

TUBEROUS DEAL IN LAND IS ALLEGED

Manipulation of Title to 28,375 Acres by Ross and Holbrook Is Charged.

CASE IS TO BE PUSHED

R. S. Howard, Receiver of Title Guarantee & Trust Company, Has Suit in Federal Court Against Men and Concerns.

The alleged manipulation by J. Thorburn Ross and F. B. Holbrook of title to 28,375 acres of so-called desert land in Umatilla and Morrow counties, as well as their questionable transactions in connection with five holding companies, will be investigated when the suit of R. S. Howard, receiver of the Title Guarantee & Trust Company, against these individuals and corporations comes to trial.

W. C. Bristol, associated with S. B. Lathrop as Howard's attorney, filed the suit yesterday in the Federal Court. The complaint is voluminous, covering 48 closely typewritten pages. The exhibits cover more than 100 pages in addition. The actual book losses of the Oregon Land & Water Company, one of the corporations sued, was organized in 1901 by Holbrook, Ross and others.

The Bingham Land & Water Company, one of the corporations sued, was organized in 1901 by Holbrook, Ross and others.

Tangle Is Big. Some of the land involved in the suit is included in an indictment on file in the Federal Court against Ross and Holbrook, charging them with illegally taking up the land.

According to the complaint, the Oregon Land & Water Company floated a bond issue of \$100,000 on May 23, 1902. On January 10, 1906, it is alleged, another bond issue of \$250,000 was issued, and called a first issue, the \$100,000 issue not having been recorded.

Cook Head of Concern. John W. Cook was elected president of the corporation, putting \$15,000 into it, it is said.

Timber Patent Questioned. Dan Brumbaugh Says Land Is Same as That Under Controversy.

Although the timber land near Reagin, Or., taken up by Dan Brumbaugh is not included in the action to cancel patent, which is being had before Commissioner Brode, of the General Land Office, Brumbaugh testified at the hearing yesterday that his land was taken up under the same agreement as the 500 acres which may revert to the Government.

Louis Sharp, chief of the field division of the General Land Office, was one of the witnesses called. He said he wrote to the Commissioner of the General Land Office last October, asking if any protests involving the Larowe and Jordan claims were made before the lands were patented and received word that no record of any protests could be found.

Edward Jordan was also a witness and told of being paid \$100 for his land.

Relatives of Robert A. Booth took up the claims and transferred title to the Booth-Kelly Lumber Company. The deeds conveying the land to the corporation were introduced in evidence yesterday.

\$7500 Sought for Lineman's Death. James Easton, a lineman in the employ of the Pacific States Telephone Company, was killed at Roseburg a year ago last September, while working on a pole.

of his estate, is suing J. L. Kendall and S. A. Kendall before a jury in Federal Judge Welverton's court for the recovery of \$7500 damages. The Kendalls are the owners of the electric light plant which supplies Roseburg. Their wires, uninsulated, are strung on the same poles as the telephone wires. Easton was 29 years old. Mrs. Easton says she would have accompanied Easton's deputation if property had he lived. She is suing for only \$7500, however.

Biscuit Worker Wants \$40,000. The appealed case of Jacob Wedel against the Pacific Coast Biscuit Company for \$40,000 damages, was filed in the Federal Court yesterday. It was first taken into the State Circuit Court of this county, but transferred to the United States Court because the corporation is organized under the laws of New Jersey. Wedel's left hand was mangled in the machinery last April, which is ground for the suit.

Jurors to Go Home for Christmas. Federal Judge Welverton has discharged all jurors living in the country that they may be at home during the holidays. Twenty more jurors to do duty in the Easton case were served by Judge Welverton's deputies and reported yesterday, the jury being impaneled in the Easton case before the close of the morning court session.

HAUNTED HOUSE SCARES Woman Asks Police to Imprison Her on Any Charge.

Bearing an arsenal of goods and chattels and covered by two uniformed policemen, a woman carrying a large trunk, Mrs. Al Kennedy, 25 North Park street, walked into the police station yesterday and announced that she had come to stay, because her home was haunted.

"Lock me up for anything you please," she said, "make it murder; I simply won't go back."

The original complaint included two separate petitions from the Medford traffic bureau. The first of these asked for the establishment of a rate on carload commodities, such as groceries, hardware and some farm machinery from Portland to Medford.

The ultimate object of the petition was to make Medford a jobbing center for the territory within the described radius. A similar petition was presented to the State Commission some time ago by the jobbing interests of Baker.

Chamber of Commerce Intervenes. The transportation bureau of the Portland Chamber of Commerce intervened in both cases, contending that if these privileges are granted to Medford and to Baker 100-mile zones thus will be established in all parts of the state and that endless confusion will result.

