PLOT ALLEGED, TO DROP 'SMALL FRY'

Eastern Bondholders of Deschutes Irrigation & Power Company Blamed.

FORECLOSURE IS VACATED

Order Secured in United States District Court by R. S. Howard, Jr. Methods of Finances May Be Exposed.

Asserting that Eastern bondholders of the Deschutes Irrigation & Power Company, of Crook County, have planned a conspiracy with the old management of the company with the intent ment of the company with the intent of "freezing" the smaller interests out of the concern. R. S. Howard, Jr., yesterday appeared in the United States District Court and secured an order vacating the foreclosure of the assets of the irrigation company. The purpose of the suit is to expose all the inner workings of the financiers who have had control of the company, and to save the investments of the secured and fry who hold the stock of the concern.

Mr. Howard is the owner of \$15,000 in honds of the Deschutes company, and is emphatic in his etatements that there had been no prevision made for the redemption of his bonds. William C. Bristol and C. E. S. Wood appeared as the attorneys for Mr. Howard.

Stay Is Granted.

Judge Wolverton granted the stay of proceedings and the order of interven-tion on the verbal assurance of Mr. Wood that Mr. Howard had never con-Wood that Mr. Howard had never con-sented to the plan of closing out the old company and organizing a new one with the object of completing the canals necessary to irrigate the 214.-311 acres of land. Attorney Wood in-dicated by his remarks to the court that the compromise scheme had been hatched up to admit a large amount of fictitious indebtedness, to the detri-ment of the bondholders who had in-rested real money in the enterprise.

rested real money in the enterprise.
"I have never been a party to the itigation," said R. S. Howard, Jr., last night. "My investment in the bonds night. "My investment in the bonds was legitimate, and I only applied to intervene in the litigation when it became apparent that something was con-templated which would wipe out that

Relationship Is Disclaimed.

"Among the debts of the company which were incorporated in the decree agreed upon by the attorneys for the Eastern bondholders and the attorneys for the old managers of the company, is an alleged account of one Roscoe Howard, who is no relation of mine Howard, who is no relation of mine. This Howard was given a selling contract on the lands, by which he would realize the larger portion of any profits from their sale. The lands are still there, but I understand that he has been allowed \$120,000 in the compromise decree. I intend to find out why Howard has been allowed such an amount of money and to whom it will re-

"There is another matter of \$83,000 which will have to be accounted for before this matter is definitely settled, Under the provisions of the first mort-gage, bonds of the company could be turned in as payment for lands, but a sinking fund of \$3 per acre in cash was to be deposited for the redemption of our bonds. In the statement of the company It appears that \$83,000 of cancelled bonds were transferred to the sinking fund in lieu of that amount of cash. In other words, the bonds were cash. In other words, the bonds were redeemed by the sale of lands, and the bonds received in payment, which were then worthless, were carried in the sinking fund in lieu of cash. It looks then worthless, were carried in the sinking fund in lieu of cash. It looks down the line, and for that reason I to me as if somebody had appropried ask Your Honor to instruct this jury oney from that fund, or had failed to make good what belonged to it."

Attorney Bristol was adorned with about the littgation.

Prior to the alleged agreement, looking to the foreclosure of the first mortgage, the Eastern bondholders, most of whom are located in the vicinity of Columbus, Ohio, appeared in court with charges against the company of the grossest mismanagement. Being the chief owners of the Crook County Carey at reciamation project, the bondholders whole truth. act reclamation project, the bondhold-ers asserted that they had been denied any voice in the management and that any voice in the management and that Portland stockholders refused to at-tend meetings of the directors at which changes of management were to be proposed. The complaint in the case averred that Roscoe Howard had been given a selling contract on the lands which netted him a commission of from \$10 to \$17.50 per acre, half of their value in many instances, and charged that F. S. Stanley was interested in

Accounting Will Be Asked.

The bonds held in the redemption fund were charged to have been re-ceived from A. J. Bulkley as considera-tion for the purchase of 12,000 acres of land. An accounting for that amount

of money will be asked.

Upon those allegations a receiver for the company was appointed in the person of C. M. Redfield, former engineer

for the company.

As the story has been related in court, it is charged that the Deschutes Irrigation & Power Company was or-ganized for the purpose of taking over certain lands under the Carey act, and by which the State of Oregon is the trustee for the lands. The company filed on 74,198 acres on its own ac-count and the holdings of the Pilot Butte and Oregon Irrigation companies. In Pebruary, 1994, the company mortaged all its holdings in security of a bond issue, and is charged with later placing a second mortgage, which it proposed to may off in June last, and for which \$147,000 in cash had been accumulated. The bondholders assert this entire amount is their research. this entire amount is their property.

