

ATTORNEY DEFES ALLEGED GREAT

W. C. Bristol Said to Have
Been Told He Would Be
Killed if He Acted.

BANKRUPT MADE ANYWAY

Oregon-Idaho Company Declared In-
solvent Despite Reported Intend-
ed Violence Cited as Voiced
by L. R. Ferbrache.

In defiance of alleged threatened as-
saultation if he persisted in attempts
to have the Oregon-Idaho Co., of Glen-
dale, adjudged bankrupt. At present, W.
C. Bristol, yesterday obtained such an
order from Judge Wolverton.

The threat was said by Mr. Bristol to
have been made in a hall of the Federal
building while the court was adjourned
for luncheon. L. R. Ferbrache, of Port-
land, principal stock owner and promoter
of the Oregon-Idaho Co., is accused by
Mr. Bristol of having approached the
former United States District Attorney
with the remark:

"If you have me declared bankrupt, I
will kill you."

Ferbrache disappeared from the court
soon after the order was entered, with-
out making any attempt to attack the
attorney for the receiver of the Title
Guarantee & Trust Company.

Receiver's Charge Incessant.

The action pending before the court
was precipitated by Receiver Howard,
who charges that Ferbrache received the
money used in financing his Douglas
County sawmilling and timbering oper-
ations from J. Theobald Rose, Ferbrache,
it is alleged, secured large loans from
the bank, and sold the trust company 279
shares of the capital stock of the Ore-
gon-Idaho Co., valued at \$17,000.

As ground for declaring the Ferbrache
company bankrupt, it is charged that the
assets of the company have been dis-
posed of.

"We ascertained recently," said Mr.
Howard, last night, "that Ferbrache has
sold property belonging to the company
and thus far failed to account for the
proceeds. He sold the mill at Glendale
and received about \$25,000. He also
deeded a large amount of choice timber
land to his wife. When I learned this,
the board of directors for the Oregon-
Idaho Co. was informed and it was de-
cided to enter bankruptcy to keep the
property from being dissipated and to
enable the representative of the court
to secure an accounting from Ferbrache."

Concern Had Acquiesced.

"Ferbrache was present when the or-
der was made by the directors and
voted against it. At the same time it
was ordered by the directors that no at-
torney be employed to defend the com-
pany from bankruptcy proceedings."

"Yesterday Attorney Abraham,
of Roseburg, personal attorney for Fer-
brache, appeared in court and attempted
to speak for the company. Mr. Abra-
ham had not been so employed, and as a
consequence the court threw out his ap-
pearance."

"Mr. Ferbrache organized the Oregon-
Idaho Co., which dealt in lumbering in
Douglas County, much of the money be-
ing furnished by the directors of the
trust company. There has never been
an accounting, and when I heard that he
was disposing of property and ascer-
tained that he had sold the mill at
Glendale, I immediately took steps to
protect the creditors of the Title Guar-
antee & Trust Company. That he all
these things from the Douglas County
United States Court, and as its agent
must carry out its orders. Mr. Bristol
is the attorney in this case. Other
agents and other attorneys will be liv-
ing after we are all gone."

GOVERNMENT SEEKS REDRESS

Lands Alleged Stripped of Wealth by
Others Than Owners.

From a mixture of saw timber and
cascara bark there yesterday emerged
two suits in the United States Court in
which the Government will attempt to
sustain claims for damages against
prominent citizens of Oregon averaging
\$300,000.

In the first case P. O. Johnson and O.
W. Peterson, merchants at Newport, are
accused of stripping cascara bark from
unsurveyed land in Lane County and on
land now in the Stius National forest.
It was valued at \$60,000. The degradation
is alleged to have been committed in
1904.

The second case, involving a claim of
\$240,000, is directed against J. W. Evans,
of High Valley, Union County. It is
charged that in 1904 Mr. Evans entered
a homestead claim on the Land Office at
La Grande under the name of J. W. Evans
and secured a patent for the land. He
then made any improvements or established a
residence of any kind. In the time the land
was held under his claim it is alleged
that Evans cut and sold timber to the
value named in the complaint, and that
the clearing of the land never resulted
in its cultivation. Evans is a ranchman
of prominence in the Union County dis-
trict.

