

DEBTS TO BE PAID

Bondholders to Foreclose on Deschutes Irrigation.

PROPERTY WILL BE SOLD

Federal Court Orders Company's Affairs Wound Up—Proceeds of Sale Will Be Used to Pay Debts and Pay Dividend on Stock.

Pooling their claims, aggregating \$400,000, creditors of the Deschutes Irrigation & Power Company yesterday joined in a petition to the United States Court for an immediate foreclosure of the first mortgage on the company's property. The order was granted by Judge Charles E. Wolverton, who appointed Receiver C. M. Redfield a special commissioner to handle the sale.

It is announced by L. G. Addison, representing the Ohio bondholders, who caused the Deschutes Irrigation Company to be placed in the hands of a receiver as a bankrupt, that every effort will be made to protect the investment of the 400 or more stockholders.

As intended at this time and as a part of the plans under which the assets in the property at the advertised sale and will immediately wind up the affairs of the Deschutes Irrigation & Power Company by the organization of a new holding company. The new concern will be called into existence for the sole purpose of liquidating the assets in such a manner that the debts may be cleared from the records and a dividend secured to the stockholders.

Pay Debts, Divide Assets.

"The Ohio bondholders represent approximately \$400,000 of the indebtedness," said Mr. Addison last night, "and we want the property so handled that there shall be no losses to anybody. The entire assets, including notes signed by settlers, will be sold. After the creditors pay to the property, our people intend first to pay the debts from the assets of the company, and then realize as much as possible for distribution among the stockholders. We have no promises to make to the stockholders aside from that. We hope they will secure their money."

The assets of the Deschutes Irrigation & Power Company consist of 214,911 acres of irrigable lands in Crook County, which were selected by the state of Oregon under the provisions of the Carey Act, the value of the land being fixed at more than \$2,000,000. It was proposed to irrigate and reclaim the land through the construction of a number of ditches. To raise the money for that work a bond issue of \$500,000 was issued in 1904, and it was charged to the land under a chattel mortgage which provided that interest on the bonds should be paid semi-annually and that for every acre of land sold in Crook County \$3 should be placed in the fund for the redemption of the bonds.

Bond Agreement Ignored.

Suit was begun by the bondholders upon the allegation that no interest had been paid since 1904, and that the company had failed to place the money in the redemption fund for more than 49,000 acres of sold land. It was further charged that the Deschutes concern had authorized a second issue of bonds for \$1,500,000, and it was charged that money realized from the sale of land was to be used for the redemption of the latter issue. C. M. Redfield, of Bend, was appointed receiver of the bonds, and it was charged that since that time the receiver has succeeded in securing an agreement among all of the creditors, aside from the stockholders, whereby the debts will be canceled. H. D. Turner, of Columbus, Ohio, is president of the company; F. S. Stanley, vice-president, and Robert Smith, treasurer. L. G. Addison and A. King Wilson were the attorneys representing the bondholders, while Jesse Stearns and John Hall appeared for the company.

All of the notes and personal property of the old company will be sold at auction in Portland, while the land sale will be held in Crook County.

SURVEYORS ARE IN FIELD

Party on Rogue River is Running Line for Some Railroad.

GRANTS PASS, Or., Sept. 8.—(Special.)—A party of surveyors are mysteriously wending their way down Rogue River from Galice. Local inquiry fails to identify them positively with either Harriman or Hill interests. The foreman of the crew says that the men are surveying for a railroad company and that they will follow Rogue River to its mouth and thence strike up the Coast to Coos Bay.

It is reported here that the crew of surveyors is a part of the Hill party that was working from Jacksonville into Applegate Valley and that Mr. Hill is figuring on getting to the Coast with the Pacific & Eastern.

The object of following Rogue River would be to build a line through one of the best bodies of timber in the state, and also to open a country with only one settlement, and that at the mouth of Rogue River.

Ashberry Brothers of this place are plotting the crew down the river. Stipules and provisions are being hauled in boats.

NORTH COAST NEAR YAKIMA

Only Small Piece of Right of Way Needed for Road.

NORTH YAKIMA, Wash., Sept. 8.—(Special.)—The securing of one piece of right of way for the North Coast railroad along the coast near Yakima is the completion of the road. The strip in question is through a tract of about five acres and is controlled by the North Yakima Land & Lumber Co.

Work at the Union Gap is practically completed. Work trains are now in operation as far as Granger, and Engineer F. J. Pittman has hinted that it will not be long before the tracks will be laid into North Yakima. There are now between 600 and 700 workmen engaged in track laying along the coast.

