFFRATOR EOFEVUL. A. B. Cousin, manager of the Galice piacers, reached the city last evening after two weeks at the property in Jo-sephine county. There has been in-crease in the volume of the streams, with resultant advantage to the placer miners. Mr. Cousin says the spring and early rains will no doubt bring the sea-son to the usual standard for placer out-put. If there is rain in June and July some of the larger properties, including that of the Galice company, will con-tinue running most of the year. FUNERAL OF OREGON PIONEER IS HELD

Local Pin Knights Promise to Give the Visiting Team a Hard Game This Summer.

Messrs. Williamson, Reating and Me-Menamy are making arrangements for an interstate bowling tournament here of it.

Street Eas Disintegrated. A The eye or the camera is needed to adequately convey what Chestnut street looks like since the snow and ice melted during the fair. F. Clossett and Ed Capen made 492 in F. Clossett and Ed Capen made 492 in one game the early part of the week, which was within eight pins of the alley record for two men, held by Ball and McMenamy. Kneyse, Ball and Mc-Menamy established a new record for three men Friday. They totaled 690 pins in one game. That is bowling a off. Or a ride over it, even if a person were blindfolded, might answer. An

 and McMenamy. Kneyse, Ball and McMenamy established a new record for the graves, Ball and McMenamy established a new record for three men Priday. They totaled 699 pins in one game. That is bowling a first provide a look at it and remarked. "This ball and Kruss for 1400 a side, the man winning eight games to be decided the victor. Ticken and Kneyse are body at look a look at it and remarked. "The Portland Stars bowl a pick-up team with the Portland Stars bowl a pick-up team with the Portland Stars bowl a pick-up team with the Portland Stars on the Scheller would bankrupt a prosperious county. One writer has aptiy described the 'oonsisteney, of corn meal."
"The East Side team and the Schiller for blocks are a round the ord city hall at places are are ound the ord the people who have to ride over it. The worst places are are are man discoutinues is built of the port of the port of the boys are places are are around the old city hall at places are are around the old the port of the port and the ord city hall at the weather holds clear, the same will prove a fine work of the port of the port and the contractor." Said this port is on have the proving the weather body clear the start of the port of t pins in one game. That is bowing a few. The latest individual contest on the ealendar is a 15-game contest between Bail and Kruse for \$100 a side, the man winning eight games to be decided the victor. Ticken and Kneyse are both getting in condition for their match. The Portland Stars bowi a pick-up team this afternoon. The Newburg team will bowi the Portland Stars on the Portland silors March "7

SCHILLERS STRONGER

The East Side team and the Schiller nine will cross bats this afternoon, pro-viding the weather man discontinues isa superfluous amount of damp-In the event that the weather ness. In the event that the weather holds clear, the game will prove a fine contest, for the Schillers, who were de-feated last Sunday, have been strength-ened by the addition of Kirby Drennen and George Hart to their lineup and will be out for revenge and hope to even matters up this afternoon. The addition of such well known play-ers as Drennen and Hart assures the public that a first class team will line up against the crack East Siders. The lineup this afternoon will be as follows: Schillers East Side.

Schillers East Side. McInnis, Druhot. P. Reed. Hunter Blavin C. Budemeler, White Haynes 1B A. Parroit J. Rankin 2B Johnson Fay S. S. Newell Hart 3B Patterson Gray L. F. R. Parroit Drennen C. F. Northrup Crandall R. F. Oliver Schillers CHICAGO NATIONALS Game Scheduled With the Seals

Like Finding Monsy.

Like Finding Monay. Finding health is like finding money so think those who are sick. Whan you have a cough, cold, sore throat or the says: Thad s terrible chest trou-the says: Thad s terrible chest trou-ny lungs: but, after finding no relier in other remedies, I was cured by Dr. King's New Discovery for Consumption, Coughs and Colds. Greates sale of any cough or lung medicine in the world. At Red Cross Pharmacy, Sixth and Oak streets, on the way to the post-and Oak streets, on the way to the post-bottle free.

will have to be made by the board of public improvements and signed by the mayor. Julius G. D. Bischoff, secretary of the street department, stated that he anticipated such action by the board. if, the contractor did not take the initiative. He declined to may whether the street could be "patched up" to meet the requirements of the depart-ment, but indicated that resurfacing throughout would be the best way out of it.