Both cases are in charge of Assistant
United States Attorney McGuire, who
investigated at Newport and is now
employed in the General Land Office.

STAGE FALLS, \$61,000 ASKED

Olympia Merchant Sues for Big
Damages for 1907 Accident.

A stage journey, begun at Drain, Or.,
in March, 1907, ended yesterday in the
United States Court, when C. W. May-
nard sued to recover \$61,000 damages.
The stage, with Maynard inside, top-
pled over a steep bank and Maynard
declares he suffered injuries which
have made his left arm useless.

The complaining is a rider of Olympia,
and was formerly State Treasurer of
Washington. He was en route to Marsh-
field, and engaged passage at Drain on
the stage line operated by the Umpqua
River Steam Navigation Company. He
alleges that the stage was in the
hands of an incompetent driver, and
that when he reached the top of the hill
he was in such condition that he
passed a number of weeks in a hospi-
tal. Hearing of the case will prob-
ably require three days.

RUNNING TIME TO BE CUT

(Continued From First Page.)

The Deschutes line into Central Oregon,
the Tillamook extension to the coast
and the Peninsula tunnel, as well as the
Pendleton-Yaquina cut-off and other
improvements in Eastern Oregon.
He then enumerated the trackage
contemplated in Oregon for the next

year, naming the 220-mile stretch be-
tween Klamath Falls and Natom, 120
miles through the Deschutes Valley, as
well as the numerous minor improve-
ments.

Tunnel Soon Ready.

"The Peninsula tunnel will be com-
pleted by the first of the year," he
added. "This 220-foot piece of under-
ground work will eliminate the haul
through the St. Johns yards and will
shorten the time out of Portland on the
East Side tracks."

Mr. Kruttschnitt spoke in a discour-
aging manner of the market for rail-
road securities, and said that until they
could be made attractive much money
that is needed for railroad development
in the Northwest would be withheld.
With money demanding from \$ to 10
per cent on call, manufacturing en-
terprises paying from 15 to 20 per cent
and agriculture from 6 to 15 per cent,
he deplored the fact that the railroads
could not pay more than 4 or 5 per cent.

"Any well-informed citizen can draw
his own conclusions from this," he said.
"It has been brought to the attention
of the public often enough."

Mr. Kruttschnitt will remain in Port-
land for three or four days and will
visit some other points on the Harriman
lines in the Northwest before returning
to Chicago.

SPECIAL RATE IS GRANTED

One and One-Third Fare to Wool-
growers' Convention Given.

A fare of one and one-third for the
round trip from all points in Oregon,
Washington and Idaho to the annual
meeting of the National Wool Growers'
Association in this city next January
was announced by the Northern
Pacific Railway yesterday. Applica-
tions have also been made for similar
rate from Montana points and an-
nouncement that this has been granted
is expected in a few days.

The tickets will be placed on sale
January 2 and 3, and will be good for
continuous passage in each direction
with a final return limit to January 10.
The Montana tickets likely will be placed
on sale December 11.

They will be honored on all regular
passenger trains with the exception of
the North Coast Limited.
From stations east and west of Pasco,
tickets may be routed over the North
Bank into Portland. The usual 150 pounds
of baggage may be carried.

Similar reductions are expected on the
other roads entering Portland, as well
as those serving the territory from which
delegates to the convention may be
drawn.

NEW ROAD ADOPTS OLD RATES

Tariff of Lines in Merger to Be
Used as Company's Own.

In the first circular ever issued by
the newly-organized Oregon-Washing-
ton Railroad & Navigation Company,
announced was made yesterday that
all the freight tariffs of the several
roads included in the recent merger
will be adopted as the new company's
own.

