

LENT STATE MONEY

Ex-Treasurer Metschan Loses Interest Case.

DECISION BY JUDGE BOISE

Banker Bush Objects to Receiver of Defunct Bank Recognizing \$25,000 Claim of Man Acting for Metschan.

SALEM, Feb. 14.—That ex-State Treasurer Phil Metschan lent state funds contrary to law was the principal point in a decision rendered today by Judge Boise. The decision was given in the receivership case of the Williams & England Bank. Objection had been made by Banker A. Bush to the payment of interest on a certain claim of Edmund G. Giltner for \$25,000 deposited in the Williams & England Bank and held in the name of E. C. Giltner as state funds, and improperly against the laws of Oregon deposited and loaned the said sum to the said defendant herein for interest.

The said Edmund Giltner, agent, at the time of the presentation of said claim against the receiver, was acting for and on behalf of Phil Metschan, and that said Phil Metschan was Treasurer of the State of Oregon, and as such Treasurer received said sum of \$25,000 as state funds, and improperly against the laws of Oregon deposited and loaned the said sum to the said defendant herein for interest.

It is also found by Judge Boise that Metschan was credited with \$1020 and \$722 for interest on public funds lent contrary to law, and that said Metschan drew all of said interest except \$29.73, for which balance he presented a claim to the receiver of the bank; that Metschan has already received 35 per cent of the \$729.73, and that no interest should be paid upon the Giltner claim nor upon two claims which stood on the bank books in the name of Phil Metschan.

In the same case objection had been made to the payment of interest on the claims of W. H. Odell and E. J. Swafford, upon the ground that their claims were based upon deposits of public money. Judge Boise found that Swafford deposited city money, without interest, and made the fund good from his own resources; that Odell deposited state school funds temporarily, drawing the same at the end of each month to make payments to the State Treasurer; that he received no interest thereon, and that when the bank failed he made the payments to the State Treasurer from his own resources. It is ordered, that these two creditors receive interest on their claims from the time the claims were approved by the court.

Mr. Bush based his objections to the payment of interest upon the ground that the resources of the defunct bank are not sufficient to pay interest upon all the claims; that since some of the creditors must lose their interest, those should lose it who deposited public funds upon an agreement that interest should be paid thereon. The receiver had collected money enough to pay 100 cents on the dollar on claims, and was to pay the rest.

The objection was, a trial had, and this decision resulted. Mr. Metschan did not appear to offer testimony in his own behalf. Mr. Giltner testified that he held the \$25,000 claim as an accommodation to Mr. Metschan. The testimony also showed that the funds were thus deposited in order to avoid publicity. The books of the bank were the principal evidence as to the payment of interest on public money.

Another suit is pending in the Circuit Court, the purpose of which is to direct the receiver of the defunct bank to direct an action against Metschan to recover the interest he has already received through the receiver, upon state funds deposited in the bank.

BEST SPRAYING SOLUTION.

E. L. Smith, of Hood River, Tells Fruitgrowers' Convention of It.

CORVALLIS, Or., Feb. 14.—After two very interesting sessions, the third annual convention of fruitgrowers adjourned this afternoon. The attendance at the meeting has comprised about 100 fruitmen from various parts of the state. The topics discussed at the morning session were: "Construction of morning session were: "Construction of Evaporators," by W. K. Newell, "Essentials of Packing," by J. H. O'Neil, and the "Curtain Lecture," by Charles Long. This last topic brought forth a most interesting talk on packing, and the fact that only good goods should be sent, and that the growers can look for the best results only when they ship under proper conditions.

In his discussion of the subject, "Lessons From 1919," George H. Lamberson, of Portland, secretary of the State Board of Horticulture, said the past year had strengthened the argument for looking to better packing, more careful grading and a cleaner and higher quality of fruit. Continuing, he said in part: "From the growing demand on the State Board of Horticulture, the recent exhibit of Oregon fruit in the East, and sales in Europe, have created a strong interest in Oregon fruitgrowing. Daily inquiries are being made for information, and the growing of fruit from the strawberry to the apple. This means that horticultural people with modern ideas are coming into our midst. To keep pace with these newcomers, our present methods must be shaken to the importance of new and progressive practices."

