# OWENS WANTS PAY

Sues J. Whyte Evans for Wages and Loans.

RECEIVED USELESS CHECK

Complaint in State Circuit Court Recites That "Promoter" of Railroads Failed to Pay Wages or Return Cash Loans.

J. Whyte Evans, local railroad pro moter and broker, who has attained considerable notoriety in Los Angeles, is defendant in the State Circuit Court

or Mulinomah County in an action recover \$5718.96, with interest. The case will be called September 21. The real plaintiff in the proceeding is Dr. I. S. Owens, the former husband of Evans' present wife, although S. J. Kaminski appears as plaintiff in the suit, which was filed during January. The amount sought to be recovered from Evans is alleged by Owens to be fine for his services as private sec-retary to Evans and for amounts of money claimed to have been loaned Evans at various times. Owens claims have served as private secretary for 15 months, and avers that he was paid only three months' salary, although he has demanded a settlement of his former comployer frequently. Owens sets out that at various times between March 23 and October I, 1903, he ad-canced Evans and his wife loans amounting to \$3755, which, together with a balance of \$1800 as salary, made a total of \$5555, to which should be added an item of \$167.96, which Owens claims was due him as commission, and which he save Evans collected and

refused to pay him.
On January 10 last, Owens alleges that he needed the money and demanded a settlement from Evans, who re-fused to respond with the exception of a payment of \$450 for three months' salary. The commission of \$163.96 which Evans is charged with appropriating was earned, it is alleged, in October, 1902, when Evans and his wife entered into a contract with M. C. Heiwig to sell what was known as Powell stock, Helwig agreeing to pay Evans and Owens \$182.96 each when the transaction had been made.

Another item included in Owens' claims against Evans is one of \$50, for which amount Evans is charged with having issued a check on the State Bank of Chicago in October, 1903. When presented for payment at the bank, Owens says the check was refused, for the reason that Evans had no money vanced the funds with which to re

PEDDLER ASKS \$3465 DAMAGES

Says Car Collision Has Cost Him Fully That Much.

The Portland Rallway, Light & Power Company has been made defendant in a suit in the Circuit Court, brought by L. Swerdliks, for \$3465 damages, on account of injuries sustained in a col-lision which occurred near Third and Arthur streets in South Portland, July 25. Swerdliks says in his complaint that the car which struck him was running between 18 and 20 miles an hour, whereas the city ordinance requires that no ear shall run more than 12 miles an hour within the city limits. He also alleges that no signal was given by the motorman, and that as he was approaching what is commonly held at the time of his death. He was hold corner, he could not see the car until it was almost and his associates.

Decame chief engineer, which position he police official who has been operating held at the time of his death. He was not see the car until it was almost and his associates. upon him. --s the motorman made no effort to stop the car, the complaint entinues, it struck the wagen full-tilt, demolishing it beyond repair, tearing the harness to pieces, throwing Swerdlike to the ground, and frightening the horse so that he is now useless for peddling. Swerdliks says his wagon was worth \$165, the harness \$25, the frightened horse \$65, and his clothing, which was torn beyond further use, \$10. He also alleges that he was earning \$40 a week before the accident, but that he was crippled so as to be unable to work for five weeks, which is worth \$200 to him. As he will be unable to work for 12 months to come, he says he should have \$1500 more.

#### Administrator Is Named.

Fred V. Holman was yesterday appointed by the County Court, as administrator of the estate of Francis C. Randolph. The appointment was made upon polition of Mr. Holman and the neirs to the estate. D. W. Wakefield, heirs to the estate. D. W. Wakefield, Henry W. Fries and A. A. Hampson were named as appraisers. The heirs are Saille T. Randolph, widow, Montgomery, Ala.; Mary T. Jordan, daughter, Jack-senville, Fla.; Anna P. Willcox, daugh-Jacksonville, Fla.; Evelyn B. Will-daughter, Charlotte, N. C.; smilly cox, daughter, Charlotte, N. C.; Linny, N. Stewart, daughter, Montgomery, Ala., and Frank Randolph, son, Montgomery,

Says Hubby Gets Drunk Weekly.