Idaho Land Fraud Cases Up.

Taking of testimony for the trial of Idaho land fraud cases will begin at a o'clock this morning in the Federal Court building before A. M. Wing, special examiner. Peyton Gordon, special assistant to the Attorney-General, arrived in the city last night and will conduct the case. Mr. Gordon has handled several cases prosecuted in

Boise in the past few years. The particular case in which Oregon witnesses are concerned is that to recover certain lands from W. F. Kettenbach, a prominent timberland owner of He is alleged to have obtained them through conspiracies to defraud the United States. COMMERCIAL CLUB WILL HONOR FAMOUS NAVAL HERO AT



REAR-ADMIRAL EVANS.

REAR-ADMIRAL EVANS.

"Pighting Bob" Evans, known the world over as the man who commanded the United States fleet of warships on the famous cruise to the Pacific around Cape Horn, will be entertained at a formal banquet Saturday night, given in his honor by the Portland Commercial Club. On learning that Admiral Evans was en route East from Paso Robles, where he has been receiving treatment at the hot springs, President Beckwith, of the Commercial Club, conceived the idea of having the famous sea-fighter as a guest. Accordingly, a telegram, asking if he could be present, was sent to the Admiral Thursday at San Francisco, and he at once wired his acceptance.

Robert Evans, accompanied by Robert Lee Dunn, a noted newspaper photographer and correspondent, will arrive in Portland Saturday morning, and the two men will be the guest of the club during their stay in the city. The banquet will be held at 6:30 P. M. at the club. Preparations are being made to entertain a large number of Oregon's leading citizens, as a number of out-of-town men have expressed their intention of being present at the reception.

Prosecutor Page Asks Dismissal of Porter Loomis Case.

and Police Proves Exasperating to Court.

"Your Honor, I don't propose to argue before a jury about the testimony in a case when I don't believe in my own mind that the testimony warrants a conviction. to return a verdict for the defendant,

Porter Leomis."
So spoke Deputy District Attorney
Page to Circuit Judge Gatens yesterday afternoon, after Hallie Williams, 15-year-old girl, related to Loomis, h "We are going to the bottom of this thing now," said Mr. Bristol. "I am not yet ready to announce my charges. The papers are being prepared and will be flied in the United States Court of the Good Sheperd until she was 21 years old if she did not testify that Loomis contributed to her delinquency. Later, however, she modified this, and

Woman Denles Charge.

Mrs. Baldwin, when placed on the stand, flatly denied that she ever told the girl anything of the kind, and in an interview said later that she could not send the girl to the Home even if she wished to.

"We have been unable to place any

"We have been unable to place any dependence whatever upon the child's word," she said, in talking of the case "At one time she has flatly denied that Loomis conducted himself improp-erly, and at another time she has ad-mitted that he has."

The girl admitted on the witness-stand that she swore falsely when she testified in the lower court that Loomis never made indepent proposals to her

never made indecent proposals to her. She said she did not then understand the nature of the witness oath. Mr. Gardner, she said, explained the matter to her last Saturday.

While she was undergoing re-direct examination by Deputy Page, who was seeking the names of persons whom she said had threatened her, Attorney Bert Haney, Loomis' counsel, arose and asked Judge Gatens to instruct the girl that she was under the protection of the court, and that the court would see that no harm came to her if she told the whole truth. This the judge

Girl Changes Testimony.

did.

It was then that the girl mentioned the names of Mrs. Baldwin and Mrs. Baker. She had previously testified under cross-examination by Mr. Haney, that officers of the Juvenile Court told that officers of the Juvenile Court told her if she testified that Loomis had contributed to her delinquency she would be released from the Boys' and Girls' Ald Society, and that if she testified otherwise, she would be held until she was 18 years old. Later the said Porter Loomis also threatened she said Porter Loomis also threatened her if she did not testify in his favor. Loomis is a fireman, employed at engine No. 9, in Sunnyside.

Drydock Suit.

That Raphael Citron, acting as attorney for Albert Crowe, did not take the proper method for attacking the answer of the Port of Portland in the drydock case, was the decision of Presiding Circuit Judge Cleland yeaterday morning.

Attorney Citron filed a motion to

strike the answer from the files, on the ground that the Port of Portland has no power to lease the drydock to private parties, and has only incorporated in its answer the same contentions made in its demurrer to Crowe's complaint, which

was overruled by Circuit Judge Bronaugh
when he was on the bench.