"Discussion 'Impressions of the Farm,' Lloyd T. Reynolds, of Salem, urged the importance of business methods on the farm. The problem of saving that which today on the average farm is waste, Mr. Reynolds considered the most important question before agricultural workers. Asked if a profitable market could be found for all the vinegar our waste prunes would make, Mr. Reynolds said that since Oregon imports much vinegar, it is quite probable a home market could be found for much of the vinegar regulation of adulterated vinegars, he thought no trouble would be experienced in disposing of prune vinegar."

Speaking on spraying, E. L. Smith, of Hood River, said the best results had been secured by using arsenite of soda, made up as follows:

White arsenic, one pound; arsenate, two pounds; hot water, one quart; or use the liquid because clear; add enough water to make up for evaporation, or until the liquid material makes one gallon; then use one and a half pints of this to each 100 gallons of water, to which has been added six pounds of fresh slacked lime. Power sprayers used at Hood River, while giving good satisfaction, he said, are not yet considered a complete success.

Mr. Smith's statement that the strawberry crop brought in from Hood River Valley about \$80,000 in 1919 opened the eyes of some of the Upper Willamette Valley people. When asked what the market was, he said: "The world, but we did Winnipeg and Omaha among our best buyers. We can ship successfully to Hong Kong, Dawson and the Isthmus."

Mr. Smith, speaking upon the topic of fruit unions, used as a basis of his plea the successful union at Hood River. A speaker said this had been the factor which had turned the strawberry industry of Hood River from a bare existence to a great success. He outlined the simple

plans of the organization, and dwelt at length upon the fact that the business of the world is practically conducted through organization. The paper elicited a spirited discussion, in which the general trend of Mr. Smith's views was heartily endorsed.

The Fulton, Johnson, Pritchard, McSouth quarter furnished excellent made for the entertainment last evening, and was repeatedly enjoyed.

QUARANTINE TO BE RAISED SOON.

No Danger of Spread of Varioloid at State Insane Asylum.

SALEM, Feb. 14.—A daughter of Superintendent J. F. Calbreath, of the Oregon Insane Asylum, was recently taken sick with a mild case of varioloid. The family occupies apartments in the asylum building, and to prevent a spread of the disease the family has been quarantined. Superintendent Calbreath said today that he anticipated no spread of the disease to other parts of the building. The patient is now rapidly recovering, and the quarantine regulations will be withdrawn Sunday.

Owing to the prevalence of a disease sometimes called smallpox, and by others called Manila itch, no visitors are now allowed to pass through the asylum building. That the precautions taken to pre-

COLLEGE ORATORS CHOSEN

STUDENTS WHO WILL TAKE PART IN STATE CONTEST.

W. G. Hare and W. G. Hale Win W. H. Tibbals Prizes at Pacific University.

PACIFIC UNIVERSITY, FOREST GROVE, Feb. 14.—Tonight, in Marsh Memorial Hall, before a large and enthusiastic audience, the local oratorical contest took place. Those holding first and second places received the prizes offered by W. H. Tibbals, of Salt Lake City. The contest was the closest of any previous year. W. G. Hare, of Hillsboro, won first place, and W. G. Hale, of Hillsboro, second place. The judges on composition and thought were: Professor H. H. Hindman, of Portland Academy; Professor R. W. Kealey, of Pacific College, and Rev. Alexander Blackburn, of Portland. The judges on delivery were: Colonel Harry Haines, G.

Co., about 14 miles west of this place. Corporal A. H. Rudy was notified and a jury empaneled. From papers found on the body, it was determined that the man's name was Frank St. Clair. He was quite well dressed, about 35 years of age, and had black hair and dark mustache. He was rather heavy set. He had evidently fallen from a train during the early morning, and was thrown against a sand guard. The remains were badly mutilated. One dollar and 70 cents in coin was found on his person.