Effic Rieff has filed a suit for divorce against Michael Rieff, whom she mar-ried in Portland April 16, 1902. She says he goes on a spres once a week, spending all his earnings, and compell-

ing her to support herself. Selma Nebergall has filed suit in the roult Court against Edward Nebergall for divorce, because of descriton and non-support. She asks to resume her maiden name of Selma Hunt. They were married at Davenport, Iowu, June

#### State Court Notes.

The case of the city against Ed Johnson, charged with selling liquor without a license, which was to have been tried in the Circuit Court yesterday, was disissed because important witnesses had Bids for construction of the

tention home, to be erected by the county just north of the Montavilla carline, in Center Addition, will be opened by the County Commissioners next Fri-day. The property is the gift of Drs. S. A and E. C. Brown.

In the case of J. J. Davis against F. B Riley, which has been on trial before Judge O'Day of the Circuit Court for several days, the jury yesterday aftermoon found for the defendant in one sum of \$672. The sult was brought to obtain one-half of about \$4000 as commission for the sale of year extent. the sale of real estate.

#### Notice to Mariners.

The Hydrographic Office has issued the following notices to mariners:

California—Referring to Notice to Mariners No. 30 (1282), of 1002, further notice is given that the compressed-air fog whistle at Ptedras Blancas light station, California, is now in good working order. Approximate position, latitude 35 dogrees 30 minutes 31 seconds menth, longitude 121 degrees 17 minutes 5 seconds west.

Alaska-Referring to Notice to Mariners.

ska-Referring to Notice to Marin

No. 35 (1530), of 1967, further notice is given that the second-class can buoy marking whitestone rock, Neva Strait, Alaska, is number 0 instead of 1.

Philippine Islands—The German government has given notice that on June 14, 1907, the German steamer (Renbach, in crossing Talantam hank, Sulu Sea, obtained a sounding of 4½ fathoms, under favorable conditions, about in the ceater of the bank. Deepdraft vessels should, therefore, avoid crossing the bank, as less depths are liable to exist. Approximate position of Talantam bank on H. O. chart No. 2118, latitude 5 degrees 42 minutes 50 seconds east.

Japan—Referring to Notice to Mariners No. 4 (167), of 1967, the Japanese government has given further notice that the wreck located one mile north, 53 degrees 15 minutes cast true (N. E. by E. § E. mag.) from Hyakkan Jima light, Inland Sea, Japan, has been raised Approximate position, latitude 34 degrees 18 minutes 40 seconds north, longitude 13a degrees 17 minutes east.

North Pacific Ocean—The German government has given notice that by means of barometrical measurements the height of Buray Hill (Mount Madade), Yap Island, has been found to be 472 feet and the height of Mount Kobull, 700 yards northwestward from Buray Hill, has been found to be 325 feet.

### DEATH OF FRANK F. GILHAM

WIDELY-KNOWN CIVIL ENGIN-EER PASSES AWAY.

Was Son of Early Pioneer and a Native of This County-Prominent in Railroad Affairs.

Frank F. Gilham, a widely-known civil engineer and Portland pioneer, died at his home, 721 Hood street, at 4:30 o'clock yesterday afternoon, of Bright's disease. He was a son of the late Captain New-ton Gilham, of Mount Tabor, and at the time of his death was chief engineer of the Oregon Water Power division of the Portland Railway, Light & Power Com-pany. He served as City Engineer in

His death came very suddenly and was entirely unexpected. Mr. Gilham had



remained at his post of duty up to the usual hour Saturday night, and appeared in good health. He was taken ill Sunand rapidly grew worse until the

end.