They raised the point that granting the privilege to these towns will establish a precedent and that if Medford and Baker are successful many other small cities will seek similar concessions.

THE CHILDREN KNOW. They love Pfefferkuchen; they dot on the brown Potato Marzipan; they gorge themselves on Shantung Confectionery, and all these dainty German delicacies never hurt them. They are so cunning on the Christmas tree and taste so good afterward. Buy them at either branch, Royal Bakery.

GYMNASIUM FOR HOMELESS TOTS AT FRAZER HOME WILL SOON BE READY

Local Concerns and Citizens Have Contributed Liberally for New Playhouse and Manual Training Shop—Opening Will Be Held About Christmas Time.

After many shattered plans and hopes, which were resurrected by ingenuity and generous pocket-books, the inmates of the Frazer Detention Home will soon have a gymnasium and manual training shop. The building is almost completed and it is hoped to have it ready to open by Christmas.

The building is a two-story brick, 40 by 70 feet. The top floor will be used as a gymnasium or play room, while on the lower floor will be located the work shops.

As it is often necessary for little unfortunate to remain in the Home for some time, the need of a gymnasium and work shop has been long felt. Interested persons took steps toward that end. The juvenile court started the fund by donating \$1000. Bids were advertised for, but when that the cost of erecting the building exceeded the amount which it had been estimated could be raised for such a purpose, a scheme would have to be given up.

Just as the last hope was disappearing, some benevolent persons took the matter in hand with an indomitable determination and started a campaign to procure funds and material for the building.

Mr. Byrne, an Eastern contractor, and relative of one of the workers, was in Portland at the time, and he was appealed to. He promised to take the matter in hand and rush the work through.

More funds were added to the \$1000 and Mr. Byrne, together with G. G. Worth, a resident of the East Side, gave their personal attention to the purchasing of the building material and the hiring of what help was needed in addition to their own services.

A canvass was made of the paint stores, the dealers in this line responding generously with donations sufficient to fill the requirements for paints and such.

The tools were donated by hardware companies, and thus those who were promoting the matter found that the manual hall and gymnasium would be made a possibility by the generosity of the Portland people.

The benches will be made by the boys of the public schools, who will also do the plumbing work and electrical wiring, as it is thought that the work will give the boys some beneficial experience.

The cost of the building has been only \$2900, a portion of which, however, has not been yet appropriated. Another plan is now being nourished by those who have the welfare of the little inmates of the Detention Home at heart. A Christmas tree for these homeless youngsters, held in the new gymnasium would serve as a most appropriate opening, they think, and would be a fitting climax of their faithful endeavors and conscientious work.

The question as to whether or not the lives of these little waifs will be brightened at Christmas time with a tree will be answered no doubt in the same way the gymnasium question was. Some clothes also, say those who have the matter in charge, would not come amiss for these children.

Following are the names of those who contributed towards the gymnasium: County \$1000, A. L. Mills \$25, J. Adams \$25, Security Savings & Trust Co. \$25, W. P. Olds \$25, C. S. Bronaugh \$25, L. O. Gantenbein \$25, Louis G. Clarke \$25, Joseph Simon \$25, J. P. Newkirk \$25, William C. Alvord \$25, Mrs. William C. Alvord \$25, Clarke Book Company \$25, K. J. J. \$25, Joseph Simon \$25, J. N. Eaton \$25, J. S. Eaton \$25, American Laundry Company \$25, Dr. A. E. Becker \$25, Hester & Strauss \$25, N. S. Fleischer \$25, C. S. Jacobson \$25, Gus Simpson \$25, Joseph J. Jager \$25, Cash \$25, A. C. Feidenstein \$25, Materials for plumbing—The Crane Company, the Gauld Company, the tools were furnished by the following firms: Adolph A. Dekum, J. J. Keadley, Columbia Hardware Company, Marshall-Well Hardware Company, Honeymann Hardware Company, Paint supplies—W. E. Fisher & Co., Fisher, Thorne & Co., Massman & Co., Pioneer Paint Company, Finnegan & Co., Oregon Distilling Company, Electrical supplies—The Fobes Supply Company, Western Electric Company, Morrison and Co., A. H. Meier, H. supplies, 110; R. A. Hume, in supplies, 112; the Portland Taxicab Company, in supplies, 120; the Oregon Tobacco Company, in supplies, 25.

LOCATION OF CITY IS GREAT FACTOR

Portland's Freight Facilities Material in Medford Rate Case.

EVIDENCE NOT COMPLETED

Local Chamber of Commerce Takes Hand in Hearing Before State Railroad Commission—Railroads Aid Portland in Fight.