Force building bridges and culverts. Rails are now laid from the Columbia River at Kennelwick to Granger, a distance of about 24 miles.

IRRIGATION AID TO FRUIT

Agricultural College Graduates Experiment on Medford Orchards.

MEDFORD, Or., Sept. 8.—(Special.)—R. W. Rees and S. A. Hall, graduates of the Oregon Agricultural College, have been doing some important experimental work in Southern Oregon this

Summer under the direction of Professor Lewis, of the Oregon State Experiment Station, which was created by the Adams act of the 1904 Legislature. The young men have been investigating as to the proper amount of water to be used in irrigating trees on different kinds of soils. They have had charge of irrigating three small orchards near Medford. They are the Judy orchard on Griffon Creek, which is 30 acres and irrigated by pumping from a well; the L. Bennett orchard, which is irrigated by the Fish Lake ditch, and the Talent Orchard Company's tract, which is irrigated from two artesian wells. The two artesian wells on the Talent Orchard Company's tract are only artesian wells in Southern Oregon. They are 200 or 300 feet deep and together have a flow of 50 gallons a second.

The experimenters have gone at the investigation in an exhaustive manner. They have dug under the trees and taken samples of the soil at the depth of each additional foot, both before and after irrigation. The samples thus procured have been bottled and sent to the agronomy department of the Oregon Agricultural College, where they have been tested for the amount of moisture contained. In this way the rapidly with which moisture spreads through different kinds of soil has been ascertained.

Tests have also been made as to the effect of different temperatures of the water used for irrigation upon the trees. The data gained by the experimenters will be published in bulletin form by the Oregon Agricultural College some time this winter.

WOMAN STRUCK BY AUTO

MRS. LEARY STEPS FROM CAR IN MACHINE'S WAY.

Auto Driven at Good Speed by J. L. Kelley Runs Her Down—Shoulder Broken and Head Gashed.

Mrs. John Leary, who lives at the Echold Hotel, was run down by an automobile driven by J. L. Kelley, 2715 East Burnside street, at 1:30 o'clock yesterday afternoon, as she stepped from behind a Rose City Park car from which she alighted at East Forty-fifth street, and sustained a broken shoulder and collarbone and a severe gash on the head. The automobile hit Mrs. Leary with such force that the fender was bent.

Before Kelley could stop his machine and return to the injured woman, B. C. Cummings, of 230 Schuyler street, picked her up and placed her in Peter Kerr's automobile, in which he took her to St. Vincent's Hospital.

Kelley was taking Fred T. Miller and Mr. and Mrs. Erby, who are staying at the Oregon Hotel, to the fair. The automobile was going at good speed and Mrs. Leary stepped directly in front of it, the view being obscured by the street car from which she alighted. The accident happened so quickly that Kelley did not have time to put on the brakes until after the crash. Kelley afterwards called at the hospital and made solicitous inquiries concerning Mrs. Leary's condition.

NESMITH BOOMERS ACTIVE

Citizens in Automobiles Will Canvass State Until Election.

COTTAGE GROVE, Or., Sept. 8.—(Special.)—In accordance with the plan of the executive committee of Nesmith County supporters, H. O. Thompson and others, who for the past several weeks have been touring Nesmith Valley points in the interest of their measure, today start south to canvass Southern Oregon towns and Klamath County, and are expected to reach Central Point, Medford, Ashland, Klamath Falls and the numerous smaller places are included in the itinerary.

Their automobile, carrying the attractive attention of Nesmith County and a Greater Oregon, and other mottoes adorn its sides. Automobiles conveying citizens who will present reasons for the creation of Nesmith County will be kept canvassing the state until election.

GIRL KEEPS HER PROMISE

English Maid Crosses Atlantic to Wed Lover of Youth.

VANCOUVER, Wash., Sept. 8.—(Special.)—A romance which began across the sea many years ago will culminate here tomorrow in the marriage of Miss Emma Pritchard, who arrived from Bristol, England today, and Herbert Tambling, of Portland.

Four years ago Miss Pritchard consented to become the wife of Tambling, and he at once left for America to make his fortune and a home for his bride-to-be. He made good and wrote back for her to come. The wedding will take place at the home of Mr. and Mrs. R. J. Anderson, in Vancouver.

The couple had not seen each other since they parted in Bristol, but they have been in constant communication by mail.