Mr. Gilham was born in the old family Mr. Gilham was born in the old family home at Mount Tabor, April 2, 1850, and was 47 years of age. His father was an Oregon pioneer of distinction. The son took up civil engineering, in which profession he was very successful. His special line was railroad work, and on that account he was sought out from among many and made assistant engineen of the Oregon Water Power & Railway Company, in which capacity he acted until the consolidation of all the local trolley lines, when he was promoted and trolley lines, when he was promoted and became chief engineer, which position he held at the time of his death. He was

Mr. Gilbam superintended the building of the Cazadero line for the Portland Rallway, Light & Power Company, and also laid out the well-known resort The Oaks, on the banks of the Willamette. Prior to entering the employ of the Portland Railway, light & Power Company, he was for 12 years assistant to Chief Enginner Kennedy, of the O. R. & N., in construction work.

He leaves a wife and a daughter, Mrs. C. C. Gibson of Portland

C. C. Gibson of Portland, and three brothers and three sisters, as follows: C. F. Gilham, of Huntington, Or.: Milo Gilham, of Battleground, Wash.; Newton Gilham, of Hillsdale, Or.; Mrs. Ella Shane, of Mount Taber; Mrs. C. A. Gay, of Mount Tabor, and Mrs. W. W. Skinner, of Salem, Or.

### FORCED TO USE BUCKETS

Firemen at Sellwood Handicapped by Lack of Hydrants.

A fire that started as a result of children playing in an old stove in the woods back of 1709 Sherrett avenue, Sellwood, back of 1708 Sherrett avenue, Sellwood, called out the firemen of Hose No. 4, late yesterday afternoon, the first work of the new company since its installation August 1. The blaze was a stubborn one, and the high wind made matters worse by scattering the flames. There were no hydrants near the scene, and the firemen, assisted by citizens, used buckets, securing a supply of water from a fireplus some a supply of water from a fireplug some

listance away.

They used the hose to bring the water as far as possible, and had to carry it about 50 feet further in pails. A small frame building in the path of the flames was saved only by heroic work.

#### POTTER SCHEDULE

For Remainder of Season.

Steamer Potter will sail from Ashstreet dock, Thursday, September 12, 9 A. M.; Saturday, September 14, 11 A. M. Tickets at City Ticket Office, Third and Washington streets.

Hood's Sarsaparilla brings back health and gives strength after serious illness.

### Time and Money

Are supposed to be of equal value. You would give money freely to be able to secure a good servant, a good clerk, a desirable house or

TO MEET ANY

#### Present Needs

Enough time to read The Oregonian "Want Ads" will more than likely secure you the help you need.

## BROWN MEN THUGS

Undesirable Japanese Pouring Into City, Police Assert.

CRIME ON THE INCREASE

Department Finds Difficulty in Coping With Lawbreakers of This Nationality-All Unite to Shield the Criminals.

That Japanese of an altogether undesirable class are pouring into the ity and have been causing more or less trouble of late, is the contention of the Portland police, who report much difaculty in coping with Japanese law-breakers. Though no open demonstrations have been made in the city, the situation here is by no means without danger, the police say, owing to the fact that Japanese, good and bad, are prone to protect one another from molestation by the law.

lestation by the law.

Portland appears to have become the Mecca for Japanese men, most of them under 30 years of age, and at this time there are no less than two regiments of the Mikado's subjects in the city. Though many of them are engaged in useful pursuits, the number of those who do nothing has passed the hundred mark the police assert.

who do nothing has passed the hundred mark, the police assert.

For more than two weeks recently two detectives were on special detail attempting to rid the city of Japanese vagrants who infest the red-light district and live upon the earnings of fallen women of their own nationality. The Frenchmen of this class were driven aut of town by the District Atdriven out of town by the District Attorney, early in the Sumemr, but in dealing with the Japanese the police

say they found more knotty problems. Seeking out a suspect, they would confirm their belief that he was doing nothing more useful than spong-ing on the demi-monde. But when it came to proving the charge, that was a different matter. In every instance a Japanese would come forward with the sapanese would come forward with the mesertion that his countryman had been working for him up to within a few days prior to the arrest, and was merely "taking a vacation." The police, in face of such testimony, found themselves unable to secure convictions and were compelled to drop the campaign, although satisfied that the law was

being broken.

