NO NEW TRIAL IN CITY VS. O. MILLICAN CASE

Judge Harris, of the circuit court, this afternoon rendered a decision on the motion for a new trial in the case of the City of Eugene vs. Oscar Millican, denying the motion. The work of building the city's power canal across Millican's land will now proceed and the power plant will be rushed to completion. The judgment and decree rendered by Judge Harris today are as follows:

"Upon consideration of the motion of the plaintiff herein for an entry of judgment upon the verdict rendered in this cause, after trial had, plaintiff appeared by John M. Pipes, one of its attorneys, and

"It appearing to the court that after trial had in said cause as aforesaid, a verdict was rendered with this court in said action on the 10th day of August, 1909, by which verdict it was determined that the appropriation of the land described in the complaint is necessary as a right-of-way for the plaintiff for the proper construction, maintenance and operation of its canal referred to in complaint. . . . . .

"And it further appearing by said verdict damages were and are awarded said defendants in the sum of $3,500 by reason of the appropriation of said right-of-way, and that said amount covers and includes the value of said strip of land actually appropriated, and the damages that result to the remainder of the land of the defendant by reason of the proper construction, maintenance and operation of said canal, and

"It further appearing that the said plaintiff has deposited with the clerk of the circuit court a warrant duly drawn on the treasurer of the city of Eugene, payable to the defendant or his order, for the sum of $3500 for the benefit of said defendant.

"Now, therefore, in consideration of the premises, it is ordered, considered and adjudged that the said strip of land described is hereby appropriated by the plaintiff, the said city of Eugene, for the purpose of constructing, maintaining and operating the canal mentioned in the complaint; and it is further adjudged that the defendant recover off and from the plaintiff the costs and disbursements of action to be taxed."

Order of Decree

"The above cause came on for hearing on the motion for a new trial filed herein by defendant, the plaintiff appearing by its attorneys, John M. Pipes and L. Bilyeu, and the defendant by his attorneys, Woodcock Potter and Thompson & Hardy, and after hearing the argument of counsel the court reserved said cause for further consideration.

"It is now considered, ordered and adjudged that said motion for a new trial be and the same is hereby denied.

"And it is further ordered that defendant have 50 days in which to prepare and submit a bill of exceptions if defendant desires so to do."

AGED GRANDMOTHERS OF EUGENE LIVE NEAR EACH OTHER

Four aged grandmothers, Oregon pioneers, reside within a block of each other in Eugene. They are still active in the ordinary duties of every day life. All of them are over 76 years of age and three of them are great-grandmothers.

Mrs. Mary J. Gray was born in Perdue, Ind., May 24, 1830. When 20 years of age she married Thomas Gray and went with him and their two little sons to Iowa in 1853. The next spring they started for Oregon, settling in the Mohawk valley. Eighteen years ago the family moved to Eugene.

Mrs. E. M. Eddings was born in Jacksonville, Ill. From there she went to Minneapolis, and came to Oregon some 20 years ago. The principal part of that time she has lived in Ashland and Portland, but has recently come to live with her daughter, Mrs. Godfrey, on East Eighth street, in this city.

Mrs. Mary J. Morris Drew was born in Delaware, December 25, 1832. She went with her parents in early childhood to Clinton county, Ohio. She has lived in Eugene for 20 years.

Mrs. Barbara Hollis was born August 11, 1833, in Page county, Virginia, and is a few months the youngest of the four grandmothers. She settled in Missouri and came to Oregon 35 years ago.

EUGENE PICTURES ARE MOST ATTRACTIVE

Writing in the Sunday Oregonian about the Oregon building at the A. Y. P. Fair, Matell Howe says: "All over the building, upstairs and down, there are many beautiful pictures of Oregon scenery, taken, of course, by Oregon photographers. Every picture in itself was an advertisement for Oregon—as the whole building is."

And it is generally conceded that the hand-painted pictures of Eugene and Lane county are the most attractive and artistic pictures of all in the Oregon building.

