

OIL PROMOTER IS CONDEMNED BY OWN PROSPECTUS

"Greatest Oil in World on Our Property," It Said, So Supreme Court Does Nothing for Whiteaker.

(Staff Correspondence.) Salem, Or., Jan. 28.—Vendors of "blue sky" stock were given another jolt today by the supreme court when a decision was handed down affirming the conviction of W. H. Whiteaker of Portland for his connection with a fraudulent transaction by which the Lake Oil-Gas Pipeline company, of which Whiteaker was president, traded its stock for land in Multnomah county owned by Mrs. Emma A. Smith and her daughter.

"The opinion points out that the state relied upon the prospectus of the company, across which was printed in bold type: 'Another great opportunity in oil enterprise. The greatest oil in the world is found on our property.' The prospectus contained pictures of gushing wells, of derricks and wells, of parties on the surface of the ground dipping oil from a hole, etc.

"Not only the prospectus, but the bottle of oil labeled as 'taken from our property,' was a proper exhibit to go to the jury as a token in connection with the prospectus."

Madison Leffingwell, appellant, vs. Lane county, is reversed and remanded for further proceedings. The plaintiff owns a quarter section of land in road district 2 of Lane county, and an effort was made in 1910 to levy a special road tax by the vote of a taxpayers' meeting held under the provisions of the amended law of 1909.

Seven Other Opinions. Other opinions were handed down as follows: Ralph E. Love vs. Chambers Lumber company, appellant, appealed from Lane county; action for damages; affirmed.

UNITED STATES LOST 43 OUT OF 300 AVIATORS

Berlin, Jan. 28.—Statistics of "accidents in the air" for 1912 published here today show that one aviator in every 32 met death during the year. The United States heads the list with 43 deaths out of 300 aviators; Germany, 61 deaths among 1,500 pilots, and France, 72 deaths among 2,000 "fliers." The total number of aviators is given at 6,590.

CRUISER'S SIDE PLATES CRUSHED IN, OFFICERS ALL PLEAD IGNORANCE

When California Is Drydocked 175 Feet of Port Side Is Exposed; Expect Trials.

(United Press Leased Wire.) San Francisco, Jan. 28.—With plates covering a distance of 175 feet on the port side crushed in and otherwise looking as if she had been raked from stem to stern by some hostile flotilla, and with no one on board able or willing to explain what happened to her, the cruiser California lies in dry dock at Mare Island today.

SET DATE FOR PASSING SENTENCE UPON ROWE

Sentence will be passed upon H. L. Rowe, who pleaded guilty to a charge connected with the vice scandal, on February 10. The date was set this morning by Circuit Judge Morrow. Attorney Emmons, Rowe's counsel, announced that Rowe will return from Duluth, Minn., for sentence.

DRINK CURSED INDIAN A SUICIDE, 3D IN YEAR

(Special to The Journal.) Pendleton, Or., Jan. 28.—Dependent over the emptiness of his life, Anthony Sumpkins, a well known Indian of the Umatilla reservation, last evening placed a 30-30 rifle to the pit of his stomach and pulled the trigger. He died instantly. The tragedy occurred in his home near the agency and in the room where a squaw and three children were sleeping.

N. P. TRAINS ARE ALL RUNNING ON SCHEDULE

All storm trouble on the Hill lines in the northwest is over and beginning today, all local and main line trains are restored to former schedules. The lines again are handling all passenger and freight business up to their normal capacity. The Northern Pacific main line through the Cascades, which probably gave the most trouble, is entirely cleared. During the recent heavy storm, the line never was blocked completely, but passenger trains could not be kept on schedule. Some of the local and less important main line passenger trains were discontinued during the trouble to give opportunity to move the perishable and time freight.

IN 3 YEARS CITY LAID 183 MILES OF WATER MAINS

Chief Engineer Clarke of the Water Department, in Report, Shows Rapid Growth of Portland.

A comprehensive illustration of the great progress and rapid growth of Portland in the past three years is shown in the annual report of Chief Engineer D. D. Clarke of the water department. The report, which covers the year of 1912 and was filed today, states that 71 miles of water mains were laid by the city during the year and that a total of 183 miles of mains have been laid during the past three years.

"This means that 462 miles of water mains, four inch and over, now in use," reads Engineer Clarke's report, "within 19 per cent of half has been laid in 36 months. This mileage does not include any of the small pipes of galvanized iron or wood, either laid by the department or purchased from private water plant."