The stabbing of a Russian laborer by an unknown Japanese Monday night is pointed out as another instance of the attitude of the little brown men toward Occidental law. Although the cut-ting affray was witnessed by several Japanese, including a merchant who professes to be an exponent of law and order, the police were unable to secure the slightest clew to the wielder of the knife. Several cutting affrays of like nature have occurred within the past year, and in each case no arrests have followed, the culprits being protected

in every instance.
A stroll through the North End, between Couch and Davis and along Sec-ond and Third streets, will show that the police are not in error in their estimate of the number of Japanese in the city. Within that district nearly every building is occupied by Japanese, and they comprehate there nightly be and they congregate there nightly by hundreds to play pool, wrestle and hold discussions in their native tongue. Americans visiting these Japanese resorts are piainly given to understand that they are not wanted, by black looks and frequently by impertment

cisco disturbances came about," said a police official who has been operating The Japanese undoubtedly conducted are heavy themselves there as many of them do here, and the toughe of the Bay City refused to tolerate it. So far the Jap-anese and the rough element in Portland have not chanced to meet. When they do, look out."

Many Convicts; None for Chaingang ing for two farmers. One was worth about \$20,000, the other \$50000. They left all their field work to earn \$5 per day with their teams, hauling crushed rock for the county Notwithstanding the fact that Walla Walla County has 27 prisoners confined in its jail, there are no men to fill the ranks of the chain gang. The County Commis sioners, at their last meeting, decided that prisoners serving out sentences in the jail should be worked on the county roads and should constitute what is known as a "chain gang." This measure was carried

# THURSDAY SPECIALS

COATS A lot of loose fitted and semi-fitted Coats in black,

colors and mixtures, values up to \$30,

\$7.95

See Our Windows

Select Your Coat, Suit, Skirt, Etc., From the Largest Stock on Coast

Values up to \$1.50

LADIES'

UMBRELLAS

SUIT

BARGAINS

**GLOVES** 

Your choice of silk and fabric Gloves, broken sizes, values up to \$1.75

75c

# **SKIRTS**

200 Skirts, regular and extra sizes in black, blue, gray and mixtures, values up to \$20

\$9.75

## LADIES' HOSE

White, black and brown lace Hose, values up to 65c

TO MERCHANTS

We are prepared to furnish you

with Coats, Suits, etc., at New

York prices. Send for samples.

SOLE AGENTS HEN-DERSON CORSETS

Wholesale and Retail.

with an eye to the fact that the county jail was just about full and the expense of keeping prisoners was somewhat of a burden upon the county, but since then it has been discovered that the only pris-oner who could be worked is Mort White,

a drunkard, who is serving out a 30-day sentence for vagrancy.

LOOK TO PLUTOCRATS

They Owe Us a Living," Says So-

PORTLAND, Sept. 10 .- (To the Editor.)-

In an editorial in last Sunday's Oregonian

on "Billy Sunday" a statement is made

doctrines put in practice, not merely

The wish may be fulfilled in a way never

dreamed of. I send you a "demand for im

mediate relief" which I am striving to have

the Socialists adopt for their National plat-

"Useful public work, such as the improve-

ment of streets and country roads, creating parks, regulating the rivers, cultivating the

forests, etc., at an eight-hour day and liv-

beautify and improve our country on the largest sease by all kinds of useful public

'This will only mean practical Christian-

"I once had a small farm in Southern New

Jersey, some 20 years ago, and therefore I

know that many farmers would be glad to earn some money at public work if only they had a chance. Near Portland last year I was working in this manner at house paint-

WANT TO BUY HOME.

Must be modern, seven or eight rooms, lot hundred square, first-class neighbor-hood; \$100 to \$300 down, balance \$50 monthly. Address H 194, Oregonian.