Lebanon Express: Mrs. C. J. Wolters, of Eugene, visited relatives and friends in Lebanon two days this week. Some of the friends of Mrs. Wolters gave her a reception at the home of Mrs. F. M. Miller Wednesday evening, which was a very pleasant affair. Many friends were there to pay their respects to the guest of honor. Delightful punch was served with cake. Mrs. Wolters returned to her home in Eugene last evening.

TWO ARE HELD ON CHARGE OF KIDNAPPING

Kansas City, Aug. 23.—Mrs. Jas. G. Barclay, of Buffalo, N. Y., and J. N. Gentry, of Kansas City, are being held here on the charge of kidnapping in connection with the abduction of little Marion Bleakley, the "incubator baby," at Topeka Saturday. Requisition papers for their return to Kansas have been issued, and the hearing of the writ of habeas corpus to prevent their removal will come up Wednesday, and until that question is disposed of the requisition will be of no avail.

GRAHAM RETURNS FROM TRIP TO THE EAST

Shoe Merchant Says Prosperity Abounds Everywhere—Visited Many Cities

David Graham, the junior member of the shoe firm of Burden & Graham, of this city, arrived home this morning from a trip through the East. He started from Eugene on July 4, took in the exposition at Seattle on the way and went as far east as Boston, visiting every city of importance north of the Mason and Dixon line.

Mr. Graham is enthusiastic over business conditions east. He says prosperity pervades the very atmosphere. Crops in the East and Middle West are splendid this year and all manufactories are all operating to their fullest capacity. While at Boston he attended the international shoe and leather fair and visited a number of large shoe factories in that vicinity. He also visited factories at Cincinnati, Columbus and Rochester. He was shown the time of his life by some of the manufacturers and was accorded every courtesy by the proprietors of every factory he visited.

While at Washington, D. C., Mr. Graham visited Chester Washburne, son of Mrs. Minnie Washburne, of this city, who is high up in the office of the U. S. geological survey.

THE WRIGHT AIRSHIP.

Now that the government has accepted the Wright airship as its official aeroplane the Wright brothers will sell duplicates of the flying machine to private persons who wish to enjoy the delights and run the risks of aviation.

AVIATOR CURTISS MAKES RECORD AT RHEIMS TODAY

Rheims, Aug. 23—Glenn H. Curtiss, the American aviator, made a record here today. He covered one lap, a distance of 6 1-5 miles, in 8 minutes and 35 3-5 seconds. This is the official time.

COPIES OF ARENA WITH EUGENE ARTICLE WILL SOON BE HERE

The August Arena contains the first of a series of articles by Dr. Geo. Wharton James, of Pasadena, on the Pacific Northwest, this first one of the series being devoted to Eugene. The magazine will be on sale here shortly at Schwarzschild's, it having had to be sent for East as it is a publication which circulates almost entirely in the east and seldom comes to the coast. A letter received by the Commercial Club from the East, says: "I have just read a most appreciative article on Eugene in theis month's Arena by Wharton James and he surely does your city an honor, for, to my thinking, the word of Wharton James is as good as gold. I should like to know a little more of Eugene, etc. Sincerely. Geo. N. Falconer."

BORN

North of Eugene, August 21, 1909, to W. D. Hughes and wife, a daughter.

O. G. Gilbertson, manager of the [illegible] Gold Hill Mining Co., in the Bohemia district, is in the city on business. He says the district is looking up and times are quite lively there.

SEVERAL HAVE BEEN KILLED, MUCH PROPERTY BURNED AND SCORES WOUNDED

Pittsburg, Aug. 23.—The death list of Sunday night's shooting remains at six, but there are four men in the hospitals whose recovery is doubtful. The streets of McKees Rocks are deserted today, but the quietness is taken to indicate anything but a spirit of peace. While the strikers and their sympathizers are not being allowed to mobilize today, it is believed that behind the closed doors of their homes they are but waiting for the cover of darkness to resume the violent disorders of last night.