Judge Cleland suggested that Attorney
Citron either demur on behalf of Crowe
to the answer of the Fort of Portland or file a motion for judgment on the pleadings. This, said the court, would bring the case to an issue.

In the case of H. Sinfield against Mrs.
C. R. Keller, in which the attorney for the plaintiff attempted to argue points in a demurrar to the answer without

The plaintiff attempted to argue points in a demurrer to the answer without having given defendant's attorney notice of the points to be taken up, Judge Cleland overruled the demurrer. The court, in passing upon the matter, recourt, in passing upon the matter. Four days later, it is charged, he had a mental property of the demurrer to the answer without the demuling of A. W. Williams, at night, and to have stolen a gold watch gun worth \$55, a bracelet worth \$10, and a gun worth \$5.

Four days later, it is charged, he was mental property of the demurrer to the answer without the demuling of A. W. Williams, at night, and to have stolen a gold watch gun worth \$55, a bracelet worth \$10, and a gun worth \$55.

Four days later, it is charged, he was mental property of the demuling of A. W. Williams, at night, and to have stolen a gold watch worth \$55, a bracelet worth \$10, and a gun worth \$55. Supreme Court in which it is intimated that the court may not burden litigants with rules in addition to the law, but the judge said the rule that attorneys for one side must give notice to the other side of papers filed or points to be argued on demurrer until the Supreme Court positively decides otherwise.

> Change of venue in the suit of Peter McIntosh against Alexander McNair wa denied. McNair wished it tried in Tilla nook County.
>
> In the divorce suit of S. E. Hallal

> against Rose Hallal, the husband must make his charge of immoral conduct on he wife's part more specific. Other decisions were as follows: Krause Brothers against George L

> Greenfield and others, demurrer to com iaint overruled.
>
> Mrs. Charles Bernard against C. W. Mower and others, demurrer of bonda-men to complaint sustained, motion to answer allowed.

> J. E. Lewton against Clarkie A. Wells. notion to strike out complaint denied. P. K. Harth against H. M. Geren and others, demurrer of defendant overruled. Ward C. Wetmore against Dorothea Wetmore, demurrer to second amended mplaint sustained.

Davenport Brothers against Karl J. Stackland, motion to quash service and discharge attachment allowed. J. F. Broadstreet against Martin Ver-

Willard Case against Mountain Timbe Company, motion to make complaint more definite denied

strike from answer allowed in part, denied in part.

J. F. Boothe against Daisy M. Flipper and others, motion to strike out an mplaint denied.

Helen J. Miller and others against E. P. Preble and others, application for in-junction denied. Orris H. Fisher against Augusta R. Johnson, demurrer to answer over

HUSBAND DISLIKES COOKING

Wife Made Him Get Own Meals, He Says, and Asks Divorce.

Alice Bienvenu went joy riding, leaving her house untidy and her husband to prepare his own meals, according to the charges of Leon Bienvenu, in a divorce complaint filed in the Circuit Court yesterday. He declared that his wife returned home in the small hours, once as late as 4 A. M.

When he remonstrated with her a year ago last month, she left him, re-turning the following December, how-ever, he said. Their second attempt at happiness lasted only three weeks, acording to the husband, who asks custody of the children.

ACCUSED MAN IS ARRAIGNED

Harvey Lambert to Enter Plea Next Tuesday-No Attorney Secured.

Harvey Lambert, accused of murder in the first degree, for the alleged shooting of his wife, Margaret Grace CASE WILL COME TO ISSUE

Court Suggests Proceedings to End

Drydock Suit.

Enderthy was arraigned in the Circuit Court yesterday afternoon before Presiding Judge Cleiand. He will enter his plea at I P. M. next Tucadey. The court asked him if he had made arrangements to secure an attorney, to which he replied he had not. The court advised him to secure one at once, saying that if he was not finanonce, saying that if he was not finan-cially able to do so, the court would appoint one.

Alleged Thief Is Indicted.

George Griffith was indicted by the

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PORTLAND'S EMPORIUM

126 Sixth Street, Near Washington

Five Rousing Specials For FRIDAY and SATURDAY in Our Cloak and Suit Section-Second Floor



\$17.50 Raincoats at \$9.85

Fifty Slip-Ons, made of good quality rainproofed cloth with plaid back; storm collar, coat sleeve, with protection button, warranted absolutely rainproof; pretty shade of tan; sold everywhere at \$17.50.