MEET BAD LUCK

Yesterday is Postponed on Account of Rain.

the two levels. It is known that the Badger has been shipping rich ore taken from the 600 and 700 levels, and as Mr. Bradley testifies that the Stockton was opened to this depth by the Badger com-pany, it probably follows that ore has been broken from the Stockton. Of this work the Stockton management testified they knew nothing until they beard the testimony of Mr. Bradley. They never even knew that the Badger claimed a half interest in the property until the certificate of assessment for the year 1963 was filed in the office of the county recorder, and then believed that the

square. A paving square is 100 square feet. When the Chestnut street contract came along there was general complaint about the high prices, and the beard had refused several bids on this score. The price, on this contract was lowered a little. At that the job cost \$6,000 over the estimate. The contract did not call for a new foundation, and the pavement was laid on the old concrete base, ez-cept where this had worn down in places and had to be brought up to the level. It was charged that the contractors changed the street level in places, es-pecially between Broadway and Sixth street, lowering the grade an inch or more. 1963 was filed in the office of the county recorder, and then believed that the Badger had made some mistake in the certificate. This testimony shows that the Badger

street, lowering the grade an inch or more. One "comsideration" in the contract was that the company should receive the old granite blocks on the street and pay the city \$10 per square for them. The company, it is stated, resold them for \$12 per square on the ground. After-ward some of these same blocks were sold back to the city at a further profit and used in paving the approaches to the Grand avenue bridge. A high street department official was summoned be-fore the grand jury to explain this oc-currence, it is said. The price' of bituminous macadam has helped largely to swell the cost of street reconstruction under the Wells adminis-tration, which has averaged over \$51,000 a mile for all kinds of paving, as against \$25,000 per mile under previous admin-istrations. The following additional contracts have been let to the Granite bituminous This testimony shows that the Badger company relies on some technical fea-ture of the notice advertising Moran out of his half interest. He left Susanville about the year 1897, and Messra. Sim-mons and Ames came in the winter of 1898. They never heard of Moran until. after taking a bond on the property and paying for it, they asked for an abstract. William Weish was the original owner, and it was while he held the Stockton that the arrangement with Moran was

and it was while he held the Stockton that the arrangement with Moran was made. After Moran left, Welsh sold to W. C. Gibbs. and Simmons and Ames acquired of Gibbs. So far as the present holders are concerned, they are innocent parties, as they paid \$500 to Gibbs and did not learn of any prior half interest transferred to Moran until they got an abstract. As several years had lapsed since Moran was there, and he had done nothing since departure, the new owners concluded to go through the usual forfeiture publication procedure. They knew nothing at all of Moran's

They knew nothing at all of Moran's

One writer has aptly described the Cheatnut gireet paying us having the "consistency of coin meal." The following additional contracts "Tis rough on the Weils administra-tion, and the contractor." said this gentleman, "but rougher on the people who have to fide over it. The wonth places are around the old city hall at Eleventh street. A good example of what has happened may be seen at this point." The contractors have already started to patch the street up. They began on the worst places, easi of Tweifth street days. Yesterday the caris and furnaces were strung out along Chestnut street for half a block. The gang was not working, howiver. Most of the patch-ing was done on Sunday or at night. They knew nothing at all of alorad a whereabouts. With all of this showing of title in the Stockton company, the Badger com-pany has deliberately crossed the side-line, done a large amount of develop-ment, and probably broken down high-grade ore. That such a concern as the Badger would take the risk until it had least advice is improbable, unless the

t at a low figure. It was while



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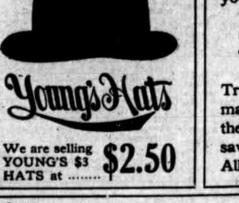
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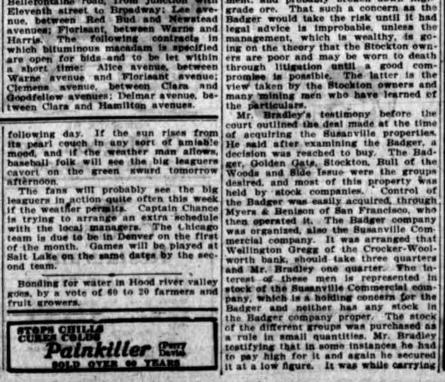
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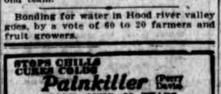
RELIABLE OUTFITTERS TO MEN AND BOYS

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MADE







following day. If the sun rises from its pearl couch in any sort of amiable mood, and if the weather man allows baseball folk will see the big lesguers cavort on the green sward tomorrow