

WITNESSES TESTIFY THEY FOUND LANDS TO BE SATISFACTORY

Defense in Government Land
Prosecution Has Inning in
Federal Court Today.

That lands of the Oregon Inland Development company sold outright with no auction proposition attached were good lands ranking as high as the areas that surrounded them in the foothills of the Blue mountains above the Grande Ronde valley, was brought out by the defense in the Conway-Richert trial in Judge Bean's division of the federal court today.

J. T. Conway and Frank Richet, as general manager and president, respectively, of the company, are charged with misuse of the mails in the exploitation of mountainous lands of central and eastern Oregon.

Two purchasers of "straight acreage" testified that they had visited their tracts after securing title to them from the Oregon Inland Development company, and were satisfied.

A point was gained by the defense yesterday afternoon when on motion of Attorney C. W. Fulton, Judge Bean ruled that contracts made by the company for the sale of large sections of land in Union county on a straight acreage basis, together with evidence as to the quality of those lands, might go in.

Purchaser Was Satisfied.

Immediately thereafter the defense took up the presentation of evidence as to the quality of these latter tracts. Julius Martin, a shipping clerk employed in a Portland planing mill, testified he had purchased a 20 acre tract from the Oregon Inland Development company in the summer of 1911, and that in August of that year he went to Union county and saw his property.

Martin said he was shown over the land by C. R. Hibbard. He found the land to be just what it had been represented to him, he said. Of his 20 acres, for which he paid \$450, he found five acres cleared. The land was covered with brush, and it had been logged off. He had seen fruit lands in the immediate vicinity, and had no trouble in finding his land, he said.

John Bell, a Portland barber, also testified to having purchased straight acreage from the company the same summer in Union county.

It has been 10 years, said J. V. Colt of Portland, formerly a Union county farmer since he had seen some of these lands which the Oregon Inland Development company sold as straight acreage, but he testified to the areas having good soil. The fruit lands, he said, were composed generally of yellow decomposed rock. The rocks, he said, decomposed rapidly when exposed to the air. He had often plowed lands similar in that country, and the plow, in striking the rocks, would break the rocks up, he said.

Much was said about the Plana tract, consisting of 840 acres, and sections of which were sold for straight acreage. Frank E. Smith, eastern Oregon timberman, who resides at Elgin, said the Plana land had been logged off, and was now in stumps and brush.

A. J. Colt, a farmer of Summerville, Union county, characterized the straight acreage areas as being as good as the other lands of the vicinity, capable of raising any kind of fruit.

Minister Gives Testimony. Testifying as to the Jones land, one of the big areas owned directly by the company and which it was selling under the auction contract plan, E. M. Coombs, a Harkey Prairie ranchman, said portions of it would make excellent wheat or other grain land. It was very rocky, he said.

A minister, a physician and a county commissioner were among witnesses for the defense yesterday afternoon. All testified as to quality of the "straight acreage" lands.

Rev. H. L. Willis, a Baptist minister of Elgin, said certain of these tracts he knew of were good average land for that country. On cross-examination by United States Attorney Beam, however, Mr. Willis knew of no fruit being raised on lands of the Oregon Inland Development company, excepting a dozen or so of trees on what was known as the McMillen tract.

C. A. Galloway, Elgin, county commissioner; S. M. Slough, La Grande, real estate dealer; Dr. F. W. Whiting of Elgin and L. E. Ryder of La Grande, were other witnesses.

BROADWAY CONTRACT AWARDED BY COUNCIL

At last and after much delay and parleying Broadway, from Larabee street to Wheeler, is to be hard surfaced. The council let the contract to the Warren Construction company this morning for \$10,531.15. The street is to be paved with bituminous concrete and is to be laid vitrified brick to prevent horses from slipping.

Bids had been received several weeks ago but through an error in the specifications the bids had to be rejected and new ones advertised for. Prior to that time attempts to have Broadway paved had met with considerable opposition and proceedings always had to be discontinued. The work will start as soon as the contract has been drawn up.

TRAIN KILLS DRIVER OF DELIVERY WAGON

M. D. Chamberlain, 877 East Thirty-seventh street, driver for the Boyd Tea company, was killed instantly yesterday afternoon at 2:30 by the Shaw's United where the Southern Pacific tracks are crossed by Tacoma avenue. Eye witnesses declare that the man did not hear the approach of the train. The horse was also killed. An inquest will be held this afternoon at 4:30 o'clock.

