Council This Morning Orders Auto Bought by Unaniomus Vote of Those Present-

DALY IS NOT AT MEETING

lar Used by Executive Now and noy to Mopair It to Be Used for a New Machine,

Mayor Albee today succeeded in

ordinance providing for the purnise of a touring car. The measure, nich takes effect immediately, was assed by the votes of Mayor Albeet and Commissioners Baker, Dieck and igelow. Daly was absent.

Under the plan proposed the money allowed for repairs to the machine used by the mayor at present, amounting to approximately \$475, is to be used toward purchasing the new car. The old machine is to be traded in on

In his plea for the adoption of the ance, Mayor Albee explained that dinance, Mayor Albee explained what they say, the sole measure of car he now uses needs repairs and in the aggregate is the sole measure would be better to purchase a new of "all the value conferred by the measure granting acts." "We have \$475 in our funds to re-

For about two years the mayor has led to have the council purchase him car. The council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out that the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed out the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed two ordinances appropriating money for the gate is \$8,018,000. It is pointed to the council passed the council passed the council passed two ordinances a

FIVE BILL'S IN CONGRESS DEAL

(Continued From Page One).

reference rights to all applicants for a land. This is the Puter plan. ere are enough of such claimants, out 10,000, to take all of the valuae land, and thus practically to disse of the grant.

The Chamberjain bill is the only one hat draws any distinction between the and valuable only for its timber and t proposes benefits for Oregon government to recover such sums, exgiven only to those who are in goo. with settled upon agricultural land. "Squat" to Scoure Title.

The Hawley bill is based upon the

uture to secure title.

The Wilson bill is a frank effort to hand over the land to all who have been "located" in times past at so much per locate, and would enrich

The Wilson bill is a frank effort to to which it is entitled by the strict rule of law."

Overtures to Southern Pacific. scores of such operators who hold con-tingent contracts with their "clients," No bill introduced proposes to allow the Southern Pacific company ecognize its claim to ownership of the himber and stone.

Attorney General Gregory, in his follows:

schaustive opinion dealing with the mibject, gave attention to the Cham-periain, Raker and McCumber bills, mediately or within a reasonable time, The Hawley and Wilson measures or provide new methods of disposition were only recently introduced, and had of the lands for money and satisfy

ective the objects the department basis of \$2.50 an acre.

tract by the railroad, on which pay-ments were never completed, be con-sidered as unsold land. That when timber is offered for sale, if there be no bidders, the land be

opened for entry.

That timber when sold be made subject to the taxing power of the state That the sum received by the rall-road in excess of \$2,50 per acre from past sales be deducted from future payments to the rallroad on the fe-mainder of the land, such deduction to be ascertained by judicial determi-

That congress appropriate \$1,300,-000 at once to pay Oregon counties unpaid taxes on the granted lands. Griticism of Baker Bill.

The Raker bill is disapproved by the attorney general because in provid-ing for the payment of \$2.50 an acre to the railroad for all unsold land, it would pay \$2,495,000 more than the railroad is entitled to have, this sum

representing a deduction for excess sales in the past.

The McCumber bill is disapproved because it would give away quarter sections worth \$5000 to \$20,000 each upon payment of \$400. At the outset of his voluminous opinion the attorney general comments

on the fact that the railroad company is now contending that the decree en-tered by the district court at Portland does not accord with the decision of the supreme court, and has ap-pealed, but that "no action congress may take concerning the disposition of these lands can be affected

Acts Mean What They Say. The supreme court decision,

opinion proceeds, clearly establishes two things: (a) that the restrictive provisions of the granting acts must be taken as they read—that they mean what they say; (b) That \$2.50 an acre

"We have \$475 in our funds to re-pair the car, but by adding about \$100 eral, "\$2.50 an acre is the maximum and turning in the old car we can get amount which the railroad is or ever was entitled to receive."

Possible offsets, or credits, claimed

purchase of a new machine, but the that if credits are given on account of car was never purchased. such expenditures, the railroad will get more than \$2.50 an acre. "Generosity might allow a credit for taxes on a valuation over \$2.50 an acre," it is observed, but such claims

WITH O. & C. LAND the land is not all worth as much as \$2.50 an acre, says the opinion, this is an exceedingly generous proposal. Overcharge on Land Sold.