In the same circular all supplements
and amendments to any tariffs filed
with the Interstate Commerce Com-
mission by any of the old companies also
are adopted, the same to become ef-
fective December 24, the date fixed
for the beginning of business by the
new concern.

Similar notice, it is expected, will be
made with reference to the passenger
rates. This will preclude the neces-
sity of the new company filing a full
set of its own tariffs.

GOULD ROAD SEEKS QUARTERS

New Freight and Passenger Office
to Open Early in 1911.

Opening of the new Missouri Pacific
freight and passenger office in this city
will be delayed until after the first of
the year, according to an announcement
of William P. Schmidt, general Western
agent of the company, who left here yes-
terday for his office in San Francisco
after making an examination of busi-
ness conditions in Portland and Seattle.
Mr. Schmidt stated the policy of the
Missouri Pacific is to segregate the
freight and passenger traffic. The
work on the separate systems requiring
such action.

Quarters for the local office have not yet
been selected, but several rooms on Third
street are being considered.

KITTY IS MAN'S UNDOING

CHILD'S PET LEADS TO ARREST
AFTER CONTINENTAL CHASE.

In Violation of Terms of Divorce,
James Lee Abducts Daughter and
Sluths Trace Cat.

GREENEY, Colo., Dec. 12.—A kitten
formed the clue which resulted in the
arrest of James Lee, formerly of this
city, who is wanted for violating an
order of court, granting out of his
custody of his young daughter, ac-
cording to word received in this city tonight.

Lee was captured at Wharton, Texas,
but announced his intention of fight-
ing any attempt at extradition.
Several months ago Lee's wife ob-
tained a divorce from him, and she also
secured custody of their young daughter.
Lee, however, was given permis-
sion to visit the child once a week.

On November 6, Lee took the little
one for a drive. Before starting, the
child placed her pet kitten in the buggy
and all three disappeared.

Lee and the child and the kitten
were traced to Humboldt, California and finally
to Texas.

When arrested yesterday, in company
with the little daughter, the latter held
the kitten in her arms, a description
of it having been sent broadcast in
connection with that of the child and father.

Large variety of leather novelties for
holidays at Harris Trunk Co., 125 6th st.

GAS, DYSPEPSIA, INDIGESTION AND ALL OTHER STOMACH TROUBLES GOES

Take a little Diapiesin now and
your Stomach will feel fine
five minutes later.

If your meals don't fit comfortably,
or you feel bloated after eating, and
you believe it is the food which fills
you; if what little you eat like a
meal, interferes with your digestion,
it is difficult in breathing after eating,
eructations of sour, undigested food
and acid, heartburn, belching, a belch-
ing of gas, you can make up your mind
that you need something to stop food
fermentation and cure indigestion.

To make every bite of food you eat
aid in the nourishment and strength
of your body, you must rid your stom-
ach of poisons, excessive acid and
stomach gas, which causes your entire
meal—interferes with digestion and
causes so many sufferers of Dyspepsia,
Stomach Headache, Bloating, Constipa-

CONSPIRACY LIKE CONTINENTAL CRIME

Supreme Court Settles Doubt
as to Sherman Anti-
Trust Law.

RULING OF IMPORTANCE

Case Charging Attempt to Drive
Pennsylvania Sugar Refining
Company Out of Business
Revived by Decision.

WASHINGTON, Dec. 12.—Announcing
the broad rule that a conspiracy under
the Sherman anti-trust law may be a
"continuing offense" instead of an of-
fense limited to the formation of the
conspiracy, and possibly overt acts
thereunder which would revive the con-
spiracy, the Supreme Court of the
United States today went a long way
toward dispelling doubt as to the law.

The direct result is that Gustav Kle-
ber, of New York, and Thomas B.
Hanes, of Philadelphia, must answer
further to the indictment brought in
1909 in New York charging them with
conspiracy with the American Sugar
Refining Company and others to drive
the Pennsylvania Sugar Refining Com-
pany out of business.

Conspiracy Completed Crime.