Chamberlain is survived by a widow and two children. The family is reported in poor financial circumstances.

FEDERAL AID FOR ROADS PLAN IS DISCUSSED

(United Press Special Wire.) Philadelphia, Dec. 10.—Meeting in its second day session, the American Good Roads Congress discussed today a cooperative plan between the states and the federal government for the construction of state highways. It provides for the government to render financial assistance, the states repaying Uncle Sam later.

Wants to Cross Alder.

(Main Bureau of The Journal.) Salem, Or., Dec. 10.—Application by the Southern Pacific for a permit to cross East Alder street in Portland at grade with a spur track running to the proposed warehouse of Pearson, Page & Co., has been filed with the State Railroad commission.

SUPPLIES FOR PEOPLE OF ALASKA SOUGHT

Rail and Steamship Men Come
to Portland to See What
City Has to Offer.

Scouts from the north, here to spy out the chance for recruiting supplies for residents of southeastern Alaska, arrived in Portland today to confer with N. F. Titus, general manager of the new Pacific Steamship company, and W. D. B. Dobson, trade commissioner of the Chamber of Commerce. They are C. J. Rogers, purchasing agent of the White Pass & Yukon railway, and D. A. Cameron of the Skagway Steamship company. Both maintain headquarters at Vancouver.

"Portland should be the distributing point for thousands of tons of hay for the southeast Alaska territory," said Mr. Rogers this morning. "If Portland merchants want to extend their territory northward, they have a great market waiting for them."

Mr. Titus explained this morning that the selection of steam schooners for the Alaska trade would be made some time between now and January 1. Indications are, he said, that at least three would be put in service at first and the number increased according to the development of trade.

CITY'S POPULARITY AS CONVENTION CITY VIVIDLY ILLUSTRATED

With five meetings of more than state-wide importance in following today, Portland's popularity as the Convention City seems assured. Hundreds of visitors of this and neighboring states are in the city in attendance upon four conventions and the livestock show, which has been in progress all week. Multicolored badges of delegates give an unusual blaze of color to the streets.

The agricultural and stock-growing interests of the state are focused in Portland for the day with the livestock show at North Portland, the meeting of the Oregon State Horticultural society at the new public library, the corn show at the Failing building and the annual meeting of the Oregon Woolgrowers at the Imperial hotel. The civic and governmental interests of the state are centered at the county court house, where the annual meeting of the county commissioners of the state is in progress.

The woolgrowers and their delegation, tonight while the corn show and livestock exposition will continue throughout the balance of the week. The fruitgrowers will meet at the library tomorrow, both tomorrow and Friday, and will mix business with pleasure by a large banquet at the Commercial club tomorrow night.

The county commissioners will be in session through Friday.

FAKE WIRELESS SENDER SOUGHT BY GOVERNMENT

Washington, Dec. 10.—The commerce department and navigation bureau began a joint investigation today to determine the origin of wireless messages received Sunday night and Monday morning, telling of a burning ship off the Virginia capes from which it was said another vessel had taken off. The messages, while the crew remained on board to fight the flames.

The revenue cutter Service immediately rushed two craft to the rescue but no such ship as the one described could be found.

It was suspected that some irresponsible amateur sent out the message and if caught he will be severely dealt with under the law making such an offense punishable by fine, imprisonment or both.

GIRL IS STRUCK DOWN WHILE ON WAY HOME

The daughter of W. A. Davis, 4505 Fifty-second street, southeast, was knocked down by an unknown man on the sidewalk near Anabel station last evening at 10 o'clock while on her way home after alighting from a Mount Scott car. Neighbors heard the young woman scream and ran to her assistance. The assailant made his escape. The man, it was explained, stopped the girl and told her not to make an outcry. She thought he was a robber, and offered him her purse.

The stranger said he wanted no money, but made threats, and the woman began to scream. He then struck her on the chin and forehead and ran. The police made a thorough search, but no trace could be found of the man.

