

NET PROCEEDS DISPUTE IS SETTLED

Agreement Reached on Use of Words in Oregon City Canal and Locks Contract and on Amount of Money Due State.

(Salem Bureau of The Journal.) Salem, Or., Aug. 13.—It was agreed between Attorney General Crawford representing the state, and President Josselyn of the Portland Railway, Light & Power Co., at a conference held in Portland this week, that the state's share of the net proceeds from the operation of the canal and locks at Oregon City since 1887 until the suit to recover shall be concluded, should be a sum between \$7000 and \$8000. All sums derived from this source go into the school fund.

For determining the basis upon which to compute the state's share of the net proceeds in the future, Mr. Josselyn and the attorney general agreed that the terms "net proceeds" and "gross proceeds" should be considered as synonymous terms and as to this definition the determination of the interstate commerce commission should be adopted. This agreement entered into by the attorney general is not final until it has been adopted by the state board consisting of Governor and Secretary of State Benson and State Treasurer Steel.

Case Was Ancient History. The Oregon City locks case was begun by the state at the instigation of Governor Chamberlain. Under the old statute the original canal and locks company was loaned \$200,000 by the state of Oregon for the construction of the locks at Oregon City about 1875. As compensation for the loan, the state was to have been paid 10 per cent of the net proceeds annually received from the operation of the locks. This sum was paid only once, after which payments were allowed to lapse. Then this suit was started by the attorney general at the request of the governor.

It was determined by the supreme court nearly a year ago that the state still had a claim on the locks for the sum of \$200,000 and that the suit, but if net proceeds were due the state, but it could not be collected prior to 1907, 15 years from the date the suit was granted.

A settlement between the state and the street railway corporation, which succeeded to the title of the canal and locks, has been sought for several months, since the suit was withdrawn with the result reached by the attorney general at Wednesday's conference. The difficulty was in what was meant by "net proceeds" and how they should be determined.

DALZEL BROWN FREE ONCE MORE Manager of Wrecked California Bank Leaves Prison—Served 15 Months.

(United Press Special Wire.) San Quentin, Cal., Aug. 12.—Dalzell Brown, who was sentenced to 15 months in the wrecked California Bank Deposit & Trust company, was released from San Quentin prison at 10 o'clock this morning, after serving 15 months. He was met at the gates of the prison by his son, Tom, who had a carriage in waiting. Brown, before leaving, pocketed the usual \$5 given convicts when released. He also received 25 cents to pay for his railroad ticket to San Francisco. Then he shook hands with the guards and officers and climbed into the vehicle.

Young Brown drove immediately to San Rafael, where the two sat down to breakfast at a hotel. The father and son took a short walk, after which they returned to the hotel. The ex-convict went down the street toward the union depot, while his son walked up the main street of the town. Ten minutes later, as Brown stood on the corner of Fourth street and Petaluma avenue, a big automobile containing Tom Brown, a chauffeur and three other men drew up at the curb, and Brown, who had been waiting, sprang into the limousine.

A moment later the automobile was speeding up the street toward Petaluma. It is presumed that Brown started to his wife's country home at Lakesport, which lies in the direction the party took from San Rafael.

WILL RUSH THE DESCHUTES LINE

(Continued from Page One.) seen on the streets today by a representative of The Journal. "You look very jubilant," he was informed. "I am very happy," the railroad contractor responded. "I am always happy in the midst of a fight that I know I'm going to win." Then he went on to tell how he and his associates have succeeded in arranging a line of construction camps all along Deschutes canyon. "Things are in splendid shape," he exclaimed. "We are covering the entire right of way, and pushing our work. Our friends are standing by us, and believe in us. That, frankly, is a lot of encouragement." While standing in the lobby of the Oregon Mr. Foster greeted T. F. Greenough, head of the United Railways. "I hear Hill is backing you up Deschutes," said Mr. Greenough. "I don't know just as soon as I heard it, I knew it wasn't so. They've had Hill backing my line, and I know he isn't, so I made up my mind that he hadn't anything to do with your plans either."

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You will have an annual income of from \$3000 to \$5000 if you own a Ten-Acre

ROSEBURG HOME-ORCHARD TRACT

And we are offering you an opportunity of securing one upon such easy terms that it is within your reach. Just a small cash payment, a little each month, and before you know it you have forever gotten away from the eternal grind of office work and are "your own boss."

A BEARING APPLE ORCHARD IS ONE OF THE SAFEST, SUREST PROPOSITIONS IN AMERICA TODAY

Only a few brief months ago 10,000,000 of our American citizens dependent upon a daily or monthly wage were either face to face with actual want or fearful that the next day might entail loss of position and financial distress. Were you one of that number? If so, how did you enjoy being up against the real thing good and hard? You know full well that you may encounter just such a condition again at any time. Then why not prepare for it in time? Thousands of your friends and neighbors are taking time by the forelock and either growing for themselves or allowing some reputable company to develop a commercial 10-acre orchard tract for them.

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- 1. Requires no irrigation for fruit.
2. Shows the least wind velocity of any place in the United States.
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4. Places berries and fruit upon the market earlier than any other locality in Oregon.
5. Produces an apple and pear in color, flavor, size and keeping qualities equal to the best.
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OUR PROPOSITION TO YOU

We are now placing upon the market an 800-acre tract that we have chosen from a multitude offered. This acreage we have subdivided into 5, 10 and 20-acre tracts, which we are offering to the public upon very easy terms. We will plant these tracts to peaches and commercial varieties of apples and furnish scientific care for three years until the peaches come into bearing, and at that time, if desired, turn over a perfect bearing orchard.

Then Why Not Get in the Game Now?

Several have indicated a desire to visit this property on Sunday. We will gladly arrange to include you in the party. For full particulars call at our office not later than nine o'clock Saturday evening

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a call upon Judge C. H. Carey, counsel for the Oregon Trunk.