The attorney general adds that in considering the language of the supreme court guarding the railroad in "all the value the granting acts con-ferred," the sum already received by the railroad in selling for more than \$2.50 an acre should be considered. Otherwise, he says, more will be paid I valuable only for its timber and than is due, and there would be danger other lands. It is the only bill of prejudicing a future suit by the

"Why pay \$5,750,000 when the railroad is indebted in the sum of \$3,500,-000?" asks Attorney-General Gregory. For this reason he favors making de duction from future sales and paying ory of adhering to an enforceable duction from future sales and paying enant. This theory is followed to over to the railroad only the balance logical conclusion in recognizing due at a maximum of \$2.50 an acre for t only prior squatting upon the land, all the lands centained in the original t making it necessary to "squat" in grants, or \$2,493,129.03.

"If the railroad could be induced to The Raker bill is drawn with the agree on an adjustment of the whole in the mind of the author of matter," he says, "It might be wiser sking temporary action to preserve for the government to yield on a few he rights of the government, if con-points. But if the company is going he rights of the government, if con-press be unable to work out details to contest legislation that congress retary of the port commission. But withing six months from the date of may pass, and indications are that it these same managers have according the government should claim all

It is suggested that the Southern Pacific company representatives be invited to indicate what they will acthe Southern Pacific company more cept as a settlement of the whole con-than \$2.50 an acre for the land, or to troversy.

As to authority to legislate the attorney general states it broadly as "Congress must buy back the un-

been referred to him. That they the just claims of the railroad comvill be sharply disapproved by the pany comment's legal adviser is sufficiently indicated by what he said concerning the others.

Congress may retain the lands for the government, he says, or sell them, or provide the method of sale or disposition. He recommends that accuposition. He recommends that accuposition.

the Chamberlain bill to make more suming title, these taxes to be on the

HOUSE COMMITTEE TO TAKE UP THE HAWLEY LAND GRANT MEASURE

Washington, Feb. 7.—(WASHING-TON BUREAU OF THE JOURNAL)— Representative Hawley has asked for a hearing before the public lands com-mittee of the house on his land grant bill, and Chairman Ferris has indicated that this will be given about

February 15.

Hearing upon the Chamberlain bill, pending before the senate committee, has not been definitely determined. No has not been definitely determined. No requests for hearings have been received, although the Southern Pacific has asked to be notified of the date if hearings are decided upon, Senator Chamberlain will request that hearings be given if anyone desires to be heared.

The opinion of the attorney general, indicating a favorable attitude toward the Chamberlain bill it amended in some respects, tends to give main in-terest to the action of the senate committee and the future course of the

mittee and the future course of the Chamberlain bill.

Those who have asserted that the Chamberlain bill could not be made effective under the decision of the supreme court are now confronted with the elaborate opinion of the attorney general in its favor. The attack upon it is consequently shifting to some extent, and it is being said that congress cannot be induced to great such facannot be induced to grant such fa-vorable terms to the state as the Oregon senator proposes. Gains Decided Prestige.

How true this criticism may be remains to be seen, but Senator Chamberlain is not deterred from fighting for liberal treatment of Oregon's hool fund by the fact that opposition will be encountered.
It is on all hands conceded that the

Chamberlain bill has gained decided prestige from the opinion handed by the attorney general to the public lands committee, the amendments he suggested being practically all agree-able to Senator Chamberlain.

PORT OF ASTORIA FIGHTING M'ARTHUR BILL ON MANIFESTS

Washington, Feb. 7.—(WASHING-TON BUREAU OF THE JOURNAL.— The Port of Astoria commission has forwarded to Senator Cham-Representative McArthur's bill proposing to repeal the law requiring vessels with Portland cargo, or loaded at Portland, to stop at Astu-ria and file copies of their mani-

This bill would be a hindrance development of the commerce of the Columbia basin, the Astoria people The Astoria commission already expended or appropriated \$1,-200,000, it is stated, for work that benefits Portland and Oregon, Ef-fort is being made to bring the big ocean liners to Astoria as a port of call, making it unnecessary for Port-land shippers to send freight to Pu-get Sound to reach these liners.

