

CHARGES BIG COUP

Swensson Accuses Overlook Company of Juggle.

ASKS COURT FOR RECEIVER

Really Agent Declares E. H. Wemmo and Others Are Plotting to Defraud Him of \$10,000 and \$48,000 in Stock.

Charging that the directors of the Overlook Land Company, and particularly the president and general manager, E. Henry Wemmo, held the corporation in the palm of their hands and are trying to juggle with it, A. E. Swensson, a real estate broker, asked the Circuit Court to appoint a receiver for the company, yesterday afternoon. An order was issued by Presiding Judge Gantenbein, restraining the company from transacting further business pending a hearing in court set for Wednesday morning.

In his complaint, submitted by Swensson & Malarkey, Swensson lays bare what is purported to be a large coup in high finance, with the Overlook directors as the conspirators and Swensson as the intended victim. If the course of events are not checked, Mr. Swensson sets out that he is destined to lose nearly \$10,000 in cash now owing him, not to mention shares of stock worth \$48,000 which might suffer in a reorganization.

From the complaint it appears the Overlook Land Company was organized a couple of years ago and got hold of what is described as Overlook Park. The deal was financed by Mr. Wemmo and others, and it is alleged that he made a clear profit of \$30,000 at the outset. Swensson was given a contract to sell lots after the land had been platted and laid out in building lots and the sales in two years amounted to \$125,000, for which he should have received a commission of 15 per cent, according to contract. In addition he held 14 shares of stock out of the 65 issued. The capitalization was for \$125,000.

Now Swensson's commission amounts to \$18,750, of which he alleges that \$9,462.33 is yet due him, despite persistent demands. Such sums as have been paid have gone altogether to sub-agents, he adds, so that his profits have been nil. And now, the complaint goes on to recite: Mr. Wemmo and his fellow directors, A. N. Moores, George W. Joseph and Eva V. Joseph are refusing to pay up. He alleges that Wemmo, Moores and Joseph have actually conspired and confederated to monopolize the plum for themselves. They are following a course which will drive the concern on the shoals of bankruptcy, he says, by spending all the company's surplus in the improvement of the property. Mr. Wemmo holds notes and is alleged to be planning to foreclose his claim early in January when a note for \$40,000 becomes due.

New Trial Denied Murderer.

Harry Daley, murderer of Harry Kennedy, failed in his effort for a new trial in the Circuit Court yesterday, and as a result the order that he be hanged January 29 will likely be carried out. He was taken to the penitentiary during the afternoon by Sheriff Stevens to be placed in the death cell there pending execution. The motion for a new trial was

based on the fact that premeditation was not proved and the benefit of that fact given the murderer in the Court's charge to the jury. Judge Gantenbein ruled that premeditation is a quality that does not require any particular time for development, that it may occur in a short space of time, and that the facts of this murder showed sufficient premeditation for the purpose of conviction of murder in the first degree.

FAIR COUSIN CAUSES DIVORCE

Mrs. Blanchard Believes Husband Too Attentive to Relative.

Maurice Blanchard's good-looking cousin cost him his wife in the State Circuit Court yesterday, when Mrs. Blanchard was awarded a decree of divorce. She said that the cousin called at their home on a visit and that she was very fair, a fact on which Blanchard commented much and emphasized by kissing and caressing her. This caused the wife such stress of

PROMINENT LOS ANGELES MINISTER TO PREACH AT THE WHITE TEMPLE.



Dr. Arthur S. Phelps.

Dr. Arthur S. Phelps, who will fill the pulpit at the White Temple during the absence of Dr. Brougher in the East, is pastor of one of Los Angeles' largest Baptist churches, and one of the most scholarly and brilliant preachers on the Pacific Coast. Dr. Phelps draws large congregations wherever he speaks. He will preach there the three first Sundays in January.

mind that she decided on a divorce, especially as the cousin was of a remote connection. The couple was married at Lander, Wyo., in October of 1901, and have one child. They were divorced a year ago but remarried immediately on Blanchard's promise to behave.