\$20,000 SAWMILL BURNS

Charles Daly's Plant on Salmon Creek Is Destroyed.

VANCOUVER, Wash., Sept. 9.—(Special.)—Fire destroyed the Charles Daly sawmill on Salmon Creek, near Brush Prairie, last night, causing a total loss of more than \$20,000. There was no insurance. The fire during the recent forest fires burned close to the mill, but it was saved then. It is thought fire started from a boiler-room when the engineer was absent.

Fire broke out yesterday in the mill, but it was put out and the mill was saved, only to be burned to the ground a few hours. Insurance on sawmills in this county is almost prohibitive, being 10 per cent.

Rector & Daly is one of the firm of Rector & Daly, contractors, of Vancouver.

SATSOP COW GETS RECORD

Jersey Belonging to E. L. Brewer Produces Large Amount Milk.

MONTESANO, Wash., Sept. 8.—(Special.)—L. H. Sawyer, of Satsop, has a Jersey cow which, he says, is a sure prize-winner. She recently underwent a seven-day fat test by the American Jersey Cattle Club, which resulted as follows: Milk, 36.4 pounds; fat, 20.54 pounds, or 56 per cent butter. Her best day was 65 pounds of milk with 2.9 pounds of butter.

Last year she gave 10,000 pounds milk. The product during the test week sold in pasteurized sweet cream for over 11¢, and would have brought 17 creamery price. This cow, which is 11½ years old, took first prize at the Elma Dairy Show this year.

Harris Trunk Co. for trunks and bags.

\$10,000 IS SOUGHT

Man and Wife Ask Sum for Untrue Accusations.

J. L. CARMEAN DEFENDANT

U. A. and May Tuchscher Say He Brought Suit Against Woman to Collect Bill She Never Contracted—Annoyance Charged.

Charging J. L. Carmean with having made untrue and libelous declarations about them in an effort to collect a bill for the Eastern Outfitting Company, U. A. Tuchscher and May Tuchscher brought suit in the Circuit Court yesterday for the recovery of \$10,000 damages. Mr. Tuchscher says he is a waiter at the Imperial Hotel dining-room, and Mrs. Tuchscher says she is employed at the Royal Chaney Grill.

Carmean is charged with having brought an attachment suit in the Justice Court to collect a bill from Mrs. Tuchscher, which, it is alleged, she never owed. In that suit, he is said to have given her the alias of Mrs. Dot Williams, wife of J. P. Williams, and to have insisted after protest that she was the person who contracted the debt. J. L. Carmean also made a defendant in the suit, and accused of pestering Mrs. Tuchscher while she was at work, and with threatening to have her arrested for perjury because she made affidavit that she was not Mrs. Williams.

The bill which Mrs. Tuchscher is said to have owed was for a \$30 hat, \$10 of which was paid down, and the balance charged to Mrs. J. P. Williams, 118 West Park street.

Asher makes affidavit that he followed J. P. Williams and Mrs. Tuchscher down the street one day, and that she was married to Tuchscher at Oakland, Cal., April 8, 1910, and that she and her husband came to Portland June 18, 1910, never having lived here before.

EMPLOYEE MADE BENEFICIARY

Herman J. Altstock Is Bequeathed Nearly \$15,000 by Jeweler.

The jewelry store of Alfred Lyon at 210 Washington street and all his property, valued at \$15,000, with the exception of about \$700 worth, is bequeathed by him to Herman J. Altstock, who has been employed by Lyon for the past 14 years. Lyon died September 3 at the age of 69. His will, admitted to probate by County Judge Cleeton yesterday, is dated March 12, 1907. He was witnessed by Dan J. Maloney and John P. Sharkey. Altstock is appointed executor of the estate, and is directed to pay Emanuel Lyon, his brother, \$1,000 a month during the latter's lifetime. Judge Cleeton gave Altstock an order yesterday directing him to continue with the store. Specific bequests are made by Lyon of two diamond studs to Hazel Tichner, \$250 to Maud Barrett and \$250 to Alice Dananger. Carl Herbert, C. J. H. Honey and C. O. H. Honey are yesterday appointed appraisers. With the property which goes to Altstock is a half interest in lots 5 and 8, block 34, Columbia Meridian, on the Columbia Slough road.

CONDEMNATION SUIT IS ON

Road Offers \$1500, but Owners Want \$9000 for Land.