Safely Landed Behind the Bars.

SALEM, Feb. 14.—Deputy Sheriff Horace Thielens, of Portland, today brought Henry Jackson to Salem, and landed him safely behind prison bars. Mr. Thielens sat in the same seat with Jackson, so that no escape was possible. When Jackson escaped last night Colonel Thompson sat in a seat across the aisle from his prisoner.

HUNTING DOWN A MURDERER.

Long Chase of a Utah Officer for a Much-Wanted Man.

SAN FRANCISCO, Feb. 14.—The Chronicle says that Sheriff George A. Storrs, of Provo, Utah, has been in this city for several days in search of a man whom he

WANT SHARE IN FORTUNE

WALLA WALLA HEIRS OF JACOB BAKER TO BEGIN AN ACTION.

Philadelphia Property of Famous Colonel in Revolutionary War Now Valued at \$350,000,000.

WALLA WALLA, Wash., Feb. 14.—Frank M. Baker and his daughter, Minnie Baker, of this city, will tomorrow begin an action through their attorneys here to secure the share coming to them in the famous Colonel Jacob Baker estate of Philadelphia, valued at \$350,000,000. Several months ago the heirs here were visited by an agent sent out by the heirs, and they have thoroughly established their identity. Frank M. Baker being a great-grandson of the old Colonel of Revolutionary fame who late in the 18th century gave a 55-year lease on the property in the heart of the City of Philadelphia. For more than 20 years the recovery of this land has been contested in the Pennsylvania courts, and the Bakers of this city have been given assurance that the claims will be settled within a year.

North Yakima Briefs.

NORTH YAKIMA, Wash., Feb. 14.—At the meeting of the School Board last night it was decided not to take any steps toward building a new schoolhouse until after the 1920 assessment has been completed. The district is now within \$300 of the limit of indebtedness, and the new building would cost three or four times that much. The 1920 assessment will probably result in nearly doubling the total assessed valuation of the district. Mr. Probie, who has in charge the plan to enlarge the Condon irrigation canal, and bring about 100 acres of dry land under cultivation, says that the success of his plan is practically assured, but on account of the delay made necessary in dealing with a number of nonresident landowners by mail, construction will not be begun this Spring. Mr. Probie expects to have water on the land for next year's crops.

Soldiers Sentenced to Alcatraz.

VANCOUVER BARRACKS, Wash., Feb. 14.—Otto A. Hansen, Company A, Eighth Infantry, having been tried by a general court-martial and found guilty of desertion, was sentenced to be dishonorably discharged, and to be confined at Alcatraz Island, for 18 months. Ira W. Topping and Glenn M. White, Tenth Battery, Field Artillery, guilty of desertion, were sentenced to 18 months' hard labor at Alcatraz Island. The prisoners will be held at Vancouver Barracks until further orders.

Will of the Late Dr. Ostrander.

OLYMPIA, Feb. 14.—The late Dr. Ostrander bequeathed his estate and share alike to his eight children. M. O'Connor and Walter Crosby, his sons-in-law, were appointed executors without bonds. The value of the estate is approximately \$10,000. The eight beneficiaries are: Priscilla C. Montague, Mary A. Roe, Sarah Catlin, Margaret J. O'Connor, Isabella Eastman, John Y. Ostrander, Florence E. Crosby, Fanny L. Moore.

Smallpox Well Under Control.

NORTH YAKIMA, Wash., Feb. 14.—Dr. P. Frank County and City Health Officer, states that the smallpox in this vicinity is well under control. Less than 20 houses are quarantined in the city. There are a few cases scattered throughout the county. The schools are closed until next week, and the Board of Health has requested everybody to be vaccinated.

\$35,000 State Bonds Issued.

