

PATENT RIGHTS OF HASSAM PAVING AT STAKE LAWSUIT

Judge Bean to Decide Monday on Demurrer to Complaint in Suit Over Payment of a Royalty.

Judge Bean in the United States circuit court will be called upon to decide tomorrow whether a payment, composed of concrete, mixed with sand and gravel and small rocks, is properly to be called asphalt, or is a Portland cement concrete.

The suit is that of the Hassam Paving company against the Consolidated Contract company, to restrain it from carrying out its contract with the city to pave certain streets according to specifications which the Hassam company claims, call for the so-called Hassam pavement.

The complaint sets forth that the Hassam pavement is a patent process, that the secret of it was discovered by a man named Hassam, living in Worcester, Mass., and was patented by him, and therefore that the city has no right to lay the paving known as Hassam is with the company he organized.

Attorneys John H. Hall and Jesse Moore for the Consolidated Contract company have demurred to the Hassam company's complaint and it is that demurrer that will be argued before Judge Bean tomorrow. It is claimed by the contract company that the paving called Hassam was in general use before Hassam secured his patent, that for many years before roads similar to the so-called Hassam paving were in general use, that macadam, for example, in the same process as that which Hassam has added to make a stronger grade, or binder, for holding the crushed rock and sand together.

Royalty of 80 Cents. It is claimed by them that the Appian way, built by the Roman emperor Appian Claudius, seems to have been made in much the same way as the paving over which there is a dispute.

The question is of very great importance in Portland property owners because of the vast area of city streets. If it is found we do not have to pay a royalty on this paving, said Mr. Hall. "Under present conditions the Oregon Hassam Paving company will allow us to lay what they term their paving if we pay them a royalty of 80 cents a yard. And yet the city of Lowell, Mass., is fighting the Hassam company on practically the same grounds as we are, claiming the paving is unpatentable, while the royalty charged there is but 10 cents per square yard. At first our clients would have paid so small a royalty as that but since going into the case we have determined that the whole question of the patent is apparently indefensible and we hope to be able to prove it by cutting the price of paving to \$1.35 at least."

MORRIS CONFERS WITH CAMERON IN LOUIS WILDE CASE

Will be pressed if he assists the state to the extent of his knowledge in the trial of his alleged co-conspirator. The trial of Wilde has not been set, but it is thought it will be held at the November term of the circuit court. Wilde is under \$20,000 bond to appear when he is wanted, being now at his home in San Diego, where he has large financial interests.

LEWIS RIVER BRIDGE TO BE NEAR WOODLAND

Woodland, Wash., Oct. 14.—State Highway Commissioner Roberts, Consulting Engineer J. W. Bowerman and Chief Engineer Will R. White of the State Highway commission, and G. L. Ehlund, of Castle Rock, chairman, and Commissioners A. M. Gray and C. C. Rullison of Cowlitz county, and Bert Blaker, chairman, and D. W. Wright and W. S. Lindsay, county commissioners of Clark, met in Woodland today and decided on the location of the state and inter-county bridge across the north fork of the Lewis river, the location being at or near the present ferry above the main part of the town of Woodland. It will not be more than eight months before the bridge will be completed and the completion means a great deal to both Woodland and Cowlitz county and to Clark county adjacent to Woodland in the Lewis river valley.

WOMEN SPEAKERS AT SEX HYGIENE MEETING

Mrs. Adah Wallace Unruh, of the W. C. T. U., will preside at a sex hygiene meeting which will be held tomorrow night under the auspices of the Portland common council in the Unitarian chapel, Seventh and Yamhill streets. The meeting is for women and should prove of great interest to all mothers and those who are interested in the proper measures being taken for the protection of young women and girls. The meeting will begin at 7:45. The speakers at this meeting will be Mrs. Minnie R. Trumbull, whose subject will be "The Girl Who Earns Her Own Living," Miss Minnie Michner of the Portland common council, who will speak on "Temptations of Girls," and Dr. Florence Hanson, who will discuss "Venereal Diseases as Inheritances." Mrs. Edward S. Elliot will open the discussion. Plans for the formation of an association to investigate social questions and provide remedies as far as possible will also be discussed at this meeting.

1000 Attend Freshie Reception

Oregon Agricultural College, Corvallis, Or., Oct. 14.—Last night the freshmen at Oregon Agricultural college were entertained at the gymnasium by the senior class. The affair was the annual senior reception to the new men, and there were 1000 guests present. Speeches of welcome and some advice to the incoming men were delivered by Jay E. Green, president of the senior class, and by Dr. Whitcomb and Professor Feary. Coach Sam Dolan of the football team aroused the meeting to unbounded enthusiasm by his speech on college spirit. He showed the new men especially how important a factor the united backing of the undergraduates is to the representatives of the college. The fun was ended by a dance, the music being furnished by the college orchestra.