Astoria Port of Call. Managers of the big steamship lines have stated that "under he condiwill they allow their fleets to proceed up the river to Portlani, says the Astoria communication, these same managers have agreed a port of call, it is said, if depth of channel and proper

cargoes can be secured.
With an assured channel of 35 feet at the Columbia's mouth, and a prob-ability of 40 feet by the end of the year, the first condition is met, it is declared, and Portland should now cooperate in all measures designed to as sure the necessary cargoes and make Astoria the great "embarcadero" of the Columbia

Heads of big lines that have given the assurances referred to are named as representing the Royal Mail, the Blue Funnel line, the American-Hawaiian, the Japanese lines, W. R. Grace & Co., and, under peace conditions, the Hamburg-American line. Portland Argument Assailed.

The McArthur bill, it is asserted would delay this development. Argu-ment advanced by the Portland Chamber of Commerce in behalf of the Mc-Arthur measure is assailed as faulty, and the requirement of present laws of justice has in view. These are in terms of the grant should now be conis defended as not burdensome to comment be that the 80,000 acres under considered as though they never had been merce, because of quarantine and pilothis bill.

OF COBURG PARTLY DESTROYED BY FIRE

Blaze Does Damage of \$10,-000 in Oregon Town Near Eugene; Partially Insured.

CITIZENS FIGHT FLAMES

Work for Hours in Downpour of Main and Succeed in Preventing Entire Destruction of City.

Eugene, Or., Feb. 7 .- Fire of known origin that broke out in Ccat 4 o'clock Sunday morning, destroyed at 4 o'clock Sunday morning, destroyed practically the entire business district of that little city. The less is estimated at about \$10,000 with partial insurance. The flames did not cross Main street, where the big saw mill of the Booth-Kelly company is located. No residences were burned. Pire Discovered Late.

The fire broke out suddenly in one of the wooden store buildings. fore anyone discovered it the entire building was in flames. An alarm was turned in and the entire population of the town was awakened by the clanging of the fire bell. People half clad rushed to the scene and began to carry goods out of the stores, while volunteer firemen did all they could with the limited means of fighting fire available.

The city has a municipal system of water works but the pressure of water works, but the pressure was low and only a small stream of water was obtained from the hose. The people of the town worked several hours in a doownpour of rain before the fire was under control. Estimate of Losses.

Vogt Brothers, confectionery store and pool parlors, \$2400; Dr. Jarni-gan, drug store, \$3000; Cook & Rice, hardware store, \$1500; Pacific Telegraph and Telephone company's office, building owned by Lock & Washburne, building \$200, telephone company \$400; hotel, less to B. D. Locke, lessee, \$800;

The list of buildings destroyed

and a partial estimate of loss fol-

A great deal of the hardware stock most of the postoffice supplies and part of the stock of drugs were saved. Mrs. Lulu V. Fitzhugh, postmistress, who lives in the postoffice building, saved most of her household goods. The hotel was not de-stroyed but badly damaged. The building is owned by Mrs. Lucy So-der, who lives in Minnesota, and is leased by B. D. Locke,

'Sumurun" Dancer Is Guest at Supper

Hortense Zaro, who plays the title role in "Sumurun," danced at the Hotel Benson and at the Majestic theatre two years ago. She also danced at entertainments and social events, and has friends in Portland society who are planning to

entertain her during her stay. She was the guest of honor at a Pear That Missiles Might Be Dro ped supper given by Mr. and Mrs. Walter on Deck of Washington Given Honeyman last night, and Mrs. Honeyman and friends will form a box party at the Orpheum to see "Sumurun.

Russian Destroyers Attacked, Petrograd, Feb. 7.—(I. N. S.)—Two Russian destroyers were fired upon by coast batteries on the southern shores of the Black sea and attacked simultaneously by a submarine, ac-cording to an admiralty report Saiurday night. The destroyers escaped by fast maneuvering, it is stated,

Slingsby Case Finished. London, Feb. 7.—(I. N. S.)—Final arguments were made today in the famous Slingsby changeling baby case. The court reserved judgment.

age regulations that would, in any event, have to be complied with, Representative McArthur says he intends to allow full time for the presentation of the other side of the argument before pressing for a report on

Clean Sidewalks Or Be Arrested Is Police Order

If you have not shoveled the snow from Your sidewalks by now, beware!