Friday

and Saturday \$9.85

Mannish Tailored Suits at \$18.95

New styles, new fabrics and designed for practical wear. These Suits are not merely good, nor better, but they are positively the best tailored Suits you ever had an opportunity to buy at \$18.95. All the newest fabrics are shown in this collection. They are actually \$30 values, but to demonstrate what we can

Marked Them for Friday and Saturday at

Mountain Water Wanted

GRANTS PASS, Or., Sept. 15 .- (Special.)

At a meeting of the Commercial Club

Tuesday night an agitation was started to secure mountain water for the city. This matter has several times been con-

sidered by the Council, but nothing defi-nite has been done. The Commercial Club decided that a committee commis-

sioned by the Council should examine

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Novelty Mixture Coats \$13.95

Beautiful collection of Novelty Mixture Coats, made in military effect in gray and tan wale mixture, velvet collar, buttoning on side; full 54 inches long; \$22.50 would be a low price for them; but we have marked them

For Friday and Saturday at \$13.95

\$7.50 Silk Waists at \$3.35

A beautiful collection of taffeta messaline Stripe Silk and Persian Silk Waists in almost every conceivable color worn this season. They are values up to \$7.50.

Friday and Saturday \$3.35

\$4.50 Knitted Sweaters **\$2.65**

Made of fine quality worsted in single and doublebreasted models; colors Oxford, cardinal and white; sold at \$4 to \$4.50; our price,

For Friday and Saturday at \$2.65

SEE OUR SPECIALS IN THE MILLINERY DEPARTMENT

Four days later, it is charged, be entered the dwelling of Anne Shogren and stole four ostrich plumes worth \$54. a medicine case, electric flat iron, and two opera glasses. His ball on one charge was fixed at \$1500 and on the other \$1000.

CIVIL CASES WILL BE SET

Docket in Circuit Court Will Be Called Monday Morning.

Presiding Judge Cleland, of the Circuit ourt, will call the civil docket Monday norning at 9:30 o'clock and set cases in November, and to December 2. Notwithstanding the absence from the city of Circuit Judge Morrow and that Circuit Judge Kavanaugh has not yet suf-ficiently recovered from an attack of ty-phoid fever to be able to try cases, Judge Cleland has been able to clear away to date all cases so far set this term. Judge Morrow telegraphed Judge Cleland he was on his way to Portland and word was received here that he was in Denver Monday, but so far as is known be has not yet reached Portland.

Damages of \$1500 Awarded.

By verdict of a jury in Judge Gatens' Department of the Circuit Court yesterday John Dean is to re-ceive \$1500 from the Portland Railway, Light & Power Company because one one of his limbs was sprained while he was riding on a Twenty-third-street car. He said the car gave a sories of sudden jerks while he was attempting to get a seat. Dean sued for \$16,075 damages.

Horse Insurance Ordered Paid.

The National Livestock Insurance As-The National Livestock insurance Association must pay \$200 insurance on a horse, asked by Joplin & Meeks, by a decision by Circuit Judge Gatens yesterday morning. The horse was shot upon the order of a veterinary surgeon because it had the glanders. The insurance company refused to pay the insurance, because the animal did

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On one of New York's finest, most central thoroughfare s—a few doors east of Carnegie Hall—is located the Great Northern—a hotel offering the best that New York has to give. All that the most extravagant hostelries afford—in cuisine, in service, in surroundings—and more. Decorations of the periods of Louis XVI., Heraldic, Elizabethan, Marie Antoinette and Gothic. Buffet and Grill Rooms finished in Egyptian combined with Art Nouveau.

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not die a natural death, and the lawsuit available sources of pure water supply and report.

> Bridge Bond Abstract Flied. City Treasurer Werlein yesterday orning filed with the Ladd & Tilton

Bank the abstract for the \$250,000 bond issue for the beginning of the construction of the Broadway bridge, As soon as the abstract is accepted, the money it represents will be turned over to the city, and work on the new bridge will be begin immediately.

It Is the Purchasing Power of Your Dollars

That interests you. If the standard makes (and they are standard makes) of the Shoes we sell are good values at \$4.00, \$5.00 and \$6.00, they should be a mighty sight better at

\$2.00 and \$2.50

Should they not? We sell the factory samples of the best American Shoes manufactured.

NOTICE!

Our upstairs rent is one-seventh of the rent paid by ground floor stores. No fancy fixtures, no heavy expenses, but just perfect - fitting. stylish \$4 to \$6 shoes for ladies



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