Girls Notice "Sapheads."

Champaign (Ill.) Dispatch to N. Y. World. Working girls here put this notice in the local paper for the benefit of University of Illinois students: "Students, attention! Girls who are working and girls who are fairly good looking can scarcely walk on the streets of Champaign without some ignorant saphead of a student butting in and bothering them with their attentions. Now, it would be advisable for all whom this concerns to sit up and take notice."

BAKER FILES SUIT

Councilman Demands \$25,000 of Evening Paper.

LIBEL CHARGE IS MADE

Dana Sleeth, Editor, Will Also Face Complaint Because of Sensational and Scathing Article Recently Published.

Damage suit against the Daily News Publishing Company on account of libel was filed with the Circuit Court yesterday afternoon by George I. Baker, theatrical manager and member of the City Council. Mr. Baker asks damages in the sum of \$25,000 because of scurrilous attacks made on him by the publication. The suit is to be followed by criminal libel proceedings against Dana Sleeth, the vituperative editor of the sheet.

Publication of articles of a sensational and highly libelous nature is mentioned as the basis of the suit. These were published early in December during the absence of the victim from the city, and his first net, on returning home yesterday from an extended trip, was to consult Attorney John F. Logan and have the action commenced. Difficulty was encountered in learning whom to launch the action against, for the News, an insignificant publication given to sensationalism, is not incorporated and has no recorded ownership. So the suit was brought against the old-time, much-suffering criminals John Lee and Richard Roe, doing business as the News Publishing Company, and against Dana Sleeth, the fire-devouring exponent of sensationalism who controls its destinies and writes the bulk of its copy.

After citing that Mr. Baker had always been a good and worthy resident of the community and has never been guilty of any criminal, infamous or disgraceful acts charged by the paper, the complaint quotes several of the libelous accusations as follows: "Councilman Baker knows about the pitfalls of this town. Had he not been a Councilman it is understood he would have, like Mr. Driscoll, had the opportunity to jump a police court bond because of a certain incident in the Richards place a few months ago, in which an irate husband figured." Also "Councilman Baker is Portland's Rust," and "Councilman Baker is one of the fast-vanishing type that makes a living questionably, that bears a local reputation that is odiferous" and "The Bakers in town, thank God, are as infrequent as they are infamous."

In conclusion the complaint sets up that Mr. Baker has been damaged in his good name to the extent of \$25,000, which sum he asks to recover. The charges of criminal libel against Sleeth are to be brought forthwith. He was recently indicted under a similar charge.

Cost of Labor in India.

New York Post. Official estimates show that the Hindu earned 4 cents a day in 1859; 3 cents a day in 1882, and in 1900, after English rule had been given nearly a generation in which to prove its inestimable advantages, less than 2 cents.

To The Wide-awake Housekeepers

Established 1884

Established 1884

Who have made this our most prosperous business year we wish the Season's greetings. We ask your continued patronage and we expect to get it, for our slogan still is and always will be "Best Goods at Lowest Prices." The strongest link in our chain is to protect the interests of our customers by buying our goods right and selling them right.

That this is sound business policy is proven by the fact that our patrons of years ago are still among our patrons of today. We aim to please you at all times in your feelings by courteous treatment, in your pocket-book by what we save you.

We will speak to you another day along commercial lines and our future policies; but today—we wish you all

A Happy New Year

McAllen-McDonnell, Inc.

DANIEL McALLEN, President and Manager

CORNER THIRD AND MORRISON

The truth is, nobody save an English official in the India service can even boast about "half a century of unselfish toil" which has "brought into being the new and pulsating life of India."

Not all the outward signs of economic, the railroads, street lamps, municipal buildings and schools, can hide the fact that these improvements have been

made as investments, and that, on the whole, they have profited the stranger far more than the hungry millions whose taxes have created them.