Following one of the most fatal and desperate riots ever seen in this city, for more than two decades, a quiet but tense situation prevailed at 8 o'clock this morning at McKees Rocks, where last night, in a terrorizing conflict between state, county and special police and the employes of the Pressed Steel Car Company, Deputy Sheriff Exler, Troopers Williams and Smith and two strikers are known to be dead. An unidentified white man, believed to be a strikebreaker, is also dead. A dozen men, both strikers and police, are in the hospitals fatally injured, while at least two score of men, women and children are suffering from bullet wounds and injuries inflicted by clubs and stones. The property loss will reach the extent of many thousands of dollars. Three street cars were literally wrecked, many vehicles smashed, the street littred with window glass, nearly one hundred doors of houses broken and half a dozen horses shot to death.

Daylight changed the conditions from a scene of absolute lawlessness to one of fearful anxiety. Foreign women, who had fought with a ferocity unequalled by their husbands, pathetically implored for information concerning missing relatives, probably shot or mortally injured. The shooting continued from various sections of the strike zone long after the main battle had been fought last night but did not reach serious proportions and the troopers remained close to the plant.

Came Without Warning

Last night's rioting came without warning and appears to be the outgrowth of the spread of a rumor that a number of strike breakers were being brought into the plant. Pickets were immediately doubled and every car that came from the city was held up. This had been going on for some time when a car bearing Deputy Exler came along. The car was stopped and Exler was ordered to leave it. Instead, it is said, he threw back his coat and showed his star. This was the signal for a fusillade of shots and Exler opened fire in return. When all the cartridges in his revolver were exploded he cried that he would give up and fell under a shower of stones and bullets.

Assured he was dead, the crowd ran, and when the slayers had depart, ed the crew of the car took the body to a physician's office. A large bullet wound through the forehead was the direct cause of death, although his head and body was terribly mangled and beaten by stones and clubs.

A Desperate Battle.

Hardly had the car started for the physician's office than another approached and the mob stopped it. State Troopers Williams, Smith, Jones, O'Donnell and Kitch were on this car. As the mob boarded the car the troopers arose to make fight against terrible odds. Then began a fusillade in which 500 or more shots were fired. O'Donnell was first to fall. Kitch stood over him and gamely carried on the fight with the mob, a revolver in either hand. Volley after volley was fired at him but he escaped being shot, though he was terribly stoned and beatten after all his comrades lay wounded at his feet.

While fighting was in progress, Lieutenant Smith received word of what was going on and ordered out the entire force of troopers. As they galloped toward the mob, it broke and fled, and by midnight McKees Rocks was as quiet as a Sabbath afternoon again.

At dawn, mounted constabulary rode to the scene of last night's carnage and gathered every particle of evidence. Hats, collars, coats and wearing apparel were found and taken to the company's offices, and every effort will be made to locate the owners with a view to arresting them in connection with the deaths of the officers.

The leniency heretofore displayed by the constabulary is absent today, and stringent measures are being taken, and the least overt act by a striker is being met with riot stick or hoofs of a policeman's horse.

Attempts were made this morning to prevent holding a mass meeting at the Historic Indian Mound, where up to this time the meetings of the idle men have been held daily. Thousands of strikers began their journey to the mound early today but many were forcibly halted and started in opposite direction. Owing to the sullen demeanor of the strikers, the strength of the constabulary is concentrated in the vicinity of the mound. This point, it is believed, will be the scene of any further disorder that may occur.

DIED

At the home of her daughter, Mrs. J. A. Henderson, on the Sladden farm in the northwestern part of the city, August 23, 1908, Mrs. Catherine Mummey, agesl 79 years. The cause of death was a general breaking down in health due to old age. She leaves, besides her daughter, Mrs. Henderson, two sons, W. B. and E. R. Mummey, both of Eugene. The funeral will be held Tuesday afternoon at 2:30 o'clock at the Gordon undertaking parlors, wkh interment in the I. I. O. O. F. cemetery.