This morning the police we's given explicit orders to devote their time today in warning people about the snow nuisance. One warning will be given, and arrests will follow.

The principal trouble now, the police say, is with vacant or unapproved premises. The police having trouble in locating owners.

"We are not doing much atresting today, but the men will bring them in tomorrow," con-tinued Captain Moore. On the complaint of Patrol-man R. B. Burke, who had prev-tonely given a warning Patrolman R. E. Burke, who had previously given a warning, Patrolman Burri at noon today arrested E. J. Daly, real estate dealer, for falling to clean the snow from the premises at Third and Washington streets. Daly will be tried tomorrow. Property owners should also remember that where they clean snow from foofs, throwing it on the sidewalks and on street, they must, under the city ordinance, also haul. It away.

JEWISH RELIEF FUND IS GAINING DESPITE WEATHER CONDITIONS

Sum of Nearly \$600 Obtained in Contributions Since Last pany. Saturday night.

Despite the distraction of Portand's attentis. from the suffering of

Previously s, knowledged, \$12,364.44;
J. Francis Dake, \$2; William E.
Young, \$1; Mr. Weiderman, \$1; H. D.
W. Baker Ci.y. \$1; Max Feiertag,
Marshfield, \$3 William P. Mathews,
Sutherlin, \$1; A Friend, \$1; Jas.
McI Wood, \$2 Zina Wood, Hillsboro,
\$5; Multpomah Bag & Trunk Co., \$10;
Mercie Ellen Beade, \$1; H. D. McAllister, Hillsdale, \$1; George P. Downer,
\$2; Dr. James F. Bell, \$5; J. G. Mack
& Co., \$10; J. J. Handsacker, \$8,85;
Odell Christiah Endeavor, Hood I ver,
\$3; G. C. Esheliman, \$5; Walla V ulla,
Wash, \$484.80; cash items, \$15, 85;
Marks Episcopal church, \$5.15, 1 stal,
\$12,927.22.

As Cruiser Passes

Guards to Be Placed.

New York, Feb. 7 .- (I, N. S.) - Special police guards were statione i. on Brooklyn and Manhattan bridges at noon Sunday, While the United States armored cruiser Washington passed under them to the Brooklyn navy yard. The details were made by Police In-spector Dillon at the request of Rear Admiral Usher, commander of the

action was that it was desired to pre-vent persons from dropping things on the deck of the cruiser. It was denied that bombs were the missiles feared. Secrecy surrounded the situation both at the navy yard and in police circles. Commander Frank B. Upham, aide to Rear Admiral Usher, declared tonight there, was no reason for suspecting that anyone contemplated dropping bombs on the Washington.

Letters Warn Against Plot. Letters Warn Against Plot.

Washington, Feb. 7.—(I. N. S.)—
Secretary of the Navy Daniels today stated that Rear Admiral Usher's action in policing the Brooklyn being while the cruiser Washington was passing under yesterday was take a result of two letters of was ingreceived here from New York.

"I instructed Admiral Usher to ake whatever steps the deemed necessary to safeguard Athely Washington," hald Daniels.

Daniels added that the letters ug-

Daniels.

Daniels added that the letters uggested the precattions adopted printing out the ease with which be nbs could be dropped upon the warshi as she passed under the bridge and a vising additional gwards. Names of the writers were withheld.

Is Called by Death

Pormer Congressman and Author of the Pirst of the Railroad Bate Laws,

the First of the Railroad Rate Laws, Passes After Long Riness.

Clarings, lows, Feb. 7.—(U. P.)—

William P. Hepburn, former member of congress and author of the Hepburn rate law, one of the first railroad rate laws, died here today after a long illness.

During the 20 years he served in the lower house of congress William P. Hepburn was one of its most prominent and active members. He began his service with the forty-seventh congress, lerving his years. He retired from the house 16 become solicitor of the treasury, I tere he served for five years.

