

# KINGAID WINS IN OLIVE STREET OPENING CASE

Judge Harris, of the circuit court, this afternoon handed down a decision in the Olive street opening case, wherein H. R. Kingaid seeks to prevent the city from opening Olive street through his premises between West Twelfth and West Thirteenth streets. The decision is in favor of Kingaid. An attempt was made to open Olive street south to West Seventeenth several years ago. A commission was appointed by the council to assess damages and benefits to the several land owners along the street. The report of this commission was not satisfactory and another one was named. After its report was made, Kingaid objected and took the case to the circuit court. The opinion of Judge Harris is as follows:

"The city attempted to condemn property of plaintiff for street purposes. Viewers assessed \$506 as the amount of damages sustained by the plaintiff over special benefits. Kingaid appealed to the circuit court, where a jury awarded him \$300. The return to the writ of review shows that property owners paid \$296 to city treasury to make up the difference between the amount awarded by the viewers and the amount allowed by said jury. It is claimed that the charter is void and unconstitutional for the reason that the method provided for compensation is not free from risk or loss. The charter in force at the present time provides for the levying of assessments on benefited property and that moneys arising therefrom be kept in a separate fund applicable to the payment of damages allowed to land owners. Section 87 provides that upon the order of the council a warrant shall be drawn on the treasurer, payable out of such special fund, and when such warrant is delivered to the land owner, his property shall be deemed appropriated for the purpose of such street, and not otherwise.

"Upon the order of the council a warrant was drawn on the treasurer of Eugene and thereupon the council declared the property of plaintiff appropriated. The warrant was in the sum of \$300, and directed that the same be paid out of the Olive street extension fund. There is nothing in the record whatever showing that there was any money in the fund except the \$296 paid in by the property owners. The case here is not one where the money is actually paid for the property owner, assuming but not deciding that such fact would validate the proceedings by the council.

"The charter provides one method only for payment, and that method is by warrant on a special fund made up of moneys coming from assessments on benefited property. A warrant would be sufficient if such warrant was supported by the credit of the city. The warrant in this case is no better than the value of the special fund. The holder of the warrant runs the risk of the special fund being insufficient to pay the warrant. The method of payment is limited to payment by warrant on a special fund and to that extent the charter is unconstitutional and consequently the attempted appropriation of the land of the plaintiff is void.

"Baker County vs. Benson, 40 Or., 207-215. Branser vs. Geo. 25 Or., 462-467. 15 Cyc. b and cases cited in note 71."

The judgment handed down this afternoon is as follows:

"It is now considered, ordered and adjudged that the resolution numbered in the return of the writ of review as No. 3, which said resolution was passed by the common council of the city of Eugene on the 19th day of October, 1908, and approved by the mayor on the same date, and that the resolution numbered in said return as No. 4, which said resolution was passed by the said common council on the 19th day of October, 1908, and was approved by the mayor on the same date, be and each of said resolutions are hereby set aside so far as said resolutions attempt to condemn or appropriate the property of plaintiff above named; and it is further ordered that plaintiff recover of and from defendant the costs and disbursements herein to be taxed."

## The Health Dept.

In your bodily system is looked after by millions of little soldiers in your blood - those corpuscles constantly fighting for you.

If this army is well fed and kept healthy and strong, by taking Hood's Sarsaparilla, it will destroy the uncountable horde of germ-enemies that are attacking you every moment of your life. Hood's Sarsaparilla will keep you free from or will cure you of scrofula, eczema, rheumatism, catarrh, anemia that tired feeling and all such ailments.

Irish; 160 acres in sec. 9, tp. 18, s. 5, w. 51800.

W. T. Bowen et ux to Anderson S. Ward; 101 acres in sec. 3, tp. 21, s. 1, r. 3, w. \$100.

J. D. Hunt to Mrs. R. E. Hunt; part of lot 5, block 17, Fairmount. \$100.

D. B. Proctor et ux to C. E. Long; 118.83 acres in sec. 29, tp. 16, s. 3, r. 3, w. \$3000.

N. J. W. Machen et al to Dora L. Machen; lots 11 and 12, block 1, Valley View ad to Springfield. \$300.

William Simmons to Wm. T. Simmons et ux; 5 acres in sec. 15, tp. 18, s. 4, w. \$100.

W. B. Cooper et ux to Rees Wallace Company; lot 2, block 13, Cooper & Randall's ad to Cottage Grove. \$100.

Frances W. Schenck et ux to David Link; 80 acres in sec. 16, tp. 17, s. 1, r. 3, w. \$10.