ANNUAL ELECTION OF AD CLUB TAKES PLACE

The Ad club held its annual election of officers in connection with its luncheon at the Hotel Portland this afternoon. The result was as follows: Charles F. Berg, president; George L. Baker and Harvey O'Brien, vice presidents; W. T. Whitcomb, secretary treasurer; directors, Dr. John P. Beaumont, W. L. Campbell, R. D. Carpenter, A. G. Clark, Frederick Hyskell, C. H. Moore, E. D. Timms. The election was conducted with all the campaign methods, voting procedure, special wire information and noise incident to a political contest.

WOOD CHOPPER'S SLAYER IS DECLARED INSANE

Milenor B. Robinson, held by the coroner's jury for killing John Reddy with an ax on December 1, was declared insane by Drs. E. D. Johnson and Sanford Whiting this morning. Reddy's body was found near 71 North Fourth street by Chinese. He was confined for 14 months in a Los Angeles asylum and has delusions that the Chinese want to harm him and are trying to shoot him.

ATLANTIC CITY'S BOSS ENTERS PENITENTIARY

Trenton, N. J., Dec. 10.—Louis Kuehnle, political boss of Atlantic City, entered the penitentiary today to serve one year for having, as one of its members, secured for a company in which he was interested, a big contract from the Atlantic City board of water commissioners.

LADY CHEYLESMORE OUTWITS CUSTOMS OFFICERS



Lady Cheylesmore, sister of Mrs. Elsie French Vanderbilt, who convinced customs officers in New York that the feathers on her hat were not of the sort to be confiscated.

DRUMHELLER SAYS TELEGRAM FOOLED HIM

Pendleton, Or., Dec. 10.—A little matter of two extra letters added to a word in a telegram came near involving Samuel Drumheller, prominent Walla Walla farmer, in financial disaster, according to a statement made by him this morning.

Being heavily obligated to a bank in Spokane, he was notified to make payment. He wired back asking for five days time. The bank answered it would allow six. The telegram read "sixty" and Drumheller made no effort to make payment. At the end of six days, the Spokane bank started suit which alarmed Baker-Beyer of Walla Walla and Faye Legrow of Athena, who immediately filed actions in local court for \$27,000. The suits have been dismissed, the first national bank of Walla Walla coming to Drumheller's aid.

SEATTLE MAN GETS CENTRALIA CONTRACT

Centralia, Wash., Dec. 10.—The contract for the construction of Centralia's municipal gravity water system was last night awarded to W. H. Mitchell of Seattle, who submitted bids of \$124,758.70 and \$135,907.50, it depending upon whether the work was paid for with cash or bonds. The successful bid was over \$10,000 lower than City Engineer Macomber's estimate. It was the largest contract ever let by this city.

The Postman Will Deliver a Christmas Box of

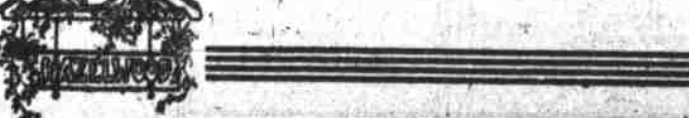


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Confectionery and Restaurant
Washington at Tenth



FUMIGATION MEASURE IS FINDING OPPOSITION

Mayor's Plan of Fixing Charge
Is Defeated by the City
Commissioners.

An attempt of Mayor Albee to have an ordinance creating the position of fumigator in the city health department and fixing a charge for fumigation did not meet with the approval of the majority of the members of the city council this morning, and as a result the work will be done, temporarily at least, as it has been done in the past.

The proposed ordinance fixed a charge of 50 cents for fumigating each room in a house where contagion had existed. Commissioners Dieck, Daly and Brewster were opposed to making a charge for the work, while Commissioner Bigelow was opposed to creating any more new positions, as well as for making a charge for the work.

In his argument against the proposed ordinance, Commissioner Bigelow stated that the health department, which has a much larger force than it had last year, was sufficiently large to care for fumigation. He stated that at present there is one of the sanitary inspectors receiving full pay doing office work, while the budget committee had allowed a clerk to do the work.

Those who opposed the measure stated they were not against fumigation, but were against creating a new position and making a charge for the work. After Commissioner Daly had proposed an amendment omitting the provision fixing a charge, the measure passed to third reading, to be taken up next week.

MAY MAKE LENTS PAY BILL

Council Decides, Tentatively, Matter of Arc Lights.