OLYMPIA, Feb. 14.—State Auditor Atkinson yesterday issued seven bonds of \$500 each, to the permanent school fund, under the law empowering the state to borrow money from the permanent school fund to cancel warrant indebtedness. The bonds carry 3½ per cent interest. The total amount of such bonds issued is \$3,500.

Girls Brought to County Jail.

SOUTH BEND, Wash., Feb. 14.—Matilda and Viola Church, of Ilwaco, aged 15 and 12, respectively, were brought to the city yesterday and are now lodged in the county jail, on the charge of having broken into William Sullivan's house in Ilwaco, during his absence, and having taken therefrom about \$100 worth of jewelry and clothing.

Morgan Invests in San Francisco.

SAN FRANCISCO, Feb. 14.—The Call states that J. Pierpont Morgan's recent visit to this coast has resulted in the proposed purchase by syndicates in which he is interested of real estate in the business section of this city, on which a fine hotel and many other buildings will be erected. The paper adds that a well-

STRONG TESTIMONY FROM PROMINENT HOSPITALS

Duffy's Pure Malt Whiskey is Used Exclusively by Almost Every Prominent Hospital in the United States on Account of Its Absolute Purity and Excellence.

The World's Greatest Medicine

Duffy's Pure Malt Whiskey cures consumption, coughs, colds, grip, bronchitis, catarrh and all diseases of the throat and lungs. It also cures nervousness and indigestion. It gives power to the brain, strength and elasticity to the muscles and richness to the blood. It is a promoter of good health and longevity, makes the old young, keeps the young strong.

It will cure almost any case of consumption if taken in time.



PAWBUCKET EMERGENCY HOSPITAL, Pawtucket, R. I.

Pawtucket, R. I., April 13, 1901. We have used only the Pure Malt Whiskey and are now using it at this hospital. We consider it an excellent preparation, used with low. It will stay on an irritable stomach. It is the ideal stimulant for the invalid, where one of this character is called for. FRANCIS M. HARRINGTON, Surgeon-in-Chief. JOHN W. GORMAN, Resident Physician.

If you are sick and run down, write our medical department. It will cost you nothing to learn how to regain health, strength and vitality. Medical booklet sent free.

CAUTION: Our patrons are cautioned against so-called DUFFY'S MALT WHISKY. The name is used by many cheap imitations. DUFFY'S PURE MALT WHISKY is sold in sealed bottles only. Offered in any other form it is not the genuine. It is the only whiskey recognized by the United States Government as grocers, or direct, \$1.00 a bottle. DUFFY MALT WHISKY CO., Rochester, N. Y. Booklet free.

Two of our patent game counters for whisky, each, etc. They are FREE, unique and useful. Send 4 cents in stamps to cover postage.

known local architect has been selected to prepare plans for the new structures. The real estate agents mentioned in connection with the matter refuse to discuss the project.

Nothing in Express Trust Story.

SAN FRANCISCO, Feb. 14.—The rumor that there would be a combination soon of the Wells-Fargo, Adams, American and United States Express Companies finds no confirmation. Acting President Dudley C. Evans, of the Wells-Fargo Company, when asked for a plain statement, said: "The rumor is absurd. There may be such a plan somewhere, but I know nothing of it and have not heard of it."

Bachelors Defeat Married Men.

VANCOUVER, Wash., Feb. 14.—In a game of basketball last night at the Vancouver Athletic Club gymnasium, the bachelors' team defeated the married men by a score of 27 to 26. Next Saturday evening the first of a series of games to be played between the V. A. C. and the M. C. A. of Portland will take place here.

Sumpter Band Reorganized.

SUMPTER, Or., Feb. 14.—The Sumpter Brass Band, which was disbanded last Fall, has been reorganized, and the band was reformed at considerable expense last year, and is as well equipped as any band in the state.

Public Schools Win Pinn.