SAYS HE IS GROWING TO RESEMBLE NAPOLEON



Photographs submitted by John Arnetting Chalmers to show how he has grown to resemble Napoleon I. On the left is a recent picture of him and on the right a photograph of a young Napoleon I. Mr. Chalmers appeared before the United States commissioner at Charleston, Va., to make a deposition as to his resemblance to Napoleon I. He is now 31 years old and has been a resident of this city since 1897, that he would develop a physical resemblance to Napoleon Bonaparte had actually been born a son. Photographs were introduced to support his assertions of a facial metamorphosis.

M'INNIVILLES WIN FROM PACIFIC COLLEGE

McMinnville, Or., Oct. 14.—In a fiercely contested game from start to finish McMinnville High school won over Pacific college this afternoon on Lincoln field in the first football game of the season. The score of 4 to 9 shows the respective merits of teams.

The high school, though outwitted by their opponents, scored its own goal. The feature of the game was Captain's superb punting for the high school, his punts being equal to those of some of the big university teams.

The only score of the game was made in the last quarter with six minutes to play, when quarterback White crossed the line and made most of their yardage on straight football. Stone at the end for high school played a great game and especially on running down points and recovering the ball, but received an injury and was forced to retire in the fourth. Quarterback White played a great offensive game and Woods and Hill gave a good account of themselves.

Captain Smith at the end was a tower of strength for Pacific. Lewis and George also played between Newberg and McMinnville.

TOBACCO TRUST TO BE DIVIDED INTO FOUR COMPANIES

The business of manufacturing tobacco trusts. By reason of its ownership of the two-thirds of the ordinary shares of the British-American Tobacco company it has a controlling position in trade with and in foreign countries. Its control of two-thirds of the stock of the Porto Rican-American Tobacco company makes it the most influential factor in the manufacture of Porto Rican tobacco. Because of its ownership of two-thirds of the stock of the United Cigar Stores company it is an important factor in the retail tobacco trade.

REORGANIZATION PLAN DECLARED EVASION

New York, Oct. 14.—The plan of dissolution which the American Tobacco trust will ask the federal courts to approve was bitterly attacked tonight by President Ira Morris, of the Independent Tobacco Salesmen's Association of America. Morris asserted that the proposed decree was an obvious evasion of the supreme court decree.

Aviator Rodgers Flies Over 9th State; Skyrockets From Kansas Into Oklahoma

Three days for the transcontinental flyer. As Rodgers hoped the hour to see a better chance heading from the north, and finding the Kansas winds which he had been warned against, he swung wide and skinned into Iowa and then. The wind was stiff and the sky was lower than his a few days. Rodgers worked from 10 to 12 on each wing. He came down a mile west of Russell Creek for oil and gas, making a beautiful landing in the face of a 25-mile gale which was full of horns and horns. The night at this point at the Oklahoma twilight was descending into black night. The total flying time from the time he swung away from Brown park in Kansas City to this point at this point was 271 minutes for 184 miles.

LEWIS RIVER VALLEY EXHIBIT IS CONCLUDED

Woodland, Wash., Oct. 14.—Today closed the third annual exhibition of the Lewis River Valley Fruit Growers' exhibit, and while the exhibit has not been so heavy as in the two previous years, the quality of the fruit shown is far ahead of what the previous exhibitors have presented. Many have been in attendance who did not bring in any exhibits, and a great many outsiders, including visitors to the northwest, have visited the show in order to inform themselves as to the character and quality of the products of this section of the country.

Costly the health of the pure one, but not so costly as the health of the man. For the apparel of the pure one, the man. —Blackburn.

To be Well Dressed is not necessarily Expensively Dressed.

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Suits and Overcoats Tailored to Please \$25 to \$65 All the Latest Designs and Colorings to Select from

No trouble to show goods. Guarantee to order in a day if required. Satisfaction guaranteed in all cases. Full dress and leisure suits a specialty.

WILLIAM JEROME SOWS 108 Third St. Quarter of a Century in Portland.

60 FRESHMEN ARE PUT THROUGH INITIATION

The student body of the law department of the University of Oregon, numbering 160, met in the hall in the Ballinger building last night, and after the class of 60 freshmen had been put through the time honored initiation rituals elected officers for the coming year. Ben Wagner was elected president, E. H. Whitney vice president, J. McClure secretary, Frank Higin treasurer and Patrick Murphy sergeant at arms.

SMALL CHECK CATCHES SOLDIER OF FORTUNE

New York, Oct. 14.—A check for \$25.00, marked "M. G." got James D. Hallen, soldier of fortune, a former professional revolutionary and discharged lawyer, into the hands of the police today, and they welcomed him as an old friend. Hallen conducted his own case, and "agreed" to permit his case to be continued. In 1910, the New York police wanted Hallen for swindling Mrs. Sarah Caldwell out of \$14,500 on a forged note. For five years they trailed him through Europe, to Panama, Peru, Japan, China, Russia and finally arrested him after he had returned and lived in New York for a year where he was posing as a broker and getting away with it. Following his arrest numerous other complaints were made against him. He spurned a lawyer, saying, "I've fought more law than they ever know." Hallen once got \$11,000 from a Nicaraguan revolutionary junta for ammunition. When the boxes reached Nicaragua they were found to contain junk.