EUGENE MEVIS."

away-but actually put in practice."

cialist Lecturer.

## J. M. ACHESON CO. FIFTH AND ALDER STREETS

STRIKING TELEGRAPHERS AD-

**EXPECTEARLY SETTLEMENT** 

Many Operators Have Secured Employment in Other Lines-De-

Striking telegraphers expect an early settlement of the strike, as they have been advised from Eastern headquarters

The majority of operators who went out in Portland have secured other work. Many of them have gone to the railroads and the telegraph companies believe these men are causing much of the wire trouble that is experienced. It is charged that the recruits from the union forces are

form, and in case I should fall in this I myself may have to proach the gospel to the multitude some day:

"We want the opportunity of making a living under humans conditions for every worker in city and country throughout the Union. In finding employment outside of the tele-graph business, for demand for workers in all lines is strong. This condition exists in other cities as well as Portland.

forests, etc., at an eight-hour day and living wages for averyone who asks for them. The multimillionaires are to pay for this, because they have got their riches by exploiting the whole nation.

"Workingmen, do not sell your birthright for a pittance, but let us unite with the small farmer and through our own party let us enforce this labor law.

"The accumulated wealth which represents the work of the whole nation, but is now owned by a few, is to be used again to beautify and improve our country on the ers are doing longshoremen stunts at 45 cents an hour.

Strikers are comparing the present strike with that of 1883 and they find much consolation in the comparison. In 1883, say men who know the conditions, 15 per cent of the operators went back to work in ten days and 59 per cent of the strikers were back at their keys in 35 days. With the present strike in its fourth week, it is said that not 1 per cent of Chicago strikers have gone back and it is maintained that this percentage "Come unto me all ye that labor and and it is maintained that this percentage

The telegraph companies report more or less trouble from interruptions sup-posed to be mailclous at various points

SILK

**PETTICOATS** 

Sorosis, values up to \$17.50

\$9.00

VISED THAT END IS IN SIGHT.

mand for Workers.

of the organization that the end is believed to be in sight.

pulling plugs and demoralizing the service in other ways as opportunity offers. The men are not having any difficulty

exists in other cities as well as Fortland.
The Seattle union writes that if any strikers, unable to find work, come to Portland, to send them on to Seattle. The writer adds he is kept busy dodging jobs and there are plenty of openings. Some of the Seattle telegraphers are doing longshoremen stunts at 45 cents an hour.

is true of the remainder of the country. Considerable satisfaction is felt by the men because of this situation.

along the lines. Otherwise they allege they are in good shape to handle busi-ness, although they say delays are likely to occur at any time. Local offices are recruiting messenger boys wherever pos-

sible but the supply is still short.

Manager Stone of the Associated Press
a few days ago made this statement:

"Of a total of 332 men employed in the Cor a total of sar men employed in the Eastern and Central divisions, constituting 80 per cent of the total working force, 65 per cent remained or returned to "bor keys within a few days, and other o, crators with good records have

since returned, followed by the employment of new men. The loyalty of the general working force, therefore, in the maintenance of the general news service, is deserving of the highest praise. This is the first instance that any dispute has ever arisen touching hours of

pute has ever arisen touching hours of labor or compensation by employes in the service that has not been adjusted after an opportunity for a careful hearing." In reply to the statement that the Hearst service and United Press have met the demands of the telegraphers. Manager Stone makes this statement: "As to the Hearst service—it is only necessary to say that the total num!er of operators employed by it is very limited. operators employed by it is very limited in number and all of them serving in large cities where the cost of living is admittedly high and where The Associated Press itself is paying and always has paid exceptionally high salaries. As to the United Press Association it should be said that The Associated Press is paying its operators at every point large salaries than that association, and al though the United Press has signed as agreement with the Commercial Tele-graphers' Union, it has done so with the distinct agreement that a scale of wages to be paid by the United Press Associa-tion shall not equal that demanded for The Associated Press operators, nor in-deed so great as the wages now paid

deed so great as the wages now paid by The Associated Press to its operators and without vacutions. The Laffan Bureau has refused to sign an agreement with the Commercial Telegraphers On nearly all the circuits of the Associated Press throughout the United States full service has been resumed and on the remainder there is steady im-provement, day by day.