To condemn a strip for a right of way through the property of C. F. and Laura Hendrickson, the O. R. & N. Company is suing before a jury in Judge Gatens' department of the Circuit Court. The property in question is a line of the road which is to run from St. Johns to Troutdale. It consists of .53 of an acre in section 14, township 1 north, range 1 east, willamette Meridian, on the Columbia Slough road. The railway company wishes to pay \$1500 for the strip, but the Hendricksons demand \$9000, saying the strip is worth \$2000, and that their property will be damaged \$6000 by the railroad.

Road Would Oust Lessees.

In an effort to hasten arrangements for enlargement of its terminal grounds at Water and Market streets, the Oregon Electric Railway Company brought suit in the Circuit Court yesterday against the Columbia Manufacturing Company, C. F. Irwin, D. Honeyman and Thomas West, of Vancouver.

They ask the court to determine the value of a lease for 17 months at \$200 a month, which the defendants hold to be building on lots 6 and 8, block 151, Portland. The railway company says it has purchased the lots, but that it cannot begin work because of the lease to the property.

Wireless Stock in Question.

Stock in the United Wireless Telegraph Company to the amount of 50 shares is the bone of contention over which suit has been brought in the Circuit Court by C. R. Hibbard against F. C. Forbes, of Hillsboro. Hibbard is agreed with Forbes to purchase 50 shares for \$22.50 a share and paid \$480 down, agreeing to pay \$545 upon delivery of the stock. He then refused to a third party for \$42.50 a share, but alleges Forbes never delivered more than 20 shares. Hibbard demands \$660 damages.

O'Donnell Estate Closed Up.

The final report in William O'Donnell's estate was filed in the County Court yesterday by John P. O'Shea, James B. O'Shea and Mary A. O'Donnell, the executors. It shows that the estate has been \$53,237.91 and the disbursements for claims and expenses of executing the will \$70,237.91, specific legacies being paid to the value of \$22,000. O'Donnell died February 1.

PLAYGROUNDS WILL CLOSE

Final Exercises Tomorrow Take Form of Aquatic Meet.

After a successful season the Portland public playgrounds will close tomorrow. The closing exercises, an aquatic meet, will be held in the afternoon in the new tank at the Sellwood park. Children from the North Park, Peninsula and Sellwood playgrounds will participate.

The events will consist of 80-yard and 160-yard swimming races, a relay race and diving. There will be three diving contests, a plain front dive, a plain

back dive and one optional dive. Each playground will have a team of four boys in the relay race and each boy will swim 160 feet. The officials of the meet will be: Judges, E. T. Mische, George B. Collins and Walter Goodtimers; J. P. Jaeger, W. Abbey and I. M. Myers; referee, P. W. Lee, assistant physical director of the Y. M. C. A.

After tomorrow all the apparatus in the public playgrounds will be taken down and stored until next June when the regular season will open. Although Portland has had playgrounds for several years, the present season is the first in which the work has been carried on in a systematic manner. A. M. Grille, who has had charge of the playgrounds, reports that each park has had an average attendance of more than 200 children daily. He believes that the beneficial results from all of this general exercises are beyond estimation.

Mayor Simon and Superintendent Mische, as well as members of the Park Board, are pledged to a policy of extending the playgrounds, and it is probable that by next season several more parks will be equipped. Those that are in line for this improvement are in South Portland, Lower Albina, Brooklyn and Mount Tabor.

FAST MOTORBOAT, PLAN

LOCALS WANT TO OWN SWIFTEST CRAFT IN WORLD.

Corporation Is Organized to Stand Sponsor for New Speed Hull to Be Named Oregon.

For the purpose of building the fastest motorboat on the Pacific Coast, or for that matter in the world, the Oregon Speedboat Company, the members of whom are sportsmen of Portland, yesterday filed articles of incorporation with the County Clerk and with the Secretary of State. The incorporators of the new organization are Elwood Wiley, a Portland contractor, and Charles M. Keep, a banker of Washougal, Wash., and George S. Shepherd, an attorney-at-law and captain of the Oregon Naval Regatta.

The articles of incorporation give the capital stock of the new corporation as \$10,000, and the individual shares will be \$100 each. Although the corporation was not proposed until Tuesday half of the proposed stock has already been subscribed.

The Oregon Speedboat Company will let a contract under bond either in Portland, on the Pacific Coast or in the East for a motorboat to develop a specific speed to an exact amount of which will be determined later.