Dr. and Mrs. Launders have left for their home at Garwin, Iowa, after a short visit at Mrs. Launders' uncles, H. H. Fisk, at Mapleton, and W. E. Fisk, of Eugene, it being the first time they have met for twenty-one years. The doctor thinks they may locate in Oregon in the near future as he is very much taken up with our fine climate and prospects for [illegible]

A. J. Stolberg, of Wendling, who has been at the General hospital for some time, has been discharged and he has returned to Wendling.

OUTLAW BALL PLANNED FOR NEXT SEASON

Spokane, Aug. 23.—"We will get our rights for the national association next year or one of the strongest of outlaw associations will be formed in this section," declared Joseph Cohn, president of the Spokane baseball team. "That is practically the united decision of the Northwest."

He says god money was paid for McLoughlin, but they neither get him or keep him from playing with another organized club.

OREGON RIFLE TEAM AMONG TOP-NOTCHERS

Camp Perry, O., Aug. 23.—Bulletins posted tonight show the Oregon National Guard team ahead of 28 out of the 49 competing teams. Today's firing was at 200 and 600 yards, the difficult ranges remaining for tomorrow.

Oregon men are confident of passing at least ten more teams today. Sergeant Stevens, of Portland, made a perfect score of 50 today. Corporal Romaine and Sergeant Charlie White each scored 48 The team average was 45.

At the end of the second (600-yard) stage of the National Rifle Team match, the United States Navy is ahead with 1081, but Massachusetts is crowding hard with 1075 and New York with 1070. On the 200-yard shoot, which opened the match, the Navy led, closely pushed by the Annapolis cadets, while at 600 yards the New York team, which came here with only about a week's practice at Sea Girt, tied the Navy for high score and pulled up from ninth to third place.

PRUNE MARKET IS REPORTED AS QUIET

The prune market is reported to be very quiet just now both here and in California. Local dealers state that conditions are not exactly of the sort that should make the prune market so slow and believe there is a possibility of a better market. If the California growers find themselves some millions short it will affect the market and liven up things.

William H. Cleaver today filed a petition in the circuit cort for a divorce from his wife, Mrs. Grace Cleaver. They were married on January 1, 1904, according to the plaintiff's complaint. Desertion is alleged. H. E. Slattery is attorney for Cleaver.

CONTRACTORS' FAMILIES WILL LIVE IN EUGENE

The several members of the Utah Construction Co., who have the contract to build a portion of the Natron-Klamath Falls extention of the Southern Pacific railway, besides the large number of sub-contractors, engineers and under workmen, will make their homes in Eugene during the two years required for the completion of the line and most of them will bring their families here to live.

John B. Wallace, A. O. and W. A. Betchell and Clarence Thorne, all of Oroville, Cal., who are sub-contractors, arrived here this morning with their wives and they are looking around today for places to live. Others connected with the construction forces have already brought their families and more are to follow. Some of them will board at hotels while others will rent dwellings, if they can find them, and keep house during the time the work is going on at the front.

Nearly every train from California brings a number of workmen to be employed on the new railroad. The work has only been fairly started and not more than 250 are now employed, but before another month is gone it is stated that 2000 or more men will be working at different points between Natron and the east end of the contract.

COPYRIGHT, BY UNDERWOOD & UNDERWOOD

GLENN H. CURTISS.

Glenn H. Curtiss, who went to Europe to take part in the international aviation contests at Rheims, France, is one of the leading American aeronauts.

Engines and Horses Arrive.

This morning two car loads of horses and one car load of donkey engines arrived in Eugene to be used on the work by the contractors. They were unloaded in Eugene and will be taken to the scene of operations from here. It is not known why the horses and engines were not taken to Natron or Goshen, the nearest points to the scene of operations. It is probable that a great deal of the construction materials and supplies for the men will be sent direct from Eugene.

DR. BROUGHER WILL CONSIDER INVITATION

Dr. Brougher, when asked yesterday concerning the report that his services were to be secured by the Temple Baptist Church of Los Angeles, in lieu of those of Rev. Dr. Burdette, who has been recently forced to resign on account of ill health, stated that the people of Los Angeles have asked for a conference, and he will go there to meet the Temple committee.

