

COURT WEIGHS CONFLICTING EVIDENCE

Deschutes Injunction Taken Under Advisement by Judge Bean After Introduction of Stack of Affidavits and Arguments.

Decision as to the Deschutes injunction suit brought by the Oregon Trunk railroad against the Deschutes Railroad company now rests with Judge R. E. Bean of the federal court. Four days' arguments by W. W. Cotton for the defendant company and Carey & Kerr for the plaintiffs were concluded late yesterday afternoon and Judge Bean announced that he would take the case under advisement. As both parties to the litigation are anxious to push construction work in the southern 40 miles of the canyon affected by the suit, a speedy decision is anticipated.

In closing his arguments for the Harriman interests yesterday afternoon W. W. Cotton formally summed up his allegations of fraud against the Oregon Trunk by saying, "They declare there is no canyon in Deschutes, then they attempt to take advantage of the canyon laws. They take advantage of a little public sentiment to say that Harriman is blocking railroad construction into central Oregon, when the only purpose for which the Oregon Trunk was ever incorporated was to block the construction of our railroad."

Dramatic Wind Up.
Turning from the court, Mr. Cotton hurled his indictments straight at the opposing counsel, Carey & Kerr. Showing a fervor unusual to him he was about to continue, then suddenly interrupted by saying, "I had better stop. I will say something for which I will be sorry if I do not."

The main body of Mr. Cotton's concluding argument was based on the allegedly illegal survey of the Oregon Trunk railroad. Taking up the case of prior rights he declared that as April 3, 1896, had seen the first incorporation of the Oregon, and as the Harriman interests had organized in Deschutes canyon some time previously that the latter should properly be regarded as the first in the canyon. Cotton's was purely a legal argument based largely on references made to decisions in similar cases.

So personal had Mr. Cotton apparently become in his charges of fraud against the counsel for the Oregon Trunk railroad that at the close of the session, Judge Carey rose to what he called a question of personal privilege, asking the court if it were necessary to admit without protest to Mr. Cotton's anathemas. Before Judge Bean had a chance to reply Mr. Cotton himself stated that if he had said things which were offensive or hurtful to the reputation of Judge Carey or Mr. Kerr that it was done in the heat of argument and was not an expression of his personal opinion.

Following Mr. Cotton's admission yesterday that the southern Extension Railroad company, which has rights of way on the east bank of the Deschutes river, had been organized by the Harriman interests, Judge Carey announced that he will file today a supplementary complaint to his bill praying for injunction against the Deschutes company, using Mr. Cotton's admission as basis for the allegation that the Harriman interests have tried to work up the most of the canyon in such a way that no railroad project, other than that concerned in their own interests, should gain access.

This week's litigation in the federal court has concerned itself with the application of the Oregon Trunk Railroad company against the Deschutes Railroad company to secure an order temporarily restraining the latter company from continuing construction work over some 12 miles of a 40 mile right of way, where the surveyors' lines of the two railroads coincide and cause a conflict. The Harriman restraining order relating to points of conflict on the lower 40 miles of the canyon has yet to be argued before the federal court. This suit was originally filed with the state court but was later removed to the United States court.

THE STRANGER WITHIN OUR GATES

Henry V. Covert, Cedar City, Utah: "A peculiar thing in connection with the old Mountain Meadow massacre is that where once was a beautiful valley through which rippled a stream of pure mountain water is now a burning desert infested with rattlesnakes, centipedes, scorpions and other poisonous reptiles. Superstitious people claim that the atrocity of the crime committed there was too much for nature, and a veritable hades is the result."

"There should be a law compelling everyone to fight the fly. There are so many people in this world who will not take the trouble to prevent flies from breeding around their kitchens, and unless some strict measures are adopted the successful fighting of the house fly in the remote future," said Dr. A. N. Kellogg, Quincy, Ill.

"Don't paint your house red," said C. A. Yancey of Hale, Mass., at the Oregon today. "Red paint draws heat, and for some reason it seems to make the heat more sickening, especially in the south. I know no reason for this, but it is positively true. I have experimented with it for years. Green is the best color so far as the house is concerned, but white is the most healthful of all colors."

"It will be a good thing when airships become a successful means of navigation," said Milton W. Townsend of Bay City, Wis., at the St. Charles today. "The American people are fast travelers. Not enough speed has yet been developed to suit them. This is substantiated by the fact that the mining man gets into an automobile he immediately becomes a speed maniac. Can't blame the man. It's only nature asserting himself."

"A few years ago," said Richard P. Mayhew, Tallahassee, Fla., at the Nortonia today, "I had 50 cents. I found a book which said that the power of mind could be used to bring about any result. I immediately set my mind to the fact that I wanted to become wealthy. Every day I thought of it every night I dreamed of it. Shortly I began to notice a slight change. Every deal I made resulted greatly in my favor. I am in the real estate business and when I endeavor to sell a piece of property I operate my mind to its greatest capacity to induce the customer to buy. Great scheme. At least I never lost anything by it. I have averaged \$10,000 a year for five years and my prospects now are brighter than ever."

Wheat Farmer Buys Land.
Special Dispatch to The Journal.
Athens, Or., Aug. 21.—T. J. Kirk has bought 240 acres of choice wheat land from the Bitter creek on the Umatilla reservation. Mr. Kirk will build a fine house on the place and make it one of the most desirable ranches on the reservation.

SECRETS OF HOW TO BECOME AN ACROBAT TOLD BY EXPERT



Clown and Rider in Characteristic Pose.

By George W. Belford, Head of the Famous Belford Family of Acrobats, with the Ringling Bros. Circus.