SUNSET

THE MAGAZINE OF THE WIDE-AWAKE WEST FOR 1909

WILL BE BIGGER, BRIGHTER, BETTER THAN EVER BEFORE

IF YOU ARE INTERESTED IN THE DEVELOPMENT OF THE WEST, AND ESPECIALLY OF OREGON, WASHINGTON OR IDAHO

IT'S THE MAGAZINE FOR YOU

You can't afford to be without it. Sunset will keep you right in touch with the great movement that is under way, and which has already marked a new era in the development of this section. It is the recognized mouthpiece all over the world of the West, and during 1909 Sunset will emphasize this wonderful mission. It will not only interest the reader by its splendid short stories, but it is now, and will be, more and more WORTH WHILE. Sunset for 1909 will be indispensable to the business man.



To tell the reader all there is (and that's no small task) in the Great West country, between the Mississippi and the Pacific, even up to Alaska, down to the South Seas, and over to the Philippines—that has been the mission of SUNSET MAGAZINE, and renewed effort toward the realization of this object characterizes the Publishers' plans for 1909.

New Novel by Mary Austin

In Western fiction, that mirror wherein are reflected people and their places, brightened with human interest by the story-teller's art, SUNSET will be particularly strong during this coming year. In the January number, just as Owen Wister ends his powerful story of the cowpuncher, "Lin McLean," Mary Austin, recently come to the front as a foremost writer of Western tales, will begin a fascinating story of the Panamint country, the tale of "The Blue Moon," and a mystifying search for a fabled turquoise treasure.

Short Stories

Of short stories there will be a goodly supply, over such significant signatures as those of Arthur North, Upton Sinclair, Dane Coolidge, Adeline Knapp, Earle Walcott, Mabel Craft Deering, Robert W. Ritchie, Edwin H. Clough, Elliott Flower, Philip Verrill Michaels, Lucia Chamberlain, Jack London, Billee Glynn, Charles Duff Stewart and many another weaver of Western plots.

Special Articles

The picture of the Great West country that SUNSET MAGAZINE is painting through the year will be drawn in strong colors by such writers as David Starr Jordan, Warren Cheney, Rufus Steele, Elizabeth Grinnell, Chas. S. Aiken, Alexander McAdie, Lucy B. Jerome, Elizabeth Darling, K. H. von Wiegand, Bertha H. Smith, Bailey Millard, and a host of others, telling of the wonder workings that mark the development of the Nation's borderlands.

SUNSET will continue as in the past to illustrate its text with the best work of Western artists and photographers, including such illustrators as W. H. Bull, Maynard Dixon, Xavier Martinez, Henry Raleigh, Dan Sweeney, Randal Borough, C. J. Dickman, John Sheridan, M. J. Spero, Ed. Borein, R. L. Partington, A. Methfessel, Will Sparks, John Gamble, Blanche Letcher and Gordon Coutts.

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Sunset Magazine January Number

THE BLUE MOON—A story of mystery and romance in the quest of a lost mine in Nevada. This is the latest novel by Mary Austin, famous as the author of "The Land of Little Rain." It begins in January, and will run through six numbers.

DEFENSE OF THE PACIFIC—Two stirring articles, profusely illustrated, and written from Army and Navy standpoints. Naval Constructor H. A. Evans discusses, from the viewpoint of an expert, the vital question of provision on the Pacific Coast for the care of a great fleet. Colonel M. P. Maus, U. S. A., who commanded the recent Army maneuver camp at Atascadero, points out what such schools of war mean to the country's defense.

JIMMIE—The \$500 prize story, a tale of the desert and the mystery of man's soul. A powerful tale by a new writer, Ralph W. Gilman.

HELPING THE INDIANS—An authoritative statement by President Jordan, of Stanford University, regarding the Riverside conference, its aims and its results.

208 pages of pictures by the best artists, and stories by the brightest writers, all upon Western subjects and full of Western color.

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