Dr. Brougher and Dr. Burdette are warm personal friends. Dr. Brougher supplied the Auditorium pulpit for three Sundays two years ago. As soon as it was know that Dr. Burdette must resign, Dr. Brougher's name was mentioned as the most logical to succeed to that pulpit.

Dr. Brougher will not say what the outcome of the conference will be nor what he may do in the matter. He is thoroughly satisfied with his church here, and he has recently declined offers from important Eastern churches.—Journal.

"INCUBATOR BABY" IS AT LAST LOCATED

Kansas City, Mo., Aug. 22—Marian Bleakley, who was kidnapped in Topeka yesterday, was recovered here by the officers last night, who arrested three alleged kidnappers with the child in their custody. The fugitives were taken to her home as soon as possible.

Mrs. Edith Marclay and John Gentry were arrested at the Burlington railroad bridge in this city late tonight. The man, woman and child were passengers on the C. B. & Q. train, which they boarded at Atchison. The train was stopped at the bridge in accordance with telegraphic orders.

CARD OF THANKS.

Kind friends and neighbors, we wish to extend our thanks to all who assisted us in our time of sorrow and trouble, and who so kindly sent beautiful flowers and did so many other acts of kindness which will never be forgotten.

Mr. and Mrs. Albert Ward and family.

HOP CONTRACTS MADE AT 25 CTS. PER POUND

Word was received from Independence yesterday that Miles Porterfield had contracted to deliver 20,000 pounds of new hops to Klaber, Wolf & Netter at 20 cents a pound. This is the first new business that has been reported for some time.

The crop news that came in yesterday was more or less conflicting. While the lice are decreasing in parts of Washington county, further on up the west side there is little or no improvement to be seen, while on the east side of the river some localities are said to be in bad shape. The safety of the crop, as a whole, depends on the weather that prevails from now until the end of the harvest.

A letter received yesterday from Wild, Neame & Co., of London, estimated the English crop at 180,000 to 220,000 cwt. The lower of these two figures is 20,000 cwt. below the lowest prediction heretofore made by any of the English dealers. A London cable yesterday reported the weather in England unfavorable, while a German cable said red spider had appeared on the continent.—Oregonian.

INCREASED CAPACITY OF FLORENCE SAWMILL

New Machinery Being Installed—Capacity Will Be 100,000 Feet

Important changes are soon to be made in the Oregon & California Lumber Co's. mill at Florence and the cutting capacity is to be greatly increased.

Some time ago the company had a lot of machinery shipped here that has not been used. This machinery is now being placed in position under the direction of Superintendent Brett and it will soon be ready to operate.

It is the intention of the owners, so we are informed, to increase the capacity of the mill to 100,000 feet of lumber per day. This will be a big increase in the output of the mill and will furnish employment for a large number of additional men, not only in the mill but in the logging camps as well. It will also require more vessels to carry out the lumber which will be manufastured.—Florence West.

MAKE NEW SURVEY IN BOHEMIA DISTRICT

Party of Engineers Go to Mountains to Correct Old Gessner Survey

F. J. Hard, who returned today from a short trip to Cottage Grove, said this afternoon that a party of surveyors left Cottage Grove this morning to check up the old Gessner survey in the Bohemia mining district and vicinity, made 15 years ago. This survey of section lines has been rejected several times by the government and the surveyors who left Cottage Grove this morning are sent out for the purpose of correcting all errors.

MAKES RAPID HEADWAY.

Add This Fact to Your Store of Knowledge.

Kidney disease advances so rapidly that many a person is firmly in its grasp before aware of its progress Prompt attention should be given the slightest symptom of kidney disorder. If there is a dull pain in the back, headaches, dizzy spells or a tired, worn-out feeling, or if the urine is dark, foul-smelling, irregular and attended with pain, procure a good kidney remedy at once.

Your townspeople recommend Doan's Kidney Pills. Read the statement of this Eugene citizen.