Your Home Can Have a Piano Now



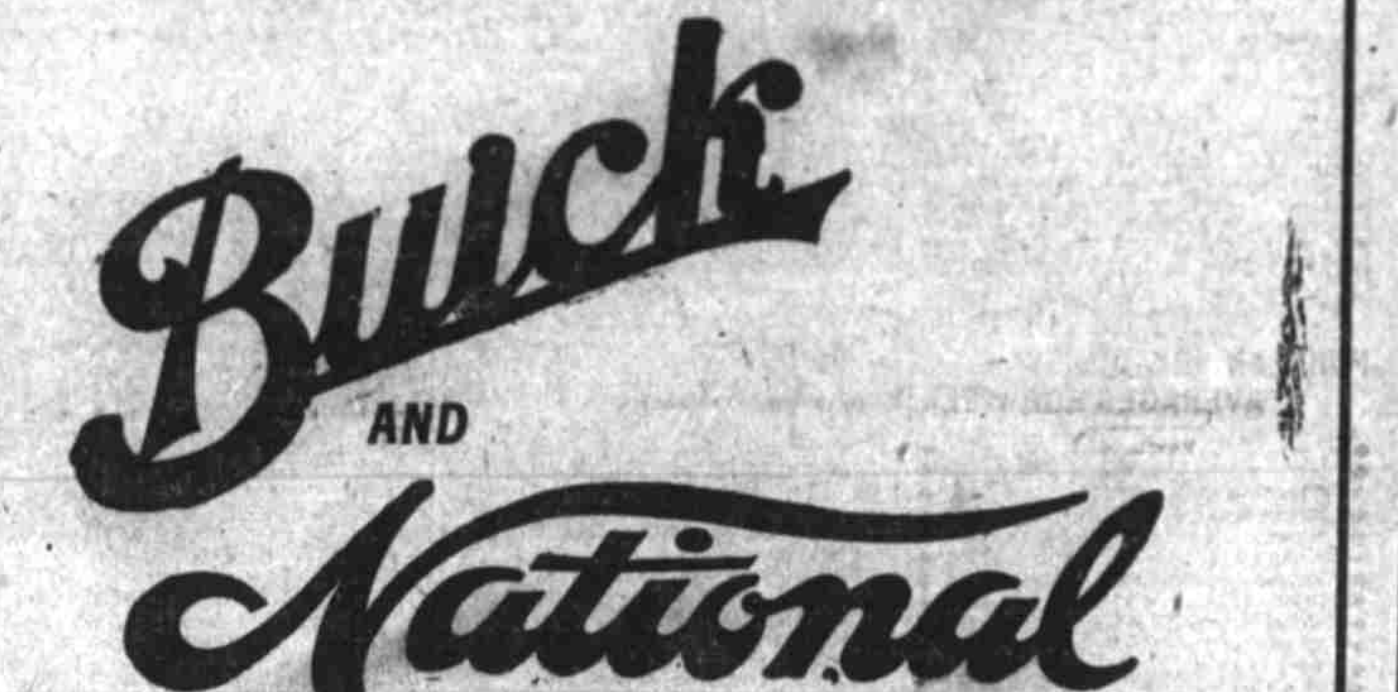
A New Rental-Payment Plan A Real High Grade Instrument to Be Obtained Now on Same Terms as Is Paid for Rent

Pay \$6 Down and \$6 a Month and Own a Piano in Every Way Better Than Any for Which \$425 or More Is Asked Elsewhere

Any home can spare twenty cents a day, thus every home worthy the name can now have a fine piano. It is necessary for dealers to charge at least \$425 for a thorough serviceable and in every way satisfactory upright high-grade piano. See the pianos for which your friends have paid this price. Also see the best instruments to be had anywhere at \$425. Investigate the soundboard, the hammers, music do we furnish this instrument at the wires, the finish, and, wonderfully reduced price, made possible by the Eilers system of piano merchandising, but we deliver it upon payment of \$6 down and \$6 a month, an appropriate stool being included at this low price. Any time within three years these pianos will be accepted in part for any new Chickering Baby Grand or a genuine Antipiano and the full price now paid. There is no excuse for any little girl or talented boy not having the benefit of a good, first class piano now.

Eilers Music House, now at Seventh and Alder, the Nation's largest dealers in Pianos and also in Talking Machines.

You Can't Beat 'em!



AND National Won Three Out of Four Events at SANTA MONICA CALIFORNIA Saturday, October 14th

National Stock "40"

HARVEY HERRICK, (amateur) Won Free-For-All, breaking world's record, averaging 74.9 miles per hour for 200 miles

National Stock "40"

CHARLES MERZ, driver, Won the Heavy Car Race, establishing a world's record of 74.4 miles per hour for 151.5 miles.

Buick "Twenty"

the smallest car of all the starters in the great races and A 1908 BUICK AT THAT won the 230 cubic inch displacement event at 101 miles over eight other cars of 30 horse power.

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