O.-W. GIVES TENTATIVE PERMISSION FOR ROAD OVER ITS RIGHT OF WAY

(Continued From Page One.) ing adjourned to meet as soon as reports are ready. The survey of the roadway calls for encroachment of the railroad's properties for approximately five of the fifteen miles that will be built in Multnomah county provided the highway is constructed. In making the survey, Mr. Holbrook kept away from the railway line when he could, but in a number of places the rough topography of the country forced him to run the line over O. W. & N. holdings.

'HUMAN BOMB' GETS 20 YEARS IN PRISON

(United Press Leased Wire.) Los Angeles, Cal., Jan. 28.—Twenty years in the state penitentiary at San Quentin was the sentence meted out today to Carl Reidelbach, alias Warr, who was convicted of placing dynamite in a public building. A motion for a new trial was denied.

MINNESOTA DEFEATS SUFFRAGE

St. Paul, Minn., Jan. 28.—The amendment granting the ballot to women was defeated in the state senate this afternoon by a vote of 23 to 33.

SOME WORK 18 HOURS ADMITTED; IT ANGERS HAWLEY MILL, IS

Lot of Oregon City Toolers Will Be Remedied by Law if Necessary, Says Senator.

(Staff Correspondence.) Salem, Or., Jan. 28.—For three hours last night members of the senate committee on industries heard testimony concerning the conditions of labor in the paper mills at Oregon City. The senate chamber was crowded, over 100 employees who interposed on a special train, headed by the manager of the Willamette Pulp & Paper company, B. T. McEalen.

All of those who appeared before the committee were opposed to the bill, and several had sharp clashes with Senator Dimick who interposed them. Dimick sought to show that those who talked against the bill were "straw bosses," or had particular reason for supporting their employers.

ASK COMPLETION OF RIVER REVETMENTS

(Washington Bureau of The Journal.) Washington, Jan. 28.—Members of the state legislature from the district affected have memorialized Senator Chamberlain to take immediate steps to secure completion of revetments in the Willamette river below Independence, alleging that the river is undermining already done, destroying rich agricultural lands, changing the channel and threatening navigation on the upper Willamette above Salem.

BOLOMEN ATTACK U. S. TROOPS, KILL 1, HURT 6

(United Press Leased Wire.) Manila, Jan. 28.—One American was killed today and six wounded when bolomen of the island of Jolo attacked two troops of American cavalry and a detachment of native constabulary. The Moros were routed.

WORRIED LIQUOR MEN OFFER TO WIPE OUT NEWBERG'S NUISANCE

(Continued From Page One.) objection, however, to amending the bill so it will not interfere with the serving of liquor on trains that pass through the state. He is not inclined to agree that the teeth be extracted from the bill.

HEILIG THEATRE TONIGHT AT 8

FRONTS MAIN 1 AND A-1152. TONIGHT AT 8 Every Night Special Price Matinee Tomorrow. KLAU & ERLANGERS Stupendous International Production

BEN-HUR 200 People. 12 Chariot Horses

NIGHT AND SATURDAY MATINEE PRICES. Lower floor, excepting last 4 rows, 12c. Last 4 rows, 15c. First 5 rows balcony, 15c; remainder, 10c. Adm., 50c. SPECIAL PRICES WEDNESDAY MATINEE. Lower floor, 15c. Balcony, 10c. Adm., 50c. REMEMBER EARLY CURTAIN. Evenings at 8; Matinees at 2.

GOVERNOR'S VETO UPHELD IN HOUSE

Seven Are Local Fish and Game Measures; Tomorrow When Nine More Vetoes Come Up, Fur May Fly.

(Staff Correspondence.) Salem, Or., Jan. 28.—The last rites were said in the house today over eight more vetoed bills of the last session. "Not a word was raised in defense of a single veto in each case being sustained by unanimous vote without even the formality of a roll call. This was not so surprising as it may seem, for not one of the bills raised an issue. In fact, the committee on vetoed bills, of which Jay Upton is chairman, itself killed seven of the bills by moving their indefinite postponement, while the judiciary committee did the same with the remaining one."

THREE MORE 1913 BILLS MADE LAW BY GOVERNOR

(Staff Correspondence.) Salem, Or., Jan. 28.—Governor West has signed three more house bills, those being Nos. 41, 47 and 84. House bill No. 41 abolishes the office of state land agent; No. 47 amends section 3928 providing the manner of executing satisfaction of mortgages, and No. 84 amends section 6213, which limits the power to create indebtedness.

THEATRES — AMUSEMENTS — ENTERTAINMENTS

BAKER THEATRE—Home of the popular Baker Players. week, matinee Wednesday and Saturday. Charles Klein's gripping play high finance, "THE GAMBLERS." First time in stock. Superb settings. 25c. Next week—"Mother."