MUSICIANS WANT MORE PAY

Union Decides on New Scale-Theatrical Managers Oppose.

Trouble is in the air between the musi cians of the city and the theatrical managers. It has not yet come to a head but cannot fall to do so at an early date unthe musicians employed in theaters have the various managers of show-houses

have decided not to acquiesce.

The increased scale was agreed upon at a meeting of the Musicians' union Tuesday forenoon. It was agreed that it should be put into effect the second week of October.

Some way or other the managers learned of the union's action a few hours after the meeting. Although the amount of In-crease was only \$1.50 a week per man and the managers were expected to accept the union's edict, they nevertheless went forthwith into a state of mutiny. The word was passed around and a meeting of managers was called for Tuesday night. It seems that some two weeks ago the managers organized for their own protection as well as for social purposes. At that time George L. Baker, of the Baker Theater, was elected president of the new organization with Milton Scaman as sec retary. Hence the managers were able to take up the union's action officially and

thresh the matter out fully, "It is time we were taking a stand for ourselves," said the manager of a local house at the meeting. "This thing of directing our affairs without consulting us is going too far. The first thing we know the union will be prescribing the size of our orchestras and demanding that vaudeville houses, for instance, have eight pieces. We have got to take a stand sooner or later and the time now appears

This view appeared to be unanimous, A second meeting of managers will be held tonight for the purpose of further considering the question.

At present orchestra leaders get \$40 per week and the other musicians \$25.

SALE IN SOUTH PORTLAND

Two Improved Lots on First, Near Hall, Bring \$10,500.

Two lots on First street, between Hall and Lincoln, were sold yesterday by Kennethia and James K. Wilson to William Jones for a consideration of \$10,500, The property is improved with a substantial two-story store building.

The Western Trust Company has sold

to George Kugler nine blocks in Plainfield Addition, at an average price of \$2200 a block. The property is situated on the Lents branch of the O. W. P. George M. Hyland has sold to Mrs. Hattle E. Wells his handsome home in Holladay Addition for \$9000. The house is a two-story residence and occupies a full lot. A two-story cottage in Upper Piedmont has been sold by Nelson Loucks

The A. N. King estate has sold to William Ballis lot 14, in block 21. King's Addition, the consideration named in the deed being \$10. The property is on the south side of Lovejoy street, between First and Twenty-second streets.

FOUND DEAD IN HIS BED

Joseph Timm, a Laborer, Dies at Hotel Rhein.

The body of Joseph Timm, a laborer, was found in a room at the Hotel Rhein last night. Timm had complained of pains in his chest all day yesterday and had remained in bed. Not answering to a call last night, the room was entered and he was found dead. The Coroner was called and took charge of the body. decided an inquest was not necessary

Twenty-four bottles of the best beer on the Coast fo r \$2.00. Two dozen messengers of health, of helps to good digestion and appetite. For all it costs, you can't afford to be without it. You only have to pay two dollars for the case, and we allow you 25c the dozen for the bottles when they are returned. Six and one-fourth cents a bottle DOES sound pretty reasonable for such a beer as this, doesn't it?

BUT IF YOU WANT YOUR BEER DELIVERED BEFORE SATURDAY NIGHT YOU'LL HAVE TO PHONE TODAY. ALL ORDERS RECEIVED AFTER TOMORROW NOON WILL BE TOO LATE FOR DELIVERY BEFORE MONDAY. DON'T TAKE SOME INFERIOR, CHEAPLY-MADE BEER. MAKE IT A POINT TO ORDER GAMBRINUS.



For Gambrinus Main 49, or Home A 1149