The people of Lents will probably have to pay for the cost of the arc lights used prior to November 1, as this morning the members of the city council tentatively agreed with Commissioner Daly that the city will pay for the lights only since November 1. Commissioner Daly's argument, which met with the approval of all, was to the effect that the Lents district would not be paying taxes into the city until after the first of the year, and therefore the city should only pay for the lights since November 1, the beginning of the new fiscal year.

Counts Are Troubled.

Albany, Or., Dec. 10.—Because of a peculiarity in the law pertaining to minors, whereby two years of a youth's life, between 16 and 18 years, has not been considered, the circuit, justice and juvenile courts are in a quandary as to what course to pursue in the case against Harvey Thompson and Harry Wright, two independence lads, who were indicted by the grand jury on a burglary charge. Both boys are between 16 and 18 years of age.

Talks About Fountain.

University of Oregon, Eugene, Or., Dec. 10.—Dr. Clifton Freeman Hodge, biologist, addressed the weekly assembly in Villard hall this morning on "Discovering the Fountain of Eternal Youth." He said that through the waste we pile up because of excesses the cell bodies become tired and grow old. Miss Jessie Ferris of the department of music gave a piano selection.

Telephoning From Sea to Sea.

New York, Dec. 10.—President Theodore N. Vall of the American Telephone & Telegraph company, said he thought New York-San Francisco telephoning would be done regularly by 1915.



Christmas Dinner will be served in the Fountain Grill and the Crystal Dining Room from 5:30 to 8:30 p. m. on Christmas Day at \$1.50 per plate including wine. Phone your reservations early.

DON'T MISS THE
CABARET THIS WEEK
AUGMENTED CHORUS
IN COSTUME
MISS RUTH BIGELOW
SOLOIST

ORCHESTRAL PROGRAM
BY HOTEL
OREGON ORCHESTRA
SIGNOR PIETRO
MARINO, DIRECTOR
MERCHANTS' LUNCH
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RATHSKELLER 50c

Hotel Oregon
Wright-Dickinson Hotel
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Chas. Wright, Pres.
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HOTEL STEWART SAN FRANCISCO

Geary Street, above Union Square
European Plan \$1.50 a day up
American Plan \$3.50 a day up
New steel and brick structure. Third addition of hundred rooms now building. Every modern convenience. Moderate rates. Center of theatre and retail district. On carlines transferring all over city. Electric coaches meet trains and steamers.

MEETING OF COUNTY COMMISSIONERS OPENS

Organization Effected at the
Morning Session; Banquet Tonight.

With nearly 40 members already present and more coming on each train, the annual convention of the county commissioners opened today in the courthouse. The program for this afternoon included an address of welcome by County Commissioner Rufus C. Holman of Multnomah; a response by Judge H. W. Thompson of Lane, and addresses by Judge Cleaton, president of the association; Professor Rogers of the University of Oregon, on "County Business Administration"; Judge Gatens, on the "Widow's Pension Bill"; and Judge B. C. Judd of Clatsop, on "Proper and Economical Care of the Indigent Poor." A banquet tendered by Beall & Co. is to close the day's festivities at the Commercial club this evening.

This morning's session was entirely devoted to reception and registration of members. The convention will close Friday afternoon.

Globe Theatre

11th and Washington

4 days, commencing today
Drama of Life's Realities

The Master of The Garden

A gripping story of a trusting woman's love in two intense parts, by Colin Campbell.

JOINING OF THE OCEANS

Most comprehensive views of the final acts completing the Panama Canal.

Vitaphone Comedy
"THE DECEPTION"
Sparkling Comedy

SMITHY'S GRANDMA
PARTY

Or When the Cat's Away
the Mice Will Play

MISS DOROTHY LEWIS
Soloist

TONIGHT Comic—RACES—Speed

A NEW ONE

Broom Ball

Lively—Interesting—Funny
10 PLATES

PRINCESS RINK

Rink clean, warm, cozy.
Admit., 10c; Skates, 25c.

Spanish CASTILLIAN Grille

SPANISH AND AMERICAN COOKING
Best Wines, Liquors and Beers Served.
411½ and 413 Morrison, near 11th St.