United States to Sheldon A. Corman; 40 acres in sec. 32, tp. 19, s. 1, r. 3, w. Patent.

United States to Martha J. Bailey; 80 acres in sec. 28, tp. 15, s. 1, r. 6, w. Patent.

D. E. Hamlin to J. B. Hunt; pt lot 5, block 17, Fairmount. \$1775.

Lane Co. Investment Co. to Martha Foster; lot 4, block 20, Gross ad to Eugene. \$200.

Geo. W. Mock to Abigail Hock; 44.26 acres sec 16, 21, tp. 18, s. 3, w. \$1.

U. S. to Sarah L. Wright; 160 acres sec 28, tp. 17, s. 3, E. pat.

Jno. S. Ball et ux to Taylor Stockton et ux; lot 1, sec 3, tp. 17, s. 4, W. \$1050.

Ida Bell Brumbaugh et ux to Reasor Elliott; 40 acres sec 18, tp. 21, s. 2, W. \$1800.

H. A. Scherwing et ux to Ellen M. Pennell; 45 feet off E end lot 10, block 4, Shaw's ad to Eugene. \$635.

Susie E. Snodgrass et al to Daniel Shafer; E 1/2 lot 2, block 1, D. C. McFarland's 2nd ad to Cottage Grove. \$650.

Frank H. Ballie et ux to A. J. Hoban; S 1/2 N 1/2 E 1/4 sec 18, tp. 15, s. 7, W. \$1.

A. J. Hoban et ux to S. Norton; 320 acres sec 18, tp. 15, s. 7, W. \$1.

Jno. W. Warren et ux to Henry M. Stewart; 90 feet on Ninth street between Twelfth and Ferry. \$1.

R. H. Shacklett et ux to L. C. Hughes; 116.21 acres cla 75, tp. 17, s. 3, W. \$1700.

Booth-Kelly Lum. Co. to A. W. Fish et al; 80 acres, sec 7, tp. 19, s. 1, E. \$640.

Hiram Lee et ux to Ida Bell Brumbaugh; 40 acres sec 18, tp. 21, s. 2, W. \$400.

U. S. to Nellie J. Campbell; 40 acres sec 8, tp. 16, s. 7, W. pat.

J. W. Meachem et ux to Frank Whitemen; lots 17, 18, 19, block 2, Valley View ad Springfield. \$400.

J. W. Meachem et ux to Frank Whitemen; lots 13, 14, block 2, Valley View ad Springfield. \$300.

S. A. Doran to Allen Monroe et ux; 30 acres sec 25, tp. 17, s. 5, W. \$1800.

Mrs. F. A. Sprulin to Mrs. Sarah Doris; 30 acres sec 25, tp. 17, s. 5, W. \$1000.

Marcellus H. Thomas et ux to Cassius R. Mead; 32.56 acres cla 63, tp. 17, s. 2, W. \$5000.

Frank E. Herbold et ux to E. L. Campbell; 43 feet 7 inches off E. end lots 5, 8, block 1, Mulligan's ad west. \$300.

Fred E. Herbold et ux to E. L. Campbell; lots 3, 4, block 8, Mulligan's don to Eugene. \$300.

F. A. Washburne et al to Martha F. Vining; lots F and G, replat lot 22, Clarke & Washburne's ad to Springfield. \$300.

F. A. Rankin et ux to D. A. Paine et al; lots 1, 8, block 39, Springfield. \$10.

Henry Loury et ux to C. E. Harbottle et ux; lots 17, 18, block 103, S. P. & I. Co. ad to Springfield. \$1000.

L. D. Forrest et ux to Drew Timber Co.; 240 acres sec 24, tp. 16, s. 2, E. \$400.

Albert Walker et ux to David S. Jordan et ux; lots 5, 6, lot B, and fraction lot 5, block 22, Springfield. \$750.

Wm. E. Weiss et ux to W. Kuykendall; 37.215 acres, being part lots 6, 5, sec 18, tp. 18, s. 7, W. \$1500.

J. P. Wicks et ux tot Griffen & Veath Co.; 160.46 acres sec 18, tp. 21, s. 1, W. \$100.

Alex. Cooley to Geo. A. Besby; 7 acres sec 33, tp. 20, s. 3, W. \$500.

Geo. T. Hall et ux to Willamette Valley Co.; 63.65 acres sec. 36, tp. 16, s. 2, E. \$10.

Abigail Hock et al to Geo. W. Porter et ux; lot 5, block 2, R. S. Scott's ad to Eugene. \$700.