In 1903 Hep h was again elected to the lower be and was reelected fing congresses. As chairman of the committee durf the days when he road rate law, Hepburn had n challed in the was also the was also

He was also the inirman of the publican caucul of the house 1 publican caucul 1905 to 1909.

Grip Benefit : Lemon Growers

Los Angeles, eh. 6.—(U. P.)—Ti see
cheers for the prip. John B. Elli tt,
customs collects
made lots of noney for Califo his
growers, owing to the big demand or
the grip-swept das

All the machinery and space for) sengers and crew of a new Eng-dirigible balloon are contained wit it, the idea being to overcome we resistance.

IMMEDIATE ACTION IN **INSURANCE COMPANY** CASE COURT'S ORDER

ludge Gatens Would Have Cause.

DEMURRERS

Balph B. Duniway and C. L. When don Permitted to Act as Atterneys in Receiver's Suit.

Demurrers to the suit of stockhold-

Accident Insurance company to com-

pel the return of \$80,000 worth of the assets of that corporation from the Union Pacific Life Insurance com-pany, were sustained today by Circuit Judge Gatens. In making this ruling, Judge Gatens ordered N. W. Rountree, receiver for the American Life, to bring suit at the American Life, to bring suit at Ben Gadsby, foreman; Frank N. once on behalf of the stockholders of Leahy, S. J. London, Martin A. Nelson, the corporation to force the Union J. J. Huber, Fred Lockley and E. J. Pacific Life to show cause why the assets should not be returned. The court also ruled that Ralph R. Duniway and C. L. Whealdon, attorneys for the stockholders against whom the demurrers were directed, might act as attorneys in the receiver's suit, and that they may introduce all the evi-dence and depositions they have ob-tained since the beginning of the origi-

Judge Gatens explained his ruling declaring the demurrers were sus-tained to prevent endless litigation that might arise if stockholders of the American life elected to bring separate suits against the Union Pacific com-

nal action.

RACER IS PLACED ON TRIAL E. Reid Charged With Manslaugh ter in Connection With Deaths.

land's attentic from the suffering of the Jews in Ei Poland and the Phole battle-zone of he Teutonic, Slav borderland, by the severe weather conditions, contributions, contributions have been reading Treasurer Ben Selling each day. Since Satur iy night, nearly \$600 was received in small amounts and later contributions will be received as long as the elegency remains. The list to date is as follows:

Previously s, knowledged, \$12,364.44; J. Francis D. ake, \$2; William E. Young, \$1; Mr. Weiderman, \$1; H. D. W. Baker Ci.y. \$1; Max Feigerias, Marshfield \$3 William P. Mathews. Emerson Reid was placed on trial

the Ford, the right rear hab of machine crashed into the front hub of the smaller car. Hyde Miller were thrown from their thine, sustaining injuries from machine, sustain which they died. An indictment against Reid charges reckless driving and exceeding the

SAYS HE WAS STOOLPIGEON Chinese Asserts He Was Acting for the Police.

Ah Linn, the first Chinese arrested in Portland for violating the liquor Union Pacific Life Show law, told Sheriff Hurlburt this morning that he was acting as stool pigeon for a police sergeant. Ah Lihn was arrested last night in the Des Moines hotel by Deputy Sheriff Hurlburt. Two women are held as witnesses. Constable Andy Weinberger's office

at 55% North Second street Sunday night, the constable says, brought to light a firstrap that should receive immediate attention. The rooms are littered with inflammable rubbish. Liquer was found in every room in the content of the same of the sa ers of the defunct American Life &

February Grand Jury Drawn. The following grand jurymen for the February term were drawn in Cir-cuit Judge Kavanaugh's court today:

Gertrude Hoffman Has a Sister Here

Gertrude Hoffman, the famous danseuse who is starring in "Sumurun" at the Orpheum, is the younger sister of Mrs. M. J. Delahunt, 483 East Fifeenth street north.

of the seven nights that she will be in Portland. Will Address Insurance Men. Fire Marshal Stevens has gone

San Francisco to deliver an address before insurance men and underwriters in convention there tomorrow. He left for the California city vesterday. Assistant Chief Laudenklos is acting fire "Love Potions" Caused Illness. Chicago, Feb. 7.—(U. P.)—Charging that "love potions" his wife put in his food because she thought he was

FOR PORTLAND; COST IS TO BE \$425,000

> Vaudeville Concern Decides Against Purchase of Empress Building.

