

BIG ASTORIA LAWSUIT

W. M. Bray Sues for
a Fortune

Commences Action Against M.
J. Kinney for \$79,600
Because of Failure to
Land Deal

Astoria special: Asserting that by the failure of Marshall J. Kinney, the healthy salmon-packer and timber agent, to carry out the terms of an agreement to purchase the capital stock and property of the Southern Oregon Company, he has been damaged in the amount of \$79,000, William M. Bray filed suit to recover that amount yesterday in the circuit court at Portland.

Bray alleges in the complaint that March 15, 1902, Kinney entered into an agreement with William Crapo and Prosper W. Smith, authorized

agents of the Southern Oregon Company, owning lands and improvements now valued at \$800,000, to purchase its capital stock and property for \$600,000. Of this amount \$5000 was paid down, thereby securing a three-months' option. Before this option expired Kinney announced his intention to purchase the property.

Bray and Kinney formed a co-partnership for the purchase and control of the property in the meantime, according to the complaint, and Bray paid his partner one-third the amount he had given the agents of the company to secure the option, with the understanding that he was to pay one-third, the remainder of the amount due. Both paid down \$60,000 August 1, 1902, leaving a remainder of \$535,000 due under the terms of the purchase agreement December 15th of that year.

It is the contention of Gray that December 15, 1902, Kinney secured an extension of time to January 15th. Bray says he turned over his third, \$182,948.61 to Crapo and Smith, with the understanding that it was to be regarded as his share of the remainder of the purchase price, only in case Kinney should pay his part.

Other extensions of time were secured by Bray, according to the complaint, and finally the representatives of the Southern Oregon Company concluded Kinney was not acting in good faith or was unable to secure the money, and May 11, 1903, declared the agreement of purchase null and void.

Bray recites that the property of the company is now worth about \$800,000, and that the failure of himself and Kinney to secure it is due entirely to Kinney's failure to live up to his agreement. He itemizes the expenses the expense to which he was subjected in making trips East in connection with the deal, and borrowing money to purchase the lands, on which interest had to be paid. In conclusion he fixes the amount of damage by the alleged failure of Kinney to carry out his partnership agreement at \$79,600, and asks also for his costs and disbursements in the action.

Will Open Fine Restaurant.

Manager E. P. Preble, of the Vancouver, has decided to become a permanent resident of Salem, and has made arrangements to open a large restaurant as soon as a suitable location can be secured. He will furnish the place in modern style, and expects to have a cafe second to none in the state.

Turner Road Case.

The petition of O. I. Morris and others for the opening of a county road is being heard by the county court this afternoon, with Carey F. Martin as attorney for the petitioners, and Slater & Kaiser for the objectors. A number of witnesses are on hand.

FINE STOCK—The best stock to be found is in the Seiz shoes which are sold by J. L. Stockton & Co. Read the Seiz shoe ad in this paper.

Nerve Fag.

If You Waste Your
Nerve Energy, After
Awhile You Will
Suffer For It.

You can waste nerve force by excess, over-work, worry, anxiety, etc.

You can weaken yourself by not eating proper food or securing sufficient rest to renew the nerve energy you use up.

The proper treatment, in addition to good phosphatic food, such as whole meal bread, prepared cereals, etc., is Dr. Miles' Restorative Nervine.

This is as truly a brain and nerve food as any food you could eat, and besides, furnishes strength and tone of its own, which goes to the weakened nerve system, and sets it to rights.

Dr. Miles' Restorative Nervine is a refreshing, revitalizing tonic food-medicine for the brain and nerves. It reconstructs worn-out nerve tissue, and fills your languid brain with new life and vigor.

Dr. Miles' Nervine has made so many marvelous cures, of people so sick the doctors thought they were incurable, that it is today the standard medicine for many thousands of American homes.

The first bottle is guaranteed to help you, or druggist returns your money.

The extreme heat, close confinement and intense mental strain incident to the banking business, has caused me to suffer with nervousness and insomnia. It gives me pleasure to say that I have used Dr. Miles' Nervine with very satisfactory results in the treatment of these afflictions. I am now on my fifth bottle, and eat and sleep well. In fact have almost forgotten that I possess nerves."—R. L. DALBY, Asst. Cashier, State Bank, Texarkana, Ark.

FREE Write to us for Free Trial Package of Dr. Miles' Anti-Pain Pills, the New Scientific Remedy for Pain. Also Symptom Blank. Our specialist will diagnose your case, tell what is wrong, and how to right it. DR. MILES' MEDICAL CO., LABORATORIES, ELKHART, IND.

Wanted Immediately at Friedman's

- 100 men with \$5 each, with which to buy our \$8.00 suits.
- Wanted 100 men with \$7.50 each, to buy our \$12.50 suits.
- Wanted 50 men with \$9.00 each, to buy our \$15.00 suits.
- Wanted 60 laborers with 67c each, to buy our 75c striped overalls and jumpers.
- Wanted 49 laborers to buy our best King overalls at 49c per pair.
- Wanted 200 men to buy our Pacific Coast overalls at 46c per pair.
- Wanted 100 painters to take our painters' suits at 62c each.
- Wanted 100 carpenters to take our aprons at 17c each.
- Wanted 75 children to take our little overalls at 19c per pair.
- Wanted 500 stylish gentlemen to wear our 15c collars at 9c each, and best 25c cuffs at 13c, also our best neckwear at 19c each.
- Wanted 200 men to wear our best President suspenders at 41c per pair.