The proposal to organize such a company with that purpose in view is a direct result of the Astoria regatta held recently. At that time a number of Portland men who attended the regatta were discussing the motorboating and the exact amount of such a company was formed. This talk culminated in a dinner at the Portland Commercial Club on Tuesday night and at that time the company was organized.

The articles of incorporation are so drawn up that the capital stock of the company may, at any time, be increased. The stock of the new speedboat destined to lead all others in the United States in a race will probably be in the neighborhood of \$10,000. Should the cost be more than \$100 per share will be issued.

"The stock in the corporation will pay no dividends, being organized solely for the purpose of advertising Oregon and promoting sport here," said George S. Shepherd, one of the men interested in the company, last night. "Also there will be no depreciation of stock. It is property which is not subject to depreciation." The Oregon and to race her not along the Pacific Coast exclusively, but to send her East to compete with the Dixie, the honey holder of the world's championship and others. If we get a craft that will exceed the speed of all others and call her the 'Oregon' it will be a big advertisement for the state."

From the present plans the boat will be ready for racing next summer in the regatta along the Pacific Coast. She will be so big that she will beat the Victoria and San Francisco as well as Astoria. Portland already boasts of the Pacific Coast champion motorboat, the West II. The expense of raising the craft will be footed by the stockholders.

The articles of incorporation also say that yachts, craft of all descriptions, both on water and in the air might be built by the firm. If the motorboat is a success it is planned to have an ocean yacht built, to be sailed in the San Diego-Honolulu races and similar events.

SWEENEY TO BUILD AT ONCE

Construction on Klaw & Erlanger Showhouse Starts This Month.

Some time this month demolition will be started on the old Dekum homestead, on the block between Thirteenth, Fourteenth, Morrison and Yamhill streets, to make way for the new Klaw & Erlanger theater. The tenants of the property have been notified to move at a moment's notice. At first they were told they would have to go by September 15. Then they were told to prepare to move at any time, as demolition may be started even before that date or possibly shortly thereafter.

The details of the Klaw & Erlanger lease have finally come to light. Under the terms of the lease with Charles Sweeney, the property is taken over on a rental based on a ground valuation of \$300,000 for the half block fronting on the south side of Morrison street and extending from Thirteenth to Fourteenth streets. A theater building to cost \$200,000 is to be built by Mr. Sweeney at a rental of 7 per cent on the building cost. This building, under the agreement, is to be completed by the latter part of August next year.

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"There's a Reason"

MOJESKI IN TOWN

Bridge Engineer Confers With Mayor About New Span.

WORK WILL BEGIN SOON

Expert Declares His Firm Can Erect Structure Cheaper Than Others, but Bids May Be Advertised for by Publication.

Ralph Modjeski, noted engineer in charge of the Broadway bridge, reached Portland yesterday morning from Chicago and called upon Mayor Simon personally to congratulate the executive on the results obtained through the sale of the first block of bonds for the big span. He is making a flying trip along the Coast to inspect various projects, and left last night for San Francisco.

Mayor Simon assured Mr. Modjeski that the city is ready to proceed with the construction of the Broadway bridge just as soon as Laird & Tilton, on behalf of Mayor Simon's client, pay over the money for the first block of the bonds, which they purchased at \$3.08. They have secured from the City Auditor the proceedings and have sent them East to be checked over by the attorneys for the buyers. When their approval is at hand, the funds will at once be available. It is believed they will hasten this as rapidly as is possible.

During his conference with the Mayor, Mr. Modjeski said that he will instruct his office force to commence work at once upon the detail plans for the piers and approaches, after which, it is believed, bids must be asked for by publication. However, this is a subject that will receive consideration for Mr. Modjeski assured M. G. Munly and H. H. Riddell, both of whom are interested in the project, that he could build the bridge quicker and cheaper if he were permitted to do it through his own firm without depending upon any contractor.

Mayor Simon is not sure whether the charter will permit of such action, but the question will receive attention at once. The plans are to be drafted and submitted as soon as possible, and unless the charter will permit of the city granting to Mr. Modjeski the right to build the bridge, they must be advertised for at least 30 days, so that contractors all over the country may have an opportunity to make proposals.

The bridge is designed to cost between \$2,000,000 and \$2,500,000, bonds for which have been voted. As soon as the funds from the sale of the first block are at hand, the City Council will offer a second block, so that there will be sufficient money on hand at all times to rush the work forward.

We want to thank our friends and neighbors for their kindness shown us through our father's (C. J. Bush) sickness and death.

C. N. RUSH
MRS. MAGGIE BUSS.

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