Would Not hinder Harriman. "I would like to have the point prominently brought forth," said Judge Carey, "that the Oregon Trunk railroad by its injunction is not seeking in any way to hinder the work of the Harriman people, except in such places as overlapping surveys make additional work on our part, incidental to our interests."

"Our injunction covers short parts of the right of way, 40 miles from the mouth of the Deschutes, and then for 60 miles beyond. At places along this distance one survey laps on the other. Our injunction has reference to these sections only. We have nothing to do with the Harriman right of way at other points and if they really mean to build a railroad they have enough work to last them a year without trespassing on our interests. The hearing of the injunction was delayed until next Tuesday at the request of Mr. Cotton, counsel for the Deschutes Railroad company. Meanwhile, by consent of counsel on the other side, we filed what may be termed an amended application for injunction, but which is, as a matter of fact, merely a corrected copy of the original application. The original was hastily gotten up. It contained clerical errors and mistakes in descriptions of the properties. In the amended application corrections have been made. We make no doubt of our ability to win this suit."

cal errors and mistakes in descriptions of the properties. In the amended application corrections have been made. We make no doubt of our ability to win this suit. Harriman interests are as confident of success. Judge J. W. Twoby of Spokane came to Portland this morning, accompanied by his wife and daughter. He will remain here, he says, to represent the interests of the contracting firm of Twoby brothers, who are operating for Harriman in Deschutes. W. W. Cotton, chief counsel for Harriman interests, also expressed his belief that it will be easy to protect the interests of the Deschutes railroad company.

MAZAMAS REST AT CAMP GORMAN (Special Dispatch to The Journal.) Camp Gorman, Mount Baker, Aug. 13.—The chief event of Monday was the return of the fishing party from the South Fork of the Nooksack, after a hard tramp of 20 miles up and down steep canyons and over Box mountain. They brought back with them 250 trout, 60 pounds, the largest weighing three pounds. These were cutthroats and Dolly

Vardens, and furnished a royal breakfast for the Mazamas Tuesday morning. Although the trip was a hard one, sufficiently so to tire the hardest mountaineer—"worse than climbing Mount Hood, twice over," in the words of one member of the party—nevertheless the two boys of 12 years, Alden Burrell and Jack Montague, stood it well, proving themselves of fine mettle. "I'll be jumped if I will let anyone carry my blankets," said Alden Burrell, when they began the climb of Box mountain. And it was only by main force that his pack could be removed from his back, and a humble frying pan substituted instead.

John A. Lee had a thrilling experience. Standing on a soft hummock of earth he suddenly felt it give way under his feet and he found himself, to his surprise and dismay, sitting in a large hornets' nest, while the equally surprised and enraged hornets attacked him in every vulnerable spot on his body left exposed to their fury. Notwithstanding the exhausting trip, climbing down and up precipitous canyon walls of 3000 feet with a 40 pound pack on one's back, the various members of the party, Mr. Ridley, Dr. Stone, John A. Lee, H. H. Hiddell, C. V. Whitefleyer, R. W. Montague, his son, Jack, and Alden Burrell, enjoyed their trout breakfast Tuesday morning with the other Mazamas, apparently as fresh and jubilant as any in camp.

Among the newest additions to Camp Gorman are some leading members of the Appalachian club, Boston, Mass., E. W. Harnden and G. D. Emerson, who with G. W. Humes of Fort Angeles, Wash., arrived in camp Sunday fresh from their climbs in the Canadian Rockies. The Bellingham party arrived Monday night, making the ascent to Camp Gorman in one day. In this party are A. J. Craven, E. A. Sprague, Henry C. Engberg, Will D. Pratt, Caspar Carver, Martin Easton, Charles F. Easton. On Monday a successful ascent of Mount Baker was made by Mr. Harnden, Mr. Emerson and Mr. Humes, who obtained some fine photographs of the seracs and crevasses. A dangerous and exciting descent to Deming glacier near camp was made by Dr. Hahn, W. Armstrong and W. F. Hardesty. The climb of the precipitous cliff which overhangs the glacier proving almost a death trap. Their aim was to find a safe route for the other Mazamas, but none could be found.

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COME TO THIS SALE TOMORROW

Women's \$2 and \$2.50 Oxfords at \$1.25

Tan kid, black kid, gummatel and some patent leathers; light soles, extension soles and some with Goodyear welts. A lot of good style shoes, that will fit right and give absolute satisfaction. All taken from our regular, reliable stock. All sizes from 3 to 8, in some styles.

Men's \$20.00 - \$25.00 Suits at \$12.00

The Suit sale that has been the sensation of the season. Never have you seen such values as these. Elegant, classy clothes, splendid in material and perfect in construction, at a small fraction of regular price. They are going fast. Assortment of small sizes, 34 to 39, is best.

Men's \$15 Suits, \$9.00

Odd lots of men's Underwear, 35c and 50c grades, at 25c.

Corsets Worth 75c at 49c

A special product of the American Lady factory. Straight front, white batiste. Corset, long over hips, hose supporters attached, "Wye-stayed." A splendid fitting, well-made Corset at a special price.

35c Adjustable Window Screens at 27c

Adjustable, 24 to 33 inches. \$1.25 to \$1.50 Long Silk Gloves 75c

Long 12 and 16-button length, of double tip, pure silk. Gloves, that sold regularly to \$1.50; two-class styles; colors are black, white, gray, tan, red, blue and champagne.

\$1 Tailored Waists at 58c

White and fancy stripe tailored Waists, all nobby, new styles. See window display.

Ladies' 20c and 25c values in Sleeveless Vests, at 12c

Children's Fine Ribbed Stockings, 15c Values at 9c



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