

PARTNERS FALL OUT

O'Reilly and Lytle, of the Columbia Southern.

TWO NEW SUITS ARE COMMENCED

Former General Manager Makes a Blunt Statement of His Side of the Litigation.

The stockholders of the Columbia Southern Railway Company appear to have become involved in a general legal tangle, which may take some time for the courts to straighten out. In the beginning, Drake C. O'Reilly, who owns stock in the company, amounting to over \$100,000, filed suit at Meigs, Sherman County, asking for the appointment of a receiver, and substantially charging that the president, E. E. Lytle, and others had arranged to freeze him out, interesting themselves in the building of an extension of the road to Shaniko.

Yesterday, Henry A. Moore, who avers that he is the owner of 125 shares in the concern, filed suit in the State Circuit Court in this county against O'Reilly, asking for judgment against O'Reilly in favor of the company for \$25,000.

Moore avers that on February 17, 1899, O'Reilly was general manager of the company, and money was drawn from the treasury on his order and that of E. E. Lytle, president, and that O'Reilly drew and applied to his own use \$25,000, and although he pretended to have been authorized by the board of directors, he was not. Lytle assisted him to secure the money, and it was taken from the treasury without authority from the board of directors, on the following order:

WASCO, Or., Jan. 21, 1899.

Columbia Southern Railway Company.
To D. C. O'Reilly, Dr.
For compensation as projector of the Columbia Southern Railway Company, and for services rendered in promoting the construction of the same—\$25,000.

He was not the projector of the road, as it is alleged, and was not connected with it until after considerable portion of it had been built, and then only in the capacity of general manager and director, under salary, which was full compensation for his services, and any services performed prior to his incorporation were voluntary, and not those of an officer. When the money was taken, the plaintiff says, the corporation was in debt, and until October, 1899, he did not know the money was taken. He states that he made a demand upon the board of directors to bring suit to recover the money, and was refused, and cannot appeal to the stockholders to have the directors removed because the directors own substantially all of the stock except what is owned by O'Reilly. Judgment is demanded in favor of the company for \$25,000.

Henry A. Moore has filed a similar suit against E. E. Lytle, the president of the corporation, in the same court, to recover \$25,000 for the company. This money, it is alleged, Lytle wrongfully drew for services rendered in the construction of the road, and as projector. The allegations otherwise are almost entirely the same as in the O'Reilly case.

Recently, O'Reilly filed a mandamus proceeding against President Lytle and others, which is pending before Judge Fraser, to compel the officers of the company to allow him to inspect the books. Yesterday the defendants filed a long answer to the petition, setting up that O'Reilly has been permitted to make reasonable examinations of the books, but that his requests have been made with great frequency, and the inspection of the books by him has consumed so much time that he is unable to do his duty. O'Reilly has been charged with trying to wreck the company, and in part pursuant to his plan to have caused mechanics' liens amounting to \$250,000 to be placed against the company in Sherman County.

Concerning the suit against him, Mr. O'Reilly said to a reporter:

"This is only a 'fake' case, to give me trouble. It is absurd. You know that I am suing Mr. Lytle, president of the Columbia Southern, in Sherman County, among other things for misappropriating \$100,000 of the funds of the Columbia Southern. This is one of the 'fake' cases, even. Read the complaint itself, and you will see that the board of directors of the Columbia Southern resolve that any taking that is not given by the board is to be paid; and as the complaint goes on to say, the board refuses to bring suit. Doesn't that look ridiculous?"

"The fact is, Lytle is president, his wife, his brother, a brother of this plaintiff, are the directors. Why don't they let the company sue? Because the facts are that Lytle and I, when we were sole owners of the Columbia Southern, partners, you might say, divided between us \$50,000 of the surplus in the treasury of the company. This was authorized and ratified by the board of directors, and W. H. Moore, brother of this plaintiff, was one of those directors. It was, in fact, our money. Why shouldn't we divide it? And this plaintiff got the very shares of stock he is suing on as a consequence of the agreement between Lytle and myself, which, among other things, provided for a division of funds on hand. This stock was given to H. A. Moore. He never paid a cent for it. He and his brother were bankers at Meigs, and he has money for the Columbia Southern at 8 and 10 per cent, which has been repaid them."

"If H. A. Moore did not know of this division between Lytle and me, he is probably the only man in that region who didn't. His brother and partner was one of the directors who officially authorized it."

"It is a 'fake' case. They are using Mr. Moore to do what they couldn't do themselves; it is conclusive that the real person suing is Lytle. Some of it is very laughable, and it is a 'buncombe.' When we get to the merits of the case I will tell my story. At the present time I am devoting myself to efforts to see the books and records of the company. I own more than one-third of the stock, and since June have been trying to get an inspection of the books and records of the company, and every effort in court and out of it has been resisted by Mr. Lytle and his associates. They seem to think that 'might makes right,' and every trick is clever."

ALL ROADS ARE IN IT.

Cheap Rate Comes via Huntington as Well as via Spokane.

General Passenger Agent Hurlburt, of the O. R. & N., yesterday received advice that the Chicago and North Western had agreed to the new settlers' rate put in by the northern lines. This opens all the Pacific Northwest to the new rates, making them available from Chicago and Missouri river points through either Huntington or Spokane. The new rate will go into effect next Tuesday.

Opening of Stampede Tunnel.

ROSEBURG, Oct. 10.—(To the Editor.)—Kindly state through the columns of your paper the year and month passenger trains commenced running through Cascade tunnel on the Northern Pacific railroad.

The Northern Pacific's bore through the Cascade mountains is known as Stampede tunnel, from the name of the pass over the range there, and trains began running through it May 21, 1888.

Attorney Keenan's Condition.

Fred Keenan, the attorney, who was taken to St. Vincent's Hospital some time ago, is still there. On his return from home he was taken down with serious illness, and moved to the hospital. It was thought there was some improvement in his case, but his condition causes much concern. An operation was performed some time ago, with apparently favorable results, but he has not been getting along as well as hoped for. His friends in the city are in hopes that a change for the better will soon come.

CATHOLIC REVIVALS.

Paulist Missionaries in Portland—Their History and Work.

BUSINESS CONTRACTION AND DECREASE OF CREDIT

Two Certain Results to Trade and Labor If Bryan Should Be Elected.

Two fathers of the Paulist Order are about to hold missions in Portland, namely, in the Pro-Cathedral, opening on next Sunday, October 21, at the high mass, and on November 4, at the Church of the Immaculate Heart, on Williams Avenue and Stanton street. As these fathers come to Portland for the first time, it will interest readers to learn something of their antecedents and methods.

The Paulist Institute of Missionary Priests was founded 42 years ago, in New York City, by the Rev. Isaac T. Hecker, a well-known writer and a distinguished convert to the Catholic church.

James T. Hair, an old resident of Portland and formerly Captain of Police, committed suicide at the National hotel some time Friday night, but his body was not found until 5 o'clock yesterday afternoon. At that time a chambermaid, finding the door of the room locked, reported the fact to John Collins, the proprietor. Collins looked in over the transom, and saw Hair lying dead on the bed with a bullet wound in the chest.

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BULLET INTO HIS BRAIN

EX-POLICE CAPTAIN HAIT COMMITTS SUICIDE.

He Was Suffering from Acute Heart Trouble and Showed Signs of Despondency.

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