VANCOUVER, Wash., Feb. 14.—The Vancouver public schools won the Irving Pinn, put up four months ago as a prize in a voting contest instituted by a dozen Vancouver merchants as an advertising scheme.

Jury Has Not Yet Agreed.

SALEM, Or., Feb. 14.—The trial of W. R. Smith on the charge of assaulting C. M. Hinkle at Silverton, with intent to kill, was concluded today. The jury has been out 12 hours, and has not yet agreed.

Fifteen Cents for Hops.

NORTH YAKIMA, Wash., Feb. 13.—T. J. Lynch today sold 20 bales of hops at 15 cents. This is the top price of the season. There are about 400 bales left in this county.

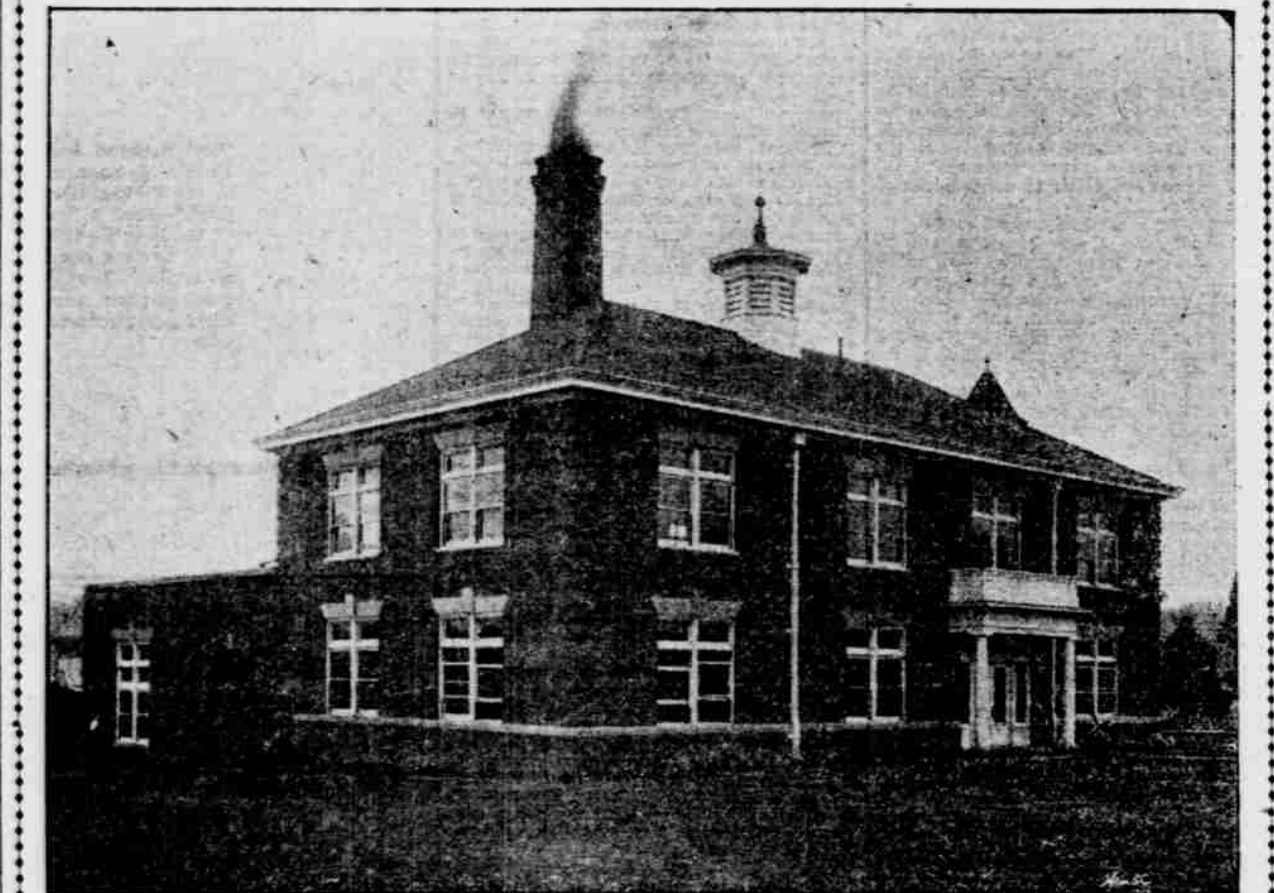
Wasco Republican Meeting.