Testimony tending to show that Portland, on account of its position on tidewater, has a natural advantage over the inland towns in the matter of freight facilities was presented before the State Railroad Commission in the Medford rate hearing in the office of R. B. Miller, traffic manager of the Southern Pacific in the Wells-Fargo building yesterday afternoon.

The evidence of the plaintiffs in the case was heard at Medford on November 29, the commission then adjourning its session until yesterday. The case is not yet complete, however, and the final decision will not be handed down until the Commission has time to review the evidence.

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to be in sympathy with the local Chamber's position in the matter. At the original hearing testimony was introduced evidently aimed to establish the position that Medford, on account of its geographical location, is entitled to jobbing rates. Yet the railroad officials endeavored to show that Medford's position is not different from that of any other city of the same size between Portland and Medford.

Portland Situation Outlined. Mr. Miller and H. E. Lounsbury, assistant general freight agent of the Southern Pacific lines in Oregon, were examined by the Commission and by the attorneys. They stated that conditions are such as to make Portland the natural jobbing center of the state, by reason of its tidewater location and the interior river service by both the Columbia and Willamette rivers. The situation here is altogether dissimilar from that of Medford, they declared, Medford being an inland town and having no natural advantages possessed by this city. They state that population and other conditions also formed factors in establishing classifications of cities with reference to rates.

None of the Medford business men who are interested in the case was present at yesterday's hearing. They were represented by Attorney McCune of this city. W. D. Fenton handled the case for the Southern Pacific. The three members of the Railroad Commission—T. K. Campbell, Clyde Altchison and Frank J. Miller, all of the proceedings. While the attorneys did the questioning members of the Commission occasionally interrupted the proceedings to inform themselves on particular points.

The interests of the local Chamber of Commerce were represented by Attorney A. B. Winfree.

The Commission did not give promise to the time the case will be disposed of.

DOUGLAS MAN WOULD WED Oregon 'Manly' Mailcarrier Answers Proposal of St. Louis Woman.

Bringing together people who want to get married seems to have become a new branch of work for the Mayor of Portland. When the Mayor received a letter recently from a widow in St. Louis, asking him to find a husband for her, the letter in which she gave the description of a man she desired, fell into the hands of the press and was published. Mayor Simon received yesterday a letter from a man in Douglas County, who thinks he will fill the standard set by the St. Louis woman. Following is the letter from this man, who name is withheld by request of the Mayor:

Dear Sir—I seen your ad in the paper of the lady of St. Louis wanting a manly man. Thought I would answer, as I can reach the standard she describes. I am a man of temperate habits, have a nice home of four acres close to a dozen chickens, money in the bank, carry the mail six days in the week for Uncle Sam by stage. I am 40 years old, brown hair and blue eyes, five feet and six inches tall and weigh 150 pounds. I like good society and am of a fond and loving nature. Hoping for a favorable reply, I remain, yours truly,

Whether Mayor Simon will take any steps to draw together the St. Louis widow and the Oregon mail carrier, did not state yesterday. He intimated, however, that he would answer the letters of both.

Entire Fund Used Up. At the rate of \$12 a month for their living and \$12 for schoolbooks and clothing, Mrs. McCommon not only spent all of the children's estate, but \$27 besides. The amount to her credit was not sought in the court proceedings.

No objection to the squaring of accounts that took all her children's own was made by Mrs. Z. Zimmerman, mother of the children and a niece of Mrs. McCommon. Neither did the stepfather of the children, Z. Zimmerman, complain when search of the records showed Mrs. McCommon had not obligated herself to return the children's inheritance to them intact after her long supervision over them. Zimmerman is a member of the bar department, stationed at Eugene company No. 6. He married Mrs. Milligan five years ago.

Stewardship Held Good. After testimony by Mrs. McCommon and Mr. and Mrs. Zimmerman, County Judge Cleaton declared Mrs. McCommon had made a good account of her stewardship and that the children had more than received the value of their money. Cold figures were used in arriving at this deduction. Judge Cleaton said \$12 a month was slight charge for the living of two children when it is considered the city and county allow, as a rule, \$8 for each child and frequently authorize the expenditure of \$12 a month for the care of a youngster. Judge Cleaton thereupon released Mrs. McCommon from her guardianship and ordered the return of her bond.

Standing out as an odd feature of the case is the fact that Florence Milligan, now 14 years old, may choose her own mother as her guardian or select her stepfather, or any other person willing to be her foster-parent. Oscar Milligan, 12 years old, has no choice, and when proper application is made his mother or the stepfather will be appointed guardian over him.

DEPOSITOR LOSES HIS SUIT Bank Which Identifies by Faces Rather Than Signatures Wins.

The practice of the Bank of Troutdale of identifying depositors by their faces instead of their signatures cost Depositor Todero \