How long does it take to become an acrobat? That's a question that is difficult to answer. Some boys will learn to be useful in an act in six months; other boys might die of old age before they would be worth paying transportation for. In a word, an acrobat, while he may not be born, is not made. He is one by instinct; he develops.

Any boy who has it in him to become an acrobat—or tumbler—had better make up his mind right off that it is not a life of ease. It is full of hard work. The three rules are practice, more practice, still more practice.

Health Will Come.
A boy should not be more than 10 or 12 years old to start. At that age he is limber and lithe. His bones are not too hard to become accustomed to the sometimes unnatural positions which he is forced to assume. He should have perfect health, though he need not necessarily have good lungs; they will come when he begins work; he need not be a Hercules; strength also will come with practice.

The boys who make the best acrobats generally, though not always, are country boys. Gymnasium work under a qualified physical trainer will do no harm, though all of my boys started as greenhorns.

The First Lesson.
The first thing to learn is to walk on the hands. This is a common trick of boyhood, and hundreds of lads are as much at home on hands as on feet. The way to begin is to learn to stand on the hands. Practice against a wall, or door until you can stand easily for five minutes without getting dizzy. Your back should bend backward and the head be lifted so you can see where you are going.

When you have gained strength in the

arms then try a step or two. At first you will lose your balance. But keep on trying. Success may come slowly at first, but if you stick to it, it will come surely.

Then the Cartwheel.
After learning to walk on the hands, learn to turn a cartwheel, another common boyhood stunt. Of itself this may be of little use, but it gives ease and grace and serves to limber up the muscles.

Become a Circus Acrobat.
This is about as far as you can go by yourself. If still anxious to become a circus man you should join some troupe of acrobats and place yourself under the care of the principal member, who will carry on your physical development from the place you left off.

The first lesson you will have under a master will be turning a flipflap, or back handspring. This is quite difficult at first. There is a knack about it and to hasten development a mechanic is used.

Give Him Confidence.
A mechanic is a derrick, with a rope attached to the pupil in such a way that in case he should fall or not land properly he can be lifted from his feet or caught into the air on the rope.

Just as soon as the pupil learns that he cannot hurt himself; that if he is in danger he will be guarded, he gains confidence. Then his progress is rapid. The real secret of the somersault which follows the flipflap is to "tuck" or "tuckin"; that is, double up, with arms clasped around the knees and legs up against the chest. This makes one turn easily in the air by straightening out at the proper moment; when the turn is made, one stops turning and will land on his feet without trouble.

Acrobatics are healthy. They have done wonders for me. When I started in as a lad I was inclined to consumption. Today after 36 years I am in perfect health. It is full of hard work. I practice two hours a day, but a new boy should stop before he is tired. Three single hours of work are better than one stretch of four.

Clubs No Longer Tramps.
The old idea that a boy in the circus had his ability beaten into him with a club is a thing of the past. I strive to gain a boy's confidence. You know you can lead a horse to the water, but if he isn't thirsty he won't drink. It's the same with a boy. I have never had a serious accident with my troupe, and it's all due to the fact that all trust me.

I started in this business 36 years ago, when I ran away from home and joined the Noyes, formerly Thayer-Noyes show. At first I worked on the trapeze, but I gave that up.

Working aloft requires a difficult sort of grip. The work there is easier, really, but it requires more nerve than on the ground.

If every boy in this land would put in one hour a day at gymnasium practice the health of the country would be improved wonderfully. It will make a weak boy strong and a strong boy a Hercules. Like every other business, there is no secret of success but hard work in this. All talk of secret liniments or oils is foolishness. The only grease I use is practice, but I do use that in big quantities.

Weston's Water Trouble Ended.
Special Dispatch to The Journal.
Weston, Or., Aug. 21.—The city marshal has just finished clearing the headworks of the water system of stones and rubbish, discovering in the work the cause of the annual water shortage. Every season Weston has had trouble during the hot weather, and larvae have suffered from the shortage of water. The springs have been

Soldier Bails Death Plot.
It seemed to J. A. Stone, a civil war veteran, of Kemp, Texas, that a plot existed between a desperate lung trouble and the grave to cause his death. "I contracted a stubborn cold," he writes, "that developed a cough that stuck to me, in spite of all remedies, for years. My weight ran down to 130 pounds. Then I began to use Dr. King's New Discovery which restored my health completely. I now weigh 173 pounds." For severe Colds, obstinate Coughs, Hemorrhages, Asthma, and to prevent Pneumonia it's unrivaled. 50c and \$1.00 Trial bottle free. Guaranteed by Woodard, Clarke & Co.

New Town of Taylorville.
Special Dispatch to The Journal.
The Dalles, Aug. 21.—A new townsite, Taylorville, has been laid out on Alber Taylor's place, seven miles west of

Dufur. It is in a section of country that has settled up in the past five or six years, and is considered a splendid apple country.

Parish Party at Dalles.
Special Dispatch to The Journal.
The Dalles, Or., Aug. 21.—One of the

most brilliant social events of the summer was a parish party given by the ladies of the Episcopal guild on the lawn of Mrs. Webb's residence, Thursday evening in honor of Rev. and Mrs. H. C. Collins, who were visitors in the city. Rev. Dr. Collins was for several years rector of the Episcopal church here, but is now located at Hood River.

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Hello Peoples! How-de-do! I'm Kaptin Kiddo



THE TURR'BLE TALES OF KAPTIN KIDDO

Pictured by GRACE G. WIEDERSEIM Childhood's Only Caricaturist
 Storied by MARGARET G. HAYS Chronicler of Juvenile Romances

Begins in The Journal of Saturday, August 28

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