OPHEUM SARAH BERNHARDT. Supported by her company of 35 players from Theatre Sarah Bernhardt, Paris. In "Lacrotia Borgin" (Monday and Tuesday), "One Christmas Night" (Wednesday and Thursday), "Piedre" (Friday), "Camille" (Saturday and Sunday).

PANTAGES—DR. FREDERICK A. COOK POLAR EXPLORER. MATINEE DAILY. The first evening curtain will rise at 7 p. m. sharp WEEK OF JAN. 27. Feature Acts—6: Great Golden Troupe of 10 Musical Russians. Special Scenery and Lighting Effects. Mardo Trio, Miss Ethna Gardner, Cliff Dean & Co., Cameron and O'Connor, Comedy Creation; Pantheoscope. Boxes and first 10c reserved. Box office open from 10 a. m. to 10 p. m. Phone A-2228, Main 4626. Positively no advance in price.

LYRIC THEATRE—Keating & Flood present Hoinsky's Dream by Chas. Alphonso. Two performances tonight; matinee daily; Sunday nights, continue performances starting at 6:30. Tuesday nights, athletic contests by the chorus.

MAIL ORDERS RECEIVED NOW HEILIG THEATRE 11th & Morrison WEDNESDAY Feb. 5 EVENING. WORLD'S GREATEST DRAMATIC SOPRANO MADAME LILLIAN

GLOBE THEATRE Washington, Bet. Tenth and Eleventh TODAY "Vengeance of Durand" GREAT PLAY BY Rex Beach IN TWO REELS By Vitagraph Company. Pronounced by All Who Have Seen It to Be Most Wonderful 10c—ALL SEATS—10c

HEILIG THEATRE 11th & Morrison TONIGHT AT 8 Every Night Special Price Matinee Tomorrow. KLAU & ERLANGERS Stupendous International Production BEN-HUR 200 People. 12 Chariot Horses NIGHT AND SATURDAY MATINEE PRICES. Lower floor, excepting last 4 rows, 12c. Last 4 rows, 15c. First 5 rows balcony, 15c; remainder, 10c. Adm., 50c. SPECIAL PRICES WEDNESDAY MATINEE. Lower floor, 15c. Balcony, 10c. Adm., 50c. REMEMBER EARLY CURTAIN. Evenings at 8; Matinees at 2.

TURKISH COUNCIL VOTES FOR WAR

Kaimil Pasha Suffers Stroke; Allies Agree to End Armistice in Two Weeks.

(United Press Leased Wire.) Constantinople, Jan. 28.—The Young Turk council of the committee of union and progress today unanimously voted never to surrender Adrianople and the Aegean islands.

THREE MORE 1913 BILLS MADE LAW BY GOVERNOR

(Staff Correspondence.) Salem, Or., Jan. 28.—Governor West has signed three more house bills, those being Nos. 41, 47 and 84. House bill No. 41 abolishes the office of state land agent; No. 47 amends section 3928 providing the manner of executing satisfaction of mortgages, and No. 84 amends section 6213, which limits the power to create indebtedness.

ATTACKS TAFT'S PHILIPPINE PLAN AS AN OLGARCHY

(United Press Leased Wire.) Washington, Jan. 28.—Sharp answer to President Taft's criticism of the Democratic plan for Philippine independence was made in the house today by Congressman Jones of Virginia. He characterized the present government of the islands as law-defying, despotic and a self-interested oligarchy.

COMPETENT HELP FURNISHED. Either male or female. A glance at the Situation Wanted columns of The Journal will place you in touch with worthy persons in need of work.

MAIL ORDERS RECEIVED NOW HEILIG THEATRE 11th & Morrison WEDNESDAY Feb. 5 EVENING. WORLD'S GREATEST DRAMATIC SOPRANO MADAME LILLIAN

GLOBE THEATRE Washington, Bet. Tenth and Eleventh TODAY "Vengeance of Durand" GREAT PLAY BY Rex Beach IN TWO REELS By Vitagraph Company. Pronounced by All Who Have Seen It to Be Most Wonderful 10c—ALL SEATS—10c

HEILIG THEATRE 11th & Morrison TONIGHT AT 8 Every Night Special Price Matinee Tomorrow. KLAU & ERLANGERS Stupendous International Production BEN-HUR 200 People. 12 Chariot Horses NIGHT AND SATURDAY MATINEE PRICES. Lower floor, excepting last 4 rows, 12c. Last 4 rows, 15c. First 5 rows balcony, 15c; remainder, 10c. Adm., 50c. SPECIAL PRICES WEDNESDAY MATINEE. Lower floor, 15c. Balcony, 10c. Adm., 50c. REMEMBER EARLY CURTAIN. Evenings at 8; Matinees at 2.