THE DALLES, Or., Feb. 14.—The Wasco County Republican central committee met in this city tomorrow to fix the dates for the primaries and transact other business.

NORTHWEST DEAD.

WASHINGTON Pioneer Woman. OLYMPIA, Wash., Feb. 14.—Mrs. Adeline C. Prescott, widow of Harry Prescott, both well-known pioneers, died here today.

NEW HEATING AND LIGHTING PLANT AT UNIVERSITY OF OREGON.



UNIVERSITY OF OREGON, EUGENE, Feb. 14.—At the last session of the Oregon Legislature the sum of \$25,000 was appropriated for a central heating and lighting plant and a hall of engineering at the University of Oregon. Work on the structure was commenced last May, and the building was turned over to the regents in November. About \$6000 was spent in the construction of the building, the remaining \$19,000 being applied to the construction of the heating plant, with the necessary piping and radiators throughout the six campus buildings. The entire new plant was designed by Architect Edgar M. Lazarus, of Portland, and the construction work was done under the supervision of Contractor L. N. Roney, of Eugene, and Barr & Petrel, of Salem, the former constructing the building and the latter equipping the plant. The building is of brick and is 40 by 80 feet, with a boiler-house annex 41 by 44 feet. On the ground floor are located the engine and dynamo of the central electric light plant, the draughting-room, and lecture-room of Professor E. H. McAllister, of the department of applied mathematics. On the second floor is located the large workshop, the machinery of which is connected with the engine of the lower floor. The electric lighting plant furnishes light for all the campus buildings. The whole system is well designed, special attention having been given to the heating and ventilation of the building. The new hall stands in the northeast corner of the campus, near the Southern Pacific Company's track. The plant has been in operation about six months, and has given perfect satisfaction.

MORE MARIHOP CONTRACTS.

Eleven Cents the Figure Generally Agreed Upon.

SALEM, Feb. 14.—George A. La Vie today filed in the Recorder's office contracts for the following hop crops of the season of 1920: Frank McChard, of Brooks, 14,000 pounds, at 10½ cents; John Gerber, of Pratum, 6000 pounds, at 10½ cents; Gottlieb Meyer, of Pratum, 3000 pounds, at 11 cents; Charles Knesting, of Woodburn, 2000 pounds, at 11 cents; Antonio Flick, of Woodburn, 2000 pounds, at 11 cents; Robert M. Nusum, of Brooks, 2000 pounds, at 11 cents; Chris Lichty, of Silverton, 4000 pounds, at 10½ cents; Aaron Nusum, of Brooks, 2000 pounds, at 11 cents; I. D. Brainard, of New York, filed a contract for the purchase of the Johnson Bros. crops, at Gervais, 10,000 pounds, at 11 cents.

The Ehrmann Hop & Malt Company.

of St. Louis, filed a contract covering the Collium crop at Champagne, 10,000 pounds, at 11 cents.

No Funds to Build Signal Tower.

ASTORIA, Feb. 14.—The signal tower which the Weather Bureau is to erect on the water front will not be placed in position at the present time, as it is found that there is no appropriation available for the purpose. The tower, which is now here, will be stored until July, after which it is expected that there will be money that can be used.

Weather Forecaster Beals and Contractor Palmberg were at North Head today.

selecting the site for the observatory and looking out station to be erected there by the Weather Department.

Burns Briefs.

BURNS, Or., Feb. 14.—The weather has moderated greatly in the past few days. Under the influence of a "chinook" wind, followed by a heavy rain, the snow has almost disappeared.