Geo. H. Colter to Abby E. Marshall; lot 11, block 7, Glenda. \$30.

M. T. Awbrey et ux to Nellie Awbrey; 160 acres sec 26, tp. 15, s. 10, W. \$2800.

M. E. Young to Jane A. Colter, 160 acres sec 32, tp. 19, s. 11, W. \$50.

U. S. to James W. Dixon; 160 acres sec 11, tp. 19, s. 8, W. pat.

Eustace Mead et ux to C. Mead; lot 4, block 64, Maud sub. div. Springfield. \$500.

H. O. Thompson to J. E. Jones; E 1/2 lot 2, block 6, J. L. Jones ad Cottage Grove. \$1.

Lester McPherson to Melvin Fenwick; 4 acres, sec 83, tp. 17, s. 3, W. \$800.

Jesse Boughton to W. P. Dodd; lots 1 and 2, block 2, Shelton's 2d ad to Eugene. \$10.

N. J. Rowen et ux to Frank Briggs; lot 2, block 1, and north half of lot 1, block 1, Cole's 1st ad to Marcola. \$700.

C. H. Meade et ux to L. D. Forrest; lot 4, block 64, Maud sub-division to Springfield. \$10.

J. W. Meachen et al to Zettie Meade; lot 8, block 2, Valleyview ad to Springfield. \$150.

Ansel F. Linn to Eliza Leep; 11.25 acres in claim 52, tp. 17, s. 1, r. 4, W. \$2500.

Elizabeth A. Allen et al to Wm.

Montgomery; 45 acres in sec. 9, tp. 17, s. 4, w. \$100.

E. T. Wood et ux to Geo. B. Standish; 160 acres in sec. 8, tp. 20, s. r. 5, w. and 80 acres in sec. 17, tp. 20, s. r. 5, w. \$3000.

Lane County Inv. Co. to Harvey Frink; lot 6, block 3, Gross ad to Eugene. \$275.

James Hart et ux to Rebecca J. Miller; 41.23 acres in sec. 36, tp. 17, s. 2, r. 2, w. \$100.

Minnie Rauch et al to Bertha L. Mack; lot 2, block 1, Sladden ad to Eugene. \$1700.

W. O. Heckart to P. A. Getz; north 65 feet of lot 5, block 10, E. Stewart's ad to Eugene. \$2800.

W. W. Calkins et ux to Chas. Kingswell; 2.60 acres in claim 68, tp. 17, s. r. 3, w. \$10.

Henry Jackson et al to Jno. C. Holden; 160 acres in sec. 9, tp. 18, s. r. 11, w. \$1200.

Grace Gertrude Fredericks to Earl B. Moxley; lts 9 and 10, block 14, Creswell. \$10.

M. C. Currin et al to J. T. Short; lot 3, block 3, Curria Park ad to Cottage Grove. \$100.

United States to Anna Whiteaker; 160 acres in sec. 32, tp. 19, s. r. 5, w. Patent.

J. A. Putnam et ux to Josephus M. Mundell et ux; 3 acres sec 18, tp. 17, s. 1, E. \$700.

Harry M. Crooks to First National Bank Albany; lots 3 and 4, sec 6, tp. 18, s. W. \$10.

Paulus E. Newell et ux to Jno. F. Kelly; 160 acres sec 2, tp. 20, s. W. \$1.

Geo. A. Chambers et ux to James Horn; 27.50 acres, cla 45, tp. 17, s. 4, \$3000.

H. Hunt to D. R. Lakin et al; tract cla 56, sec 32, tp. 17, s. W. \$175.

Herman T. Dow to Carrie E. Prosser; 40 acres, sec 6, tp. 26 s. W. \$1.

U. S. to Wm. T. Gardner; 40 acres sec 15, tp. 17, s. E. pat.

Lester McPherson to Melvin Fenwick; 2 acres cla 83, tp. 17, s. W. \$300.

Jno. F. Walker et ux to Martha J. England; 280 acres sec 1 and 12, tp. 12, s. W. \$1.

Chas. Present to Geo. Budd; 15 acres sec 9, tp. 18, s. W. \$10.

F. E. Goodman et ux to B. E. Bailey et al; lot 3, block 6, Ellsworth ad Eugene. \$3000.

B. E. Bailey et ux to Frank E. Goodman et al; 319.06 acres sec 3 & 4, tp. 18, s. 2, W. cla 57.44, \$13900.

Anlas Land to W. H. Lacey; 1.21 acres sec 3, tp. 21, s. W. \$250.