San Francisco, Feb. 7 .- (P. N. S.) --Another Orpheum theatre building for Constable Andy Weinberger's office today bears a close resemblance to a wholesale liquor store. All contraband wet goods seized in the past few days are stored here.

The raid on "Mother" Olcese's place at \$5 % North Second street Sunday Orpheum Theatre and Realty comthe Pacific coast to cost \$425,000, will

The vaudeville concern has decided against exercising the option for the purchase of the Empress theatre building at Portland, which expired today, although it has arranged to continue secupancy of the house until the close of the season this spring.

The recently reported tentative lease of the Empress theatre building by Ackerman and Harris, owners of the Hippodrome circuit, will be consummated on account of failure of the Orpheum to purchase.

pheum to purchase.

President Meyerfeld leaves for the east tomorrow to complete the Portland building arrangements. The new theatre will be a duplicate of those at St. Louis and Kaneas City. Several sites are under consideration.

It is expected that the local Orpheum will be informed in a few days as to when its tenancy of the play-house at Broadway and Yambili expires. The theatre is now operating teenth street north.

Their girlhood home was New York and their maiden name was Hay.

Miss Hoffman has a suite at the Benson, but will be entertained with suppers by Mrs. Delahunt four or five of the seven nights that she will be available.

"Sang" Hymn With Hands,
St. Louis, Mo., Feb. 7.—(U, P.)—In
the sign language 100 deaf mutes
"sang" "Nearer My God to Thee," at
the funeral of an instructor,

Astoria Service Change,

Account ice in Columbia River, C. W. R. & N. steamer "Harve Queen" has been temporarily will drawn from night run to Astoria. It ill further notice boat leaves Astoria is street dock 748 a. m. Tuesdays, Thurdnys and Saturdays; leaves Astoria 7:00 a. m. Mondays, Wednesdays as Fridays. him ill, Adolph



The strongest combination yet offered. Pally in Resping with our high stand-ards.—H. J. Myrick, Manager.

The house was in an uproar yesterday

Fatty Arbuckle **Mabel Normand**

> Kept them laughing from start to finish

He Did and He Didn't

Just 2000 feet of Keystone nonsense 2000 feet of laughter-

-and the big Triangle feature-

The Price of Power

—with a big cast—headed by the star of "Ben Hur"—ORRIN JOHNSON

Full of Thrills and Spectacular Situations

The Theatre Beautiful—Sixth at Washington

MISS MYRTLE THE ESCAPE t time here. Original and startling plo-tile author of "Alias Jimmy Valentine, a Deep Purple," etc. Evenings, 25c, 50c, 25c only. Next week, "The Melting Pot.

Orbheum

Orphous Travel Weekly Mights, 10e to 750

IN CONCERT WITH

Tomorrow Night Tuesday, February 8 HEILIG THEATRE WE GIVE YOU MONEY TO SEE A **GOOD SHOW**

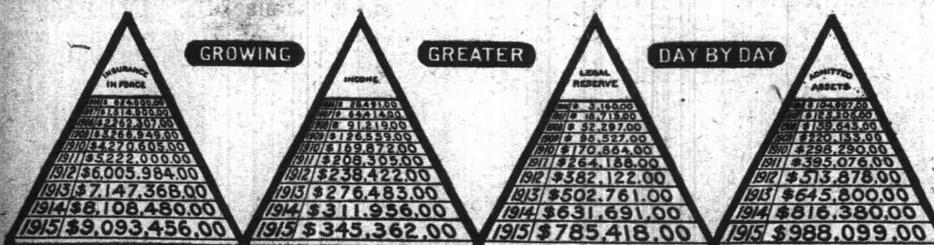
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navy yard. The reason offered for this unusual

William P. Hepburr

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