Justice Holmes today, in announcing
the opinion of the court, took up for
consideration the argument that a con-
spiracy is a completed crime as soon as
formed, as would be the case where a
conspiracy was merely a contract.

"It is true," said Justice Holmes,
"that the unlawful agreement satisfied
the definition of the crime, but it does
not exhaust it. When the plot contin-
ues bringing to pass a continuous co-
operation of the conspirators to keep it
up, and there is such continuous co-
operation, it is a perversion of natural
thought and natural language to call
such continuous co-operation a cine-
matographic series of distinct conspira-
cies rather than to call it a single one."

Holding that a conspiracy in restraint
of trade is different from a contract in
restraint of trade, Justice Holmes
summed up the decision in this man-
ner:

Contract and Conspiracy Differ.

The indictment charges a continuing con-
spiracy. Whether it does so with technical
accuracy is not before us. All that we
decide is that a conspiracy may have con-
tinuance in time, and that, whereas here
the indictment, consistently with the other
facts alleged that it did not exhaust it.
Suing the conspirators must be denied under
the general issue and not by a special plea.

Under the general issue, the defense, in-
cluding the defense that the conspiracy
ended by success, abandoned or otherwise,
more than three years before July 8, 1909,
will be open and unaffected by what we now
decide.

The Standard Oil Company of New
York must pay the \$20,000 fine imposed
upon it by the District Court for the
western district of New York for ac-
ceptance of alleged concessions in the
transportation of petroleum, as the Su-
preme Court of the United States today
refused to review the case.

BUNKHOUSE LIFE DECRIED

Loggers to Organize to Demand
Better Sleeping Quarters.

SOUTH BEND, Wash., Dec. 12.—(Spe-
cial.)—A logger of this county who
had 24 years' experience in logging
camps of the Northwest has started a
movement to better conditions under
which he and other men are compelled
to labor. To this end he has been
called, to be held here Christmas
day.

Loggers of Pacific and Lewis counties
propose to form an organization to ad-
vocate passing of a law that will re-
quire regular inspection of camps and
put the inspectors under the State
Board of Health. The loggers plan to
pay into the state treasury a certain
per capita tax to cover the expense of
inspection.

Under present conditions, the leader
of the movement declares, the bunk-
house, the logger's only home, is filthy
and unsanitary to an almost un-
bearable degree. To this fact, he says,
due the almost constant migration of
loggers from camp to camp and from
camp to town, where many are prone
to remain in saloons so long as their
money holds out.

"The work is hard," he said, "but the
food is good and plentiful, and only
for the wretched dens called sleeping
quarters, where sleep is well-nigh im-
possible, the loggers would be happy
and contented. By themselves the log-
gers are helpless, and their only hope
lies with the Legislature."

Portland Man Gets Big Contract.

MEDFORD, Or., Dec. 12.—(Special.)—
Materials for the new water system for
Jacksonville have been received, and
work will be started immediately. The
contract to build the reservoir and in-
stall the system was awarded to J. J.
Mears, of Portland, and Jacksonville re-
cently voted a bond issue to cover the

Protect Yourself!

AT FOUNTAINS, HOTELS, OR ELSEWHERE
Get the
Original and Genuine
HORLICK'S
MALTED MILK
"Others are Imitations"
The Food Drink for All Ages
RICH MILK, MALT GRAIN EXTRACT, IN POWDER
Not in any Milk Trust
Insist on "HORLICK'S"
Take a package home

Dr. Lyon's PERFECT Tooth Powder

neutralizes the destructive
acids of the mouth—cleanses,
preserves and beautifies the
teeth, and imparts purity
and fragrance to the breath.

expedients. A huge reservoir with a
capacity of 24,000,000 gallons will be con-
structed on a hill half a mile from the
town, and the city reservoir will have
a capacity of 200,000 gallons. The water
supply for Jacksonville comes from the
snows and watershed in the hills west
of town.

STREET SALES PLANNED

RED CROSS WORK SOLICITORS
ON MAIN THOROUGHFARES.