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Portland's Famous Hotel
Noted for the Excellence
of its Cuisine-European plan
OWNED AND OPERATED BY THE PORTLAND HOTEL CO.
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THE HOUSE OF WELCOME,
PARK AND ALDER STS.,
PORTLAND, OR.
In the theatre and shopping district, one block from any carline. Rates \$1.00 per day and up; with bath, \$1.50 per day and up.
TAKE OUR BROWN AUTO-BUS.
C. W. Cornelius, Prop.; H. E. Fletcher, Mgr.



Hotel Hoyt
HOYT AND SIXTH STS.
New Fireproof 200 Rooms
Rates 75c Up
PERMANENT GUESTS SOLICITED—SPECIAL RATES—ONE BLOCK FROM UNION DEPOT
H. JENNING & SONS, Props.
F. C. Harrington, Mgr.

FINE OREGON GROWN CORN ON EXHIBITION

Farmers who had been told that corn could not be induced to grow to maturity in Oregon got a positive awakening today when they thronged to view the exhibit brought from the corn shows at Colfax and Pendleton and installed by the O.W. R. & N. in the Failing building at Fifth and Alder streets.

Fully 5000 ears are on display, in charge of C. L. Smith, agriculturist of the O.W. R. & N. Mr. Smith will deliver a lecture at 8:30 this afternoon on "Why Farmers Should Raise Corn." Nine hundred members of the Harriman club, returning from the stock show, will march into the exhibit room at that time, and special invitation has been issued to business men who own farms and orchards to hear the advantages of planting corn between the rows of young fruit trees. The show will close Saturday night.

Journal Want Ads bring results.

AMUSEMENTS

HEILIG THEATRE

11TH AND MORRISON
Phone Main 1 and A-1122.
TONIGHT 8:15 All This Week
Special Price Mat. Saturday.

Julian Eltinge

In the Musical Comedy
"THE FASCINATING WIDOW"
Excellent Cast and Production.

Evenings: Lower floor, 10 rows, \$2. 12 rows \$1.50; balcony, \$1. 75c. 50c. Special matinee Sat.: Lower floor, 10 rows, \$1.50, 12 rows \$1, balcony, 75c, 50c.
SEATS NOW SELLING

BAKER THEATRE

Main 2-A-3300
Geo. L. Baker, Mgr.
The famous Baker Players. Tonight—All this week—matinee Wednesday and Saturday. One of the most sensational successes of the age—
"MADAME X"

Powerful, emotional story of mother love. First time in this city at popular prices. Evenings, 25c, 50c, 75c, 1.00, 1.25, 1.50, 2.00. Wed. mat., 25c. Next week—"A Man's World."

ANTAGES

"In and Out," with Walter B. Howe, Ed. Northrup & Co.; Captain Richard's Educated Seals; Leslie and Bol Berns; The Hughes Sisters; Miss Blanche Gordon; The White Duo; Panopaea; Eugene's prices. Boxes and first row balcony reserved. Box office open from 10 A. M. to 10 P. M. Phone A-2236, Main 4556. Curtain 8:30, 7:15 and 9:15.

Look for the Moving Bear

PEOPLES THEATRE
WEST PARK AND ALDER

8000 Feet
5000 Feet
8000 Feet

In the Stupendous Spectacular Sensation

"The Battle of Waterloo"

Produced on the actual scene of the battle, the greatest war film ever made.

PRICES—Balcony 10c. Lower floor 20c. Box seats 30c. Reserve box seats by phone, Mar. 880 or A-2057.

LYRIC Fourth and Stark Sts.

Keating and Flood Company in the Merry Mu-

"AT THE BEACH"

A riot of comedy, introducing new songs and specialties. Tuesday night, Athletic Contest. Friday night, Chorus Girls' Contest. Prices: Nights 15c, 25c. Matinee, any seat, 15c.

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Always the Best Photo Plays
"THE BLACK COUPESS"
Sensational Pathé Drama of Paris. Feature of bill Wednesday to Sunday. Two clever comedies and educational reel, Klein-Clues productions. Musical features.
10c—ADMISSION—10c.

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HIGH GRADE EXCLUSIVE MOTION PICTURE

Program Changed
SUNDAYS AND WEDNESDAYS
Continued Show, 11 A. M. to 10 P. M.
10c—ADMISSION, ANY SEAT—10c.