STOP THAT BACKACHE

Don't ignore the significance of such pains. They are of more consequence than you think. Such pains are usually referred to as pains, indicating suffering in some remote organs, due to the sensory nerves supplying the muscles of the back, arising in the same region as the nerves supplying the internal organs so diseased. Relieving the irritation from one set of nerves relieves the others, giving permanent relief. Try my system of relieving backache. You will find the results satisfactory.

ATTACKS TAFT'S PHILIPPINE PLAN AS AN OLGARCHY

(United Press Leased Wire.) Washington, Jan. 28.—Sharp answer to President Taft's criticism of the Democratic plan for Philippine independence was made in the house today by Congressman Jones of Virginia. He characterized the present government of the islands as law-defying, despotic and a self-interested oligarchy.

"The present government," said Jones, "has plunged the Philippines into debt, defeated the ends of justice, and violated the act of congress under which it was formed."

COMPETENT HELP FURNISHED

Either male or female. A glance at the Situation Wanted columns of The Journal will place you in touch with worthy persons in need of work.

THEATRES — AMUSEMENTS — ENTERTAINMENTS. BAKER THEATRE—Home of the popular Baker Players. week, matinee Wednesday and Saturday. Charles Klein's gripping play high finance, "THE GAMBLERS." First time in stock. Superb settings. 25c. Next week—"Mother."

OPHEUM SARAH BERNHARDT. Supported by her company of 35 players from Theatre Sarah Bernhardt, Paris. In "Lacrotia Borgin" (Monday and Tuesday), "One Christmas Night" (Wednesday and Thursday), "Piedre" (Friday), "Camille" (Saturday and Sunday).

PANTAGES—DR. FREDERICK A. COOK POLAR EXPLORER. MATINEE DAILY. The first evening curtain will rise at 7 p. m. sharp WEEK OF JAN. 27. Feature Acts—6: Great Golden Troupe of 10 Musical Russians. Special Scenery and Lighting Effects. Mardo Trio, Miss Ethna Gardner, Cliff Dean & Co., Cameron and O'Connor, Comedy Creation; Pantheoscope. Boxes and first 10c reserved. Box office open from 10 a. m. to 10 p. m. Phone A-2228, Main 4626. Positively no advance in price.

LYRIC THEATRE—Keating & Flood present Hoinsky's Dream by Chas. Alphonso. Two performances tonight; matinee daily; Sunday nights, continue performances starting at 6:30. Tuesday nights, athletic contests by the chorus.

MAIL ORDERS RECEIVED NOW HEILIG THEATRE 11th & Morrison WEDNESDAY Feb. 5 EVENING. WORLD'S GREATEST DRAMATIC SOPRANO MADAME LILLIAN

GLOBE THEATRE Washington, Bet. Tenth and Eleventh TODAY "Vengeance of Durand" GREAT PLAY BY Rex Beach IN TWO REELS By Vitagraph Company. Pronounced by All Who Have Seen It to Be Most Wonderful 10c—ALL SEATS—10c

HEILIG THEATRE 11th & Morrison TONIGHT AT 8 Every Night Special Price Matinee Tomorrow. KLAU & ERLANGERS Stupendous International Production BEN-HUR 200 People. 12 Chariot Horses NIGHT AND SATURDAY MATINEE PRICES. Lower floor, excepting last 4 rows, 12c. Last 4 rows, 15c. First 5 rows balcony, 15c; remainder, 10c. Adm., 50c. SPECIAL PRICES WEDNESDAY MATINEE. Lower floor, 15c. Balcony, 10c. Adm., 50c. REMEMBER EARLY CURTAIN. Evenings at 8; Matinees at 2.

Change The Vibration It Makes For Health

A man, at odds with his stomach, tried leaving off his usual diet, and adopted a breakfast of

Grape-Nuts and cream

His health began to improve for the reason that once in a while one will reach a place where the system becomes clogged and the machinery doesn't work smoothly.

A change of this kind puts aside bulky food of low nutritive value and takes up food of the highest value—partly pre-digested and quickly changed into good, rich blood and healthy tissue.

A few weeks' use of Grape-Nuts food gives one a degree of nervous strength and comfort well worth the trial.

"There's a Reason" Read letter to right.

Postum Cereal Co., Ltd., Pure Food Factories, Battle Creek, Mich.