Second Order of 10,000 Christmas
Postals Given to Supply Demand
Here in Portland.

During this week the Red Cross seal
campaign will be taken up with renewed
zeal. Workers will canvass the main
streets of the city and it is hoped to
realize many sales in this way.

Many merchants are buying the seals
to put on outgoing mail. A man at
Nahalem sent in a liberal order for the
little stickers.

So well are the Red Cross Christmas
postals selling that the Visiting Nurse
Association has placed a second order
for 10,000. The postal is decorated with
holly and Christmas bells and contains
the following verse: "While all the
world's well-wishing and a thousand
thoughtful friends are bidding merriment
and happiness attend you—Accept, I beg,
this Yule-tide greeting: May
every day of the New Year bring to you
and yours the priceless gift of health."

As the opening of the state institution
at Salem and the building of the pa-
vilion at the New County Poor Farm
will relieve the Visiting Nurse Asso-
ciation of some of the care it has hereto-
fore had, it will be better able to carry
on the campaign of distributive meth-
ods, say the members of the association.
It is their desire to teach people how
to live in order to check the spread of
tuberculosis, as well as to care for those
who have the disease.

The association feels that the Red
Cross seals are doing a good work, and
will aid them to carry out the plans.

BAKER TO IMPROVE ROADS

Merchants Suffer on Account of Im-
passable Condition.

BAKER, Or., Dec. 12.—(Special.)—
Several members of the Farmers Union
of Baker County met with officials of
the Commercial Club and plans were
formulated for improving the main
highways leading into the city. As
soon as the heavy rains are over it is
the intention of the farmers to co-
operate with the Commercial Club in
rebuilding the roads. A week will be
set aside by the farmers and they will
donate their services and teams to the
good cause, while the club will assist
in a financial way.

The unusual cold weather in Eastern
Oregon following the recent rain and
snow has rendered the roads leading
to the city almost impassable. The
roads were cut up by teams and when
the cold snap came the ground was
frozen, and has been in this condition
for several weeks. As a result the
merchants who had prepared for a big
holiday season are greatly disappointed,
for the farmers do not care to
travel the poor roads in order to make
their purchases.

Victim of Fall Buried.

SILVERTON, Or., Dec. 12.—(Special.)—
The funeral of Oscar Quail, who was
hurled 120 feet to his death at Portland
Saturday, was held in this city today.
The body was held at the home
of his parents two miles east of this
city, and later at the United Lutheran
Church here. Rev. H. M. Mason of-
ficiated. The funeral was held in the
Bend Cemetery. Young Quail had
lived here for several years. Several
members of the order of Structural Iron
Workers of Portland accompanied the

body to Silverton Sunday evening and
attended the obsequies.

Wife Charges Desertion.

OREGON CITY, Or., Dec. 12.—(Special.)
—A divorce suit has been filed in the
Circuit Court by Stacie E. Leeds, who
seeks separation from Clayton J. Leeds.
The couple were married April 24, 1907,
in Ballard, Wash., and the complaint
charges that the plaintiff was deserted
January 13, 1908.

Boardbill Saved; County Gets Work.

VANCOUVER, Wash., Dec. 12.—(Spe-
cial.)—For hearing Mrs. L. L. Cobb, of
Buckhead, out of a board bill amount-
ing to \$7.50, Marshall McCurry was to-
day sentenced to 30 days in the county
jail. He has been held in the jail for
two weeks, waiting for a remittance
from home, but the remittance never
came, so he will serve out the re-
mainder of the term.

Here's Where Forty-Two People Will Each Secure a Chickering

Eilers Music House Selling Two Carloads of Chickering's for Marine
Insurance Company's Account

We ship many of our pianos via the Great Lakes. This effects a substantial saving in
freight. Nearly all of our Chickering's are shipped to Buffalo by rail, then to Duluth or
Chicago by water, then the rest of the way again by rail.