George Whitting, Andrew Little and Frank Rasmick this week killed a cougar in the foothills north of here. The big cat measured 10½ feet from tip to tip, and had caused some damage to livestock by killing colts out of bands of horses running in the hills.

Socialists Call Convention.

ASHLAND, Or., Feb. 14.—The Socialists of Jackson County have called a county convention at Medford, March 8, for the purpose of electing state delegates and nominating a county ticket. As yet there are but two clubs in the county, at Ashland and Medford, but it is proposed to push the work of organization elsewhere over the county.

Wheat Sales at Pendleton.

PENDLETON, Or., Feb. 14.—Wheat sales in Umatilla County today aggregated \$90,000 bushels, at 51 cents for club. Farmers are selling apparently to avoid paying tax on crops remaining in their hands, and which the Assessor would like March 1. Heavier sales are expected tomorrow.

H. Marsh and Professor J. R. Robertson.

of Forest Grove.

W. G. Hale, who won first place tonight, will represent Pacific University in the state contest. The programme was as follows:

Prayer, "Bugle Song" (Leonard Kane), Mr. Fletcher.

Vesta Muzella Lewis, "Character-Building."

William Green Hale, "John Brown, of Ossawatimie."

William Gilman Hare, "The Battle Royal."

Clark Haynes Williams, "The Man of One Idea."

Piano—(a) "Novalizza" (Gosdard), Miss Frances Clapp; (b) "Venetian Barcarolle" (Gosdard), Miss Faith Rogers.

Awarding of prizes.

Herman Tartar, G. A. C.

CORVALLIS, Feb. 14.—Herman Tartar, who won first place in delivery and third in general average in the state intercollegiate oratorical contest last year, was tonight chosen representative of the Agricultural College in the state contest to occur at Salem next month.

In the local contest over six other contestants.

LANGFITT AT ALBANY.

Looks Into Willamette River Improvement, Which People Want.

ALBANY, Or., Feb. 14.—Captain W. C. Langfitt, of Portland, United States Engineers, visited Albany this afternoon for the purpose of examining the Willamette River at this city. Application has been made for an appropriation for the improvement of the north bank of the river in order to prevent the diversion of the channel into a new course, leaving the city at one side.

By Mayor Davis, Manager Stone, of the Corvallis & Eastern, and C. H. Stewart, chairman of the Alsea Commercial Committee, and extended the courtesies of the city.

County Compromises Its Suit.

The suit of Linn County against the bondsmen of the P. G. Morris, now in the state penitentiary on a four years' sentence for embezzlement of county funds, was compromised today for \$300. Upon the trial of the case a verdict was rendered for \$700. The case was appealed to the Supreme Court and a new trial ordered. Morris was Treasurer two terms, and it is claimed part of the amount ran over from the first term, for which the bondsmen should not be held liable. Ex-Treasurer Morris has begun his third year in the penitentiary, where he is a trusty.

Pendleton Scrap for Office Up Again.

PENDLETON, Or., Feb. 14.—The cases involving the right of John M. Heathman, ex-Marshall, and John E. Beam, as Recorder and Municipal Judge, were argued today before Judge Ellis, of the Circuit Court. The case has been hanging fire since January 6. Heathman and Beam filed injunction suits to prevent other applicants from interfering with their office. The plaintiffs allege T. G. Hailley is not Mayor, and that T. B. Wells, Frank B. Clayton and J. R. Dickson are not Councilmen; that the only man who opposed Heathman and Beam who had any right whatever to have a say in running the affairs of the city was Councilman Johnson, a hold-over member, thereby attacking the constitutionality of the city charter, which today before Judge Ellis, of the Circuit Court. The case has been hanging fire since January 6. Heathman and Beam filed injunction suits to prevent other applicants from interfering with their office. The plaintiffs allege T. G. Hailley is not Mayor, and that T. B. Wells, Frank B. 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