R. J. Martin et ux to W. H. Lacey; 63.55 acres, sec 3, tp. 21, s. W. \$3000.

Alice L. Clink et al to E. L. Dorr; lot 2, block 6, Sladden's 2nd ad to Eugene. \$1500.

R. C. Morgan et ux to C. R. Mead; lot 4, block 64, Maud's sub. div. ad. Springfield. \$1.

L. H. Smith et ux to Jno B. Coleman; use of stairway in building, lot 5, block 8, Skinner's don. to Eugene. \$1.

O. & C. R. Co. to Geo. D. Lewis; 80 acres, sec 3, tp. 20, s. W. \$280.

O. & C. R. Co. to J. F. Miller; 40 acres, sec 29, tp. 16, s. E. \$120.

U. S. to Harold L. Hopkins; 160 acres sec 6, tp. 17, s. W. pat. \$1.

U. S. to Isaac W. Thompson; 141.20 acres, sec 2, tp. 22, s. W. pat. James A. Stansbie to James P. Fry; 50x115 feet, block 66, S. P. & I. Co. ad to Springfield.

D. Perozzi et ux to H. F. Durkee; tract cla. 50, tp. 16, s. W. \$1.

B. B. Buss to Perry Pennington; lots 11, 12, block 4, Sladden's ad to Eugene. \$10.

Harry Pennington et ux to James B. Tillmont; lot 11, block 4, Sladden's ad to Eugene. \$2250.

Wm. Montgomery to Frank S. Stry; 45 acres sec 19, tp. 17, s. W. \$2250.

Lincoln Taylor et ux to H. Venske; 2 acres sec 33, tp. 20, s. W. \$1.

Thos. Allen et ux to H. Venske; lot 3, block 2, Shield's ad to Cottage Grove. \$10.

L. H. Smith et ux to Jno B. Coleman; part lot 5, block 8, Skinner's don. Eugene. \$1500.

W. P. Dodd to Jesse Boughton; lot 4, sec 30, tp. 17, s. W. \$1.

W. H. Lacey et ux to R. F. Martin et al; 63.55 acres sec 3, tp. 21, s. W. \$1.

U. S. to Lizzie Forrest; 80 acres, sec 20, tp. 17, s. E. pat.

Leon E. Hiatt et ux to Frances E. Keyes et ux; 1.34 acres sec. 36, Davis' cla. 50 acres same. \$5000.

F. L. Chambers et ux to J. B. Kronbusch; 1 acre cla 37, tp. 17, s. W. \$400.

Emo Steffran et ux to M. H. Anderson; 1 acre sec 33, tp. 20, s. W. Jones' Add to Cottage Grove. \$500.

Geo. Rubie et ux to Maud H. Hayes et al; ad. 1/2 lots 1, 2, 3, block 113, Junction City. \$427.

U. S. to Harry M. Crooks; 80.59 acres, sec 6, tp. 18, s. W. pat.

Stillwell Pratt et ux to David Fitzgerald; lot 5, Clark & Washburne's ad to Springfield. \$500.

Margaret A. Cundiff to M. E. Watson; 50 acres, sec 24, tp. 22, s. W. \$700.

J. W. Baker to E. L. Fisher; und. lot 4, 5, block 2, Whitney's ad to Eugene. \$4000.

Geo. P. Weygant to Wm. Willis; 54.66 acres sec 23, tp. 18, s. W. \$1.

Vernon B. Mathews et ux to Geo. P. Weygant; 5 1/2 acres sec 23, tp. 18, s. W. \$2800.

Anna Whiteaker to Jno. W. Pfeiffer et al; 160 acres, sec 32, tp. 19, s. W. \$2000.

Jacob H. Williams to Mary E. Bowers; 15.14 acres cla 42, tp. 16, s. W. \$250.

A. B. Kepner et ux to Frank Scobey; W 1/2 lot 5, block 32, ext. sur. Springfield. \$650.

Carlyle T. Travis to Jno. E. George et ux; 200 acres, cla 60, sec 3, tp. 16, s. W. \$1.

Effie A. Zumwalt et ux to F. L. Crenshaw; 116.48 acres, cla 42, tp. 16, s. W. \$2450.

Effie A. Zumwalt to Frank L. Crenshaw; 51.97 acres, sec 26, tp. 16, s. W. \$10.

Uriah C. Holeman et ux to Neils Johnson; 7 acres, cla 39, sec 25, tp. 17, s. W. \$1735.

Elma S. Anderson to Mrs. Delta M. Cox; N 50 feet lot 2, block 5, Walnut Park ad to Eugene. \$250.

W. H. Champion et ux to Arch Dick; lot 1, block 2, Purkerson's & Quimby ad to Eugene. \$1550.

Mary A. Dietz to C. C. Coffman; lot 6, Wilkins' ad to Eugene. \$675.

C. C. Coffman et ux to Mary A. Dietz; lot 6, Wilkins' ad Eugene. \$475.

W. W. Calkins et ux to H. A. Barr; lots 1, 2, block 3, amended plat Fairmount. \$250.

E. O. Potter, guardian, to F. L. Crenshaw; und. one-sixth of 170 acres, sec 26, tp. 16, s. W. \$200.

James S. Taylor to Mary A. B. Smith; 4.10 acres, sec 18, tp. 16, s. W. \$1.

U. S. to Jos. H. Hoff; 151.70 acres, sec 7, tp. 15, s. W. pat.

Herman Bucholz et ux to Melvin Fenwick; tract in block 68, S. P. & I. Co. ad to Springfield. \$800.

John Debeck to Arthur P. Sylvester; 7.15 acres in claim 70, tp. 17, s. r. 3, w. \$1230.

E. U. Lee et ux to S. B. Simmons; \$2.56 acres in claim 50, tp. 16, s. r. 4, w. \$10.

Earl Metz to Peter Metz; lot 14, block 6, Fairmount. \$10.

B. D. Paine to DeWitt A. ... undivided one-half of 160 acres in sec. 12, tp. 20, s. r. 1, w. \$1.

Frank Briggs et ux to O. R. Page; 3 1/2 acres in sec. 18, tp. 16, s. r. 1, w. \$800.

Fingal Hinds et ux to T. F. Crist et al; 40 acres in sec. 3, tp. 21, s. r. 3, w. \$160.

Edw. L. Sutton to L. F. Farmer; nw 1-4 of lots 16 to 20, block 62, Chicago ad to Florence. \$150.

J. Clem to Lars Nelson; lot 12, block 6, Hendricks' amended ad to Eugene. \$1350.

Geo. Windham et ux to Jacob Bahr et ux; 1 acre and 71 square rods in sec. 8, tp. 16, s. r. 1, w. \$300.

G. Walter Millican et ux to Geo. E. Putnam; 3 acres in sec. 18, tp. 17, s. r. 1, E. \$210.

Geo. E. Putnam to Ward E. Stovall; 3 acres in sec. 18, tp. 17, s. r. 1, E. \$350.

Wm. Wolf Hicks to Albert J. Brackett; 79.61 acres in claim 30, tp. 15, s. r. 4, w. \$2250.

B. A. Washburne et al to Frank Fountain; lots 17 and 18, block 84, Washburne's sub-division S. P. I. Co. ad to Springfield. \$140.

G. G. Warner to Geo. W. Kerr; half interest in Burkshire mining claim, Bohemia mining district. \$1.

G. W. Kerr et ux to G. O. Warner; half interest in Graylock mining claim, Bohemia mining district. \$1.

Pollard J. Lacey et ux to Mary A. E. Smith; tract in sec. 7, tp. 16, s. r. 3, w. \$10.

Franklin Martin et ux to T. J. Ryan; tract in sec. 18 and 20, tp. 18, s. r. 3, w. \$8700.

B. A. Washburne et al to Thos. J. McCracken; lots 11 and 12, block 84, Washburne's sub-division S. P. I. Co. ad to Springfield. \$150.

# THAW TO STAY IN ASYLUM AT MATTEAWAN

White Plains, N. Y., Aug. 12.—Justice Mills handed down a decision this morning that Thaw is still insane. He dismissed the writ of habeas corpus by which Thaw had endeavored to secure his release from Matteawan, and remanded him to the custody of the state authorities at Matteawan.

Justice Mills suggested that Thaw at Matteawan be restored to the privileges he enjoyed during his first term, and that his mother be allowed all possible privileges. Thaw will remain in jail here at least until Friday, when his attorney will be given an opportunity to make any formal motions before Justice Mills at his chambers in Mount Vernon.

The prisoner took the decision coolly. His only statement was a denial of the assertion in the court's opinion that he still cherished the same delusions that drove him to shoot Stanford White.

Justice Mills' decision was based principally upon the opinion of Dr. Amos Baker, assistant superintendent at Matteawan, and the decision of the jury in the case of the state vs. Thaw.

"All such authorities," says Justice Mills, "are public officers, with no conceivable motives except to do their duty."

Wm. Wolf Hicks to Albert J. Brackett; 79.61 acres in claim 30, tp. 15, s. r. 4, w. \$2250.

B. A. Washburne et al to Frank Fountain; lots 17 and 18, block 84, Washburne's sub-division S. P. I. Co. ad to Springfield. \$140.

G. G. Warner to Geo. W. Kerr; half interest in Burkshire mining claim, Bohemia mining district. \$1.

G. W. Kerr et ux to G. O. Warner; half interest in Graylock mining claim, Bohemia mining district. \$1.

Pollard J. Lacey et ux to Mary A. E. Smith; tract in sec. 7, tp. 16, s. r. 3, w. \$10.

Franklin Martin et ux to T. J. Ryan; tract in sec. 18 and 20, tp. 18, s. r. 3, w. \$8700.

B. A. Washburne et al to Thos. J. McCracken; lots 11 and 12, block 84, Washburne's sub-division S. P. I. Co. ad to Springfield. \$150.

# CIVIC BEAUTY IS AKN TO CIVIC RIGHTEOUSNESS

"I wish to make a suggestion to Eugene, namely, that in the planning of its park and boulevard system—from the depot park to Hendricks' Park—it call upon some expert who has had knowledge of what other cities have done, and let him lay out a far-reaching and comprehensive system which shall provide for the needs of the city for fifty or more years to come. Thus, by foresight, much can be gained, errors avoided, and all work done in accordance with a large and comprehensive plan, which may take a half century, or even a century, fully to complete."—Geo. Wharton James, Pasadena, Cal., last paragraph, Arena, August, 1909.

Perhaps the most remarkable article ever written about Eugene is the first one in the current number of the Arena. Accompanying it are eleven illustrations. The Arena is a magazine that is ranked with the Outlook, and above Collier's by thinking people.

The article discloses the future plans to beautify Eugene. The author addressed the council at the beginning of the campaign for the park at the depot. While here he came in touch with the most progressive people of Eugene. From these he gleaned the plans for the years to come.

The article says: "The progressives among the citizens are now advocating a full system of parks, city squares, boulevards, and scenic outlooks. Nature has given Eugene the opportunity to work out such a system to perfection. In the centre of the city is the small city square. It is useless as a park, but it is admirably adapted for a civic centre. . . . Other public buildings can be massed here (besides the courthouse, the new hotel, the jail, Rest Cottage, etc.), as an art museum and a theatre, and thus a civic centre assured while the city is in the infancy of its uplift. From here a parkway or tree-lined street leads to the University grounds, which President Campbell long hopes to have laid out after the plans of a first-class landscape architect. Within a stone's throw of the campus is the millrace. . . . Along this millrace the boulevard can be extended to the Fairmount hills, two miles away, in the heart of which nestles Hendricks' Park. . . . Passing now through these many orchards the boulevard will lead to the banks of the Willamette, and follow its winding course back to the city to a magnificent butte (Skinner's)."

The author believes civic beauty to be a part of civic righteousness and the worth of beautiful, refined surroundings an element of uplift.

Of Hartog

In regard to Eugene's booster John H. Hartog, the Illustrated artist says: "One of his advertising hobbies was beautifying a city. This was undoubtedly the result of the civic nature of his native land—Holland—for all travelers who have wandered through the land of canals and quaint windmills of artists and simple-hearted peasants, know how neat and clean the cities of Holland are. He contended—and wisely, too—that not only does civic beautification pay the citizens in the enjoyment they experience in seeing the new beauty, but it pays from a commercial standpoint to the University point.

## TAKT MAY BE INDUCED TO COME TO EUGENE

Manager Hartog, of the Commercial Club, today received a letter from Congressman Hawley, of Oregon, acknowledging the receipt of his letter in which it was urged that President Taft be induced to stop in Eugene during his trip through the state this fall. Mr. Hawley says he has taken the matter up with the President and will do all in his power to secure a visit to Eugene from the executive of the nation.

## PORTLAND RUMORS FILL SPRINGFIELD WITH GOSSIP

The Southern Pacific engineering department at Springfield denied this morning that the remainder of the Natron line from Klamath Falls to the end of the present contract on the Natron route had been let to the Utah Construction Company. Two contractors from Denver, Nels Lind and Gus Johnson, stated to Springfield people yesterday that the contract for the whole road had been let. They are reported to have said that they had come to dig the three tunnels, but according to the engineering department they are but sub-contractors, waiting for terms from the Utah Construction Company.

Two carloads of implements arrive at Springfield this morning for the McCabe Construction Company, of Portland, who are sub-contractors. Other material is expected soon. A telegraph office has been installed at Natron, and regular trains are likely to be run to the little station in a month.

McKenzie Line

The two Denver contractors, who ever and whatever they are, are reported to have said that the Oregon Trunk line, whatever and whoever that is, intends to run up the Deschutes, come down the McKenzie and enter the upper Willamette valley and probably go to Coos Bay. As every proposition has many reversers, and as some of them are bound to be correct, it may be that such a plan is in the mind of the Hill or some other road.

As the pass at the head of the McKenzie is very rough and difficult, the Oregon Trunk might enter the Coos Bay field by following the Deschutes in its source, and crossing on a low pass and coming down the North Umpqua river to Roseburg.

## BACON ADMITS HE WAS RECKLESS

Man Who Killed Ferguson for Deer Exonerated by Coroner's Jury

Roseburg, Or., Aug. 12.—Albert Bacon, who last Friday shot and killed M. D. Ferguson while hunting near Elkton, was acquitted at Yonkers by the coroner's jury at a verdict of accidental shooting brought in.

Bacon admitted that it was reckless shooting and that he shot at a spot no bigger than his hand, thinking it was a deer, notwithstanding he had entered into a compact with his companions not to shoot until certain of what he was firing at.

## OREGON RIFLE TEAM WILL GO EAST

It has been definitely decided that the national competitive shoot of militiamen will be pulled off. The rifle team from Oregon will leave on August 14 for Camp Perry, Ohio, where the target range is located. Seventeen men will constitute the team, three officials and fourteen marksmen. The officials accompanying the team will be General W. E. Finzer and Major P. S. Baker, of Portland, and Major Creed Hammond, of Eugene.

## LARGE FARM CUT INTO SMALL TRACTS

Junction City, Or., Aug. 12.—The Bushnell farm, consisting of 348 acres, is to be subdivided into 10 and 20 acre tracts. The land will be surveyed in a few days and platted. This is a fine tract of land and will make desirable homes for a large number of families.

## DIED

At the residence of his daughter, Mrs. H. F. Hollenbeck, 123 East Eighth street, at 5:30 a. m. today, John Midgley, was born at Leeds, England, October 12, 1829. In his early youth he came to the United States, and in 1875 to Lane county, Oregon, where he had since lived. He was the father of six children, two of whom are still living, Geo. Midgley and Mrs. H. F. Hollenbeck. The funeral will be held at Gordon's chapel Friday afternoon at 2:30 p. m. Interment in the Masonic cemetery.

Constable F. T. Plank and family, who were injured yesterday on the road to the mountains near Fall Creek, arrived home last evening. The wagon turned over on a high grade instead of falling through a bridge, as reported. Plank's hand was badly cut instead of his wrist broken. None of the women in the party were injured.

Fairmount is becoming quite a business centre. Besides two grocery stores, a bakery and a butcher shop, there will soon be a new millinery store and a grocery store. The two last named will be located in a new building being erected by Jos. Johns on East Thirteenth street just west of the car barn.

Frank E. Dunn, the Eugene merchant, today began suit against W. J. Canady to recover \$510 on promissory notes.

# ANNUAL APPROPRIATION FOR IRRIGATION ASKED FOR

Spokane, Aug. 13.—An annual appropriation of ten million dollars for a period of five years to aid in irrigation work is asked of congress in resolutions adopted by the National Irrigation Congress today. This perhaps most important recommendation in resolutions was adopted, of which the following is a synopsis:

That homesteaders under a government project shall not be required to establish residence before the government is prepared to furnish him with water; that the government take measures to drain swamp lands in aid of land reclamation and of public health; that the irrigation congress act with other conservation organizations to bring about waterway improvements; reforestation and other like projects; that there be brought about surveys and estimates of reclamation of submerged lands where the worn is international in character (this refers to Northern Idaho more especially); that the reclamation act be extended to Hawaii, that the different states pass laws regulating the cutting of all public and private timber; that there should be no political lines with reference to the use of water for irrigation; that the Mississippi deep waterway be developed.

The committee turned down the resolution asking for a five million dollar bond issue after a severe debate, in which some of the Washington delegates upheld the measure. No hint of the Ballinger-Pinchot differences came up in committee. Professor W. D. Lyman spoke on the subject of "Deep Waterways for the Inland Empire."

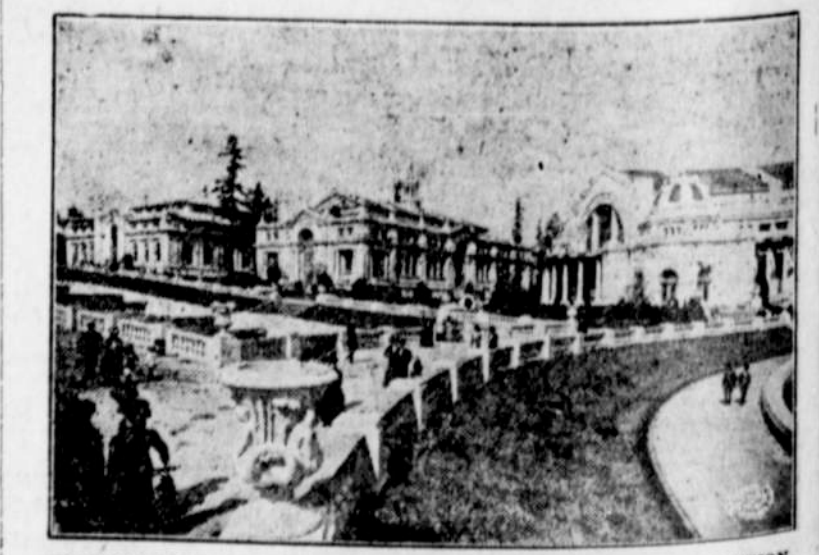
## WISCONSIN MAN THINKS PROHIBITION STRONG POINT

That Eugene and Lane county are especially attractive to home makers because they are prohibition or dry territory is the opinion of F. E. Keefe, of Eau Claire, Wisconsin, who was attracted to Eugene by that very fact, and by the Lane county exhibit at the A-Y-P. exposition. "Many people will come to Eugene just because it is dry," he said.

"Prohibition means that business will be good, that men will pay their bills, and that the children will not be contaminated by vice so easily."

Exhibit Good

"The Oregon building is one of the most attractive and best arranged of the fair grounds," he added, "and the Lane county exhibit is eliciting many inquiries, and will cause hundreds of the best kind of people to investigate Eugene's claims, as I am doing."



PANSIES AND POSIES EVERYWHERE AT A-Y-P. EXPOSITION. In the foreground of the picture is shown the bank which slopes up from Geyser Basin at the Alaska-Yukon-Pacific Exposition, Seattle. Upon it have been planted 300,000 tufted pansy plants, and close up to the ballustrade high-growing plants of bright blossom.

Above Geyser Basin can be seen the banks of the Cascades, and around these are growing 100,000 rose bushes, so selected that there will be a rotation of blooms throughout the Exposition.

## Real Estate Transfers

Daily transfers reported by the Eugene Abstract Company, Fred G. Stickle, Secretary.

Lane County Investment Company to Thos. Lowe; lots 3 and 4, block 29, Gross ad to Eugene. \$325.

B. F. Guiley et ux to Lanzie Winfrey; 6.55 acres in sec. 19, tp. 19, s. 1, E. \$10.

C. E. Russell et ux to J. S. Brown, et ux; part of lots 6 and 7, block 3, Christian's ad to Eugene. \$1200.

Eli Rust et ux to School District No. 129; tract in sec. 18 and 19, tp. 17, s. r. 6, w. \$50.

Spencer Butte Lodge No. 9 to J. H. Copeland; lot 104, I. O. O. F. cemetery, sec. 32, tp. 17, s. r. 3, w. \$12.50.

Harry L. Brown to Geo. T. Hall Sr.; lot 3, block 6, Frazer & Berry plat of Florence. \$2.

L. E. Bean et ux to Geo. T. Hall Sr.; tract in sec. 36, tp. 18, s. r. 12 w. \$100.

United States to Albert White; 40 acres in sec. 32, tp. 19, s. r. 3, w. Patent.

Geo. H. Irish et ux to Lena Heersheema; 160 acres in sec. 9, tp. 18, s. 5, w. \$100.

Frank Whiteman to J. W. Machen et al; lots 18 and 19, block 2, Valley View ad to Springfield. \$300.

Ira Bidwell to L. D. Forrest; tract in block 63, S. P. & I. Co. ad to Springfield. \$10.

Andrew Svarverud et ux to Harry H. Cullen; north 66.6 feet of lot 4, block 18, Fairmount. \$1800.

Lauretz C. Olson et ux to Geo. H.