Among shipments recently arriving are two carloads that while
in the steamer came in contact with some chemicals or fumes
which marred the finish of the pianos. Musically—that is to
say, in every particular concerning the interior of these pianos
—they are perfect Chickering's, but the finish has become
dull or lusterless.

We are equipped to revarnish these instruments in our splendidly appointed establish-
ment on Pettygrove street, at Fifteenth and Sixteenth. But it takes time to do this, and
we close our books on the last of this month. We would rather not carry these Chickering's
over into next year.

This being the case, we have arranged with the insurance com-
pany to sell the Chickering's at prices reduced so as to dispose
of them at once, the insurance company paying the difference
or loss that we suffer thereby.

The Chickering is the greatest of all the great American pianos. Ever since we com-
menced business in Oregon we have sold the Chickering, and never below its established
value. Thousands of Chickering's grace Oregon's mansions, but never heretofore has
there been opportunity to buy a brand-new Chickering under price.

The opportunity now presents itself to 42 high-class homes to
secure Chickering's, upright or grands, of which the marine
insurance people pay a liberal portion.

There are 26 upright Chickering's in this shipment. There are 16 magnificent grands.
There are various styles, both grands and up-rights.

To make quick work of it, we offer to accept \$435 for each
Chickering upright in this shipment.

The grands are now being sold at \$600 for the plain cases, while \$75 more is asked for
the very fancy figured mahogany and the larger size.

We are anxious to close out every one of these pianos this week.
We must dispose of all of them before the close of the month,
and these prices will do it.

Here is the opportunity for many a home o' music studio which has heretofore been pre-
vented, owing to the high prices, from owning a Chickering, to get a Chickering piano.

The slight damage these Chickering's have sustained in the var-
nish work will hardly ever be noticeable. We will French
(dull) finish any of these pianos in our shops for \$12.

And if you are not prepared to pay all cash, pay one-tenth of the price cash and the bal-
ance in payments extending over a period o' two years or two and a half years, for the
mere additional simple interest.

All of these pianos are displayed at our Retail Establishment,
No. 353 Washington street, at the corner of Park. We repeat
it—no chance to get a Chickering under price has ever hereto-
fore been offered. It is safe to say that such an opportunity
will never be presented again.

The regular, unconditional factory guaranty, duly countersigned by us, accompanies
each piano, thus making every buyer positively secure in his purchase.
EILERS MUSIC HOUSE.

body to Silverton Sunday evening and
attended the obsequies.

For Business Use

There are a great many places and
occasions when the possibility of get-
ting extra heat immediately effects an
economy by decreasing the discomfort
of the worker. In the office, in the early
morning or late at night, before or after
the steamheat is on, it is of importance
to have extra heat. In the builder's
outside office, in the shipping room, in
the checker's shack, on exposed lofts,
in railroad stations, in studios, the

PERFECTION
SMOKELESS
OIL HEATER
Absolutely smokeless and odorless

It is often a necessity. It is safe, smokeless and odorless. Apply a match, and it
gives heat quickly. With four quarts of oil it burns nine hours. Has auto-
matic-locking flame spreader, which prevents the wick from being
turned high enough to smoke, and is easy to remove and drop back so that the
wick can be cleaned in an instant.

It has a cool handle and a damper top. An indicator always shows the
amount of oil in the font. The filler-cap it is put in like a cork in a bottle,
and is attached to the font by a chain.

The burner body or gallery cannot become wedged, because of a new de-
vice in construction, and consequently, it can always be easily unscrewed in an
instant for reworking.

The Perfection Oil Heater is finished in japan or nickel. It is strong,
durable, well made, built for service, yet light and ornamental.

Dealers Everywhere. If not at yours, write for descriptive circular
to the nearest agency of the

Standard Oil Company

(Incorporated)

NO INTEREST
EASY PAYMENTS

A Christmas
Present

For the
Family

BUSH & LANE PIANO CO.

386 WASHINGTON ST.
Bet. West Park and Tenth
Open Evenings