Mrs. M. J. Drew, 295 East Eighth street, Eugene, Ore., says: "I suffered from severe pains in the region of my kidneys and through my loins, at times extending into my limbs. The action of the kidney secretions was so irregular as to plainly show that the kidneys were disordered The claims made for Doan's Kidney Pills lead me to secure a supply at De Lano's drug store. I was surprised at the prompt relief received and in a short time my condition was greatly improved. Doan's Kidney Pills benefited me so greatly that I give them my strongest endorsement."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

Mrs. Verne Buell, of Cottage Grove, met with a very serious accident while out driving yesterday afternoon. The horses took fright and ran away, throwing Mrs. Buell violently to the ground, fracturing three of her ribs, besides sustaining a severe shake-up Her husband, who is employed at Otto's Grill, was advised of the accident by long-distance phone and left for home immediately.

When the stomach, heart or kidney nerves get weak, then these organs always fail. Don't drug the stomach—nor stimulate the heart or kidneys. That is simply a makeshift. Get a prescription known to druggists everywhere as Dr. Shoop's Restorative. The restorative is prepared especially for those weak inside nerves. Strengthen these nerves, build them up with Dr. Shoop's Restorative—tablets or liquid—and see how quickly hel pwill come. Sold by all dealers.

WANTS HER LETTER PUBLISHED

For Benefit of Women who Suffer from Female Ills

Minneapolis, Minn.—"I was a great sufferer from female troubles which caused a weakness and broken down condition of the system. I read so much of what Lydia E. Pinkham's Vegetable Compound had done for other suffering women, I felt sure it would help me, and I must say it did help me wonderfully. My pains all left me, I grew stronger, and within three months I was a perfectly well woman.

"I want this letter made public to show the benefit women may derive from Lydia E. Pinkham's Vegetable Compound."—Mrs. JOHN G. MOLDAN, 2115 Second St., North, Minneapolis, Minn.

Thousands of unsolicited and genuine testimonials like the above prove the efficiency of Lydia E. Pinkham's Vegetable Compound, which is made exclusively from roots and herbs.

Women who suffer from those distressing ills peculiar to their sex should not lose sight of these facts or doubt the ability of Lydia E. Pinkham's Vegetable Compound to restore their health.

If you want special advice write to Mrs. Pinkham, at Lynn, Mass. She will treat your letter as strictly confidential. For 20 years she has been helping sick women in this way, free of charge. Don't hesitate—write at once.

Big Bargains In Summer Clothing

Our entire stock of summer clothing, the largest line in the city, has been marked down to bed rock prices in order to move it out before the fall and winter goods come in.

That is why you will find our splendid line of summer-weight goods placed lower than ever—we must close them out.

Sole agents for Michaels, Stern & Company's hand-tailored suits.

Our line of gents' furnishings is complete and in Shirts, Underwear and Neckwear we are sure to have just what you are looking for.

ED. HANSON
East Ninth Street

MICRO

ITCHING SCALP DANDRUFF AND FALLING HAIR

are but outward signs of the evil done in secret by myriads of dandruff germs sapping the life blood of the hair. Micro kills the parasite, soothes the itching scalp, gives lustre to the hair and stops it falling out. A single application gives relief and proves its worth. Save your hair before too late. Micro prevents baldness. It is a delightful dressing for the hair, free from grease and sticky oils. Ask your druggist for free booklet.

HOYT CHEMICAL CO.
PORTLAND, OREGON

HOLMES BUSINESS COLLEGE
WASHINGTON AND TENTH STS.
PORTLAND, OREGON
WRITE FOR CATALOG
The School that Places You in a Good Position

ALBANY COLLEGE
Preparatory, Collegiate, Normal and Commercial courses. Education in all branches, including classics, science, mathematics etc., all based on the foundation that has won greatest success for our greatest men and women. We help boys who cannot pay; special dormitories for girls, under care of matron. WRITE TODAY for particulars and catalog.
ALBANY COLLEGE • ALBANY, OREGON