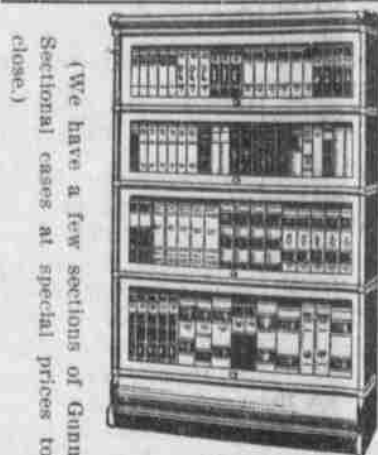
We have extra bargains for you in fancy overshirts, in underwear, stationery and notions; extraordinary bargains in hats at

FRIEDMAN'S
149 State Street

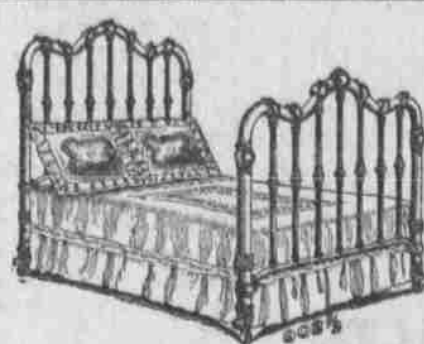
Low
Prices

Buren & Hamilton
HOUSE FURNISHERS

Reliable
Goods



Globe Wernicke
SECTIONAL BOOK CASES IN ALL FINISHES CARRIED IN STOCK AND SOLD AT FACTORY PRICES. THIS MAKE IS THE BEST IN FINISH BEST IN QUALITY AND LOWEST IN PRICE.



Iron Bedsteads

We have the choicest line of Iron and Brass beds in the city and our prices are having that DRAWING EFFECT on the public. They all buy when they look at our line. GOING AT SPECIAL PRICES.



Couches

Even if you were to pay \$20.00 you would not secure a better nor more handsome couch. The frame is handsomely shaped, upholstered on a bed of most perfectly arranged springs and covered in heavy four toned Valour. The very model of style and durability. Our price

\$13.50

SEE OUR SPECIAL \$9.00 COUCH



Combination Book-Cases

NOTHING FILLS A LONG Felt WANT in the home as well as a combination desk and book case. We have some beauties at marked down prices. NO BODY should fail to avail themselves of this opportunity to secure a case at a small cost.



Lace Curtains

OUR NEW LINE OF LACE CURTAINS IS IN AND READY for your inspection. We start them at 65c the pair for an excellent curtain. Then the \$1.00 ones are a big value as they are what you usually have to pay \$1.25 this quality. Our colored IRISH POINTS are just the thing for up-to-date rooms. They are something new but very popular.



Go-Carts

of the celebrated Heywood make rest-to-baby and purse. They are the acme of go-cart value. We handle them in good quantities at prices less than some'll ask you for the cheap kind. But we are here to sell carts and our prices are our best salesmen. See the goods and the silent salesmen do the rest. If you see the automatic parasol holder you will buy a Heywood cart.

Your Credit
is
Good

Buren & Hamilton
HOUSE FURNISHERS

Try Our
Instalment
Plan

Born at Midnight.
Arthur Glover is smiling this morning over a birth in his family last night. It is a fine Diablo colt from his Del Norteilly, and is said to be one of the most beautiful colts foaled in Salem for some time.

Reg. No.
26531

RED SEAL

Tri'l 2:06
Rec. 2:10

SIRE OF JOE SEAL 2:11 1/4.
Sired by Red Heart 2:19 1/4, the sire of Chain Shot 2:06 1/2
Red Seal 2:10, etc.
Dam ALICE M. (trial) 2:25 ... by Mark Field (son of Geo. Wilkes),
Dam of Red Seal 2:10 Al- sire of Daisy Fields 2:08 1/4, Mam-
lawood 2:19 1/4.
Second dam DAY BELL ... by Advance, sire of Malraska 2:26, etc.
Dam of Veritas 2:16 1/4, Vindex 2:29 1/4.
Third dam daughter of Tippecanoe, a thoroughbred.
Red Heart is by Fred Wilkes, out of Sweetheart, by Sultan; second
dam Minnehaha, the dam of Beautiful Bells, etc. RED SEAL stands
15.1, compactly built, with great quality and a sure sire of great
speed. He will make the season of 1904 at the

OREGON STATE FAIR GROUNDS

Terms, \$40 Season

With the usual return privilege. Good pasture at reasonable rates
to mares sent from a distance.

SAM CASTO, Fair Grounds, Or.

RHEUMATISM

90 per cent of all cases treated at

Boswell Springs are Cured

Capt. Ben D. Boswell,

Proprietor and Manager,

Boswell P. O., Douglas Co., Oregon

Your Eye Here

Breaking prices on china to prevent breaking, the china during removal, all for buyers' benefit. Our new store is being rapidly built. Our stock will disappear rapidly at present prices.

SEE THE SHOW WINDOW

Yokohama Tea Store

Phone 2411 Black.

Free delivery.

Ball's Ferry

The ferry boat is now in operation, day or night, roads good and driving fine. Take the short cut to points in Polk county.

A. D. Pettyjohn, Prop.

Wholesale and Retail Family Liquor Store

E. ECKERLEN, 258 Commercial Street.

Full line of liquors and wines. Cedarbrook whisky—formerly the McBrier brand—the best for family use. All orders filled and delivered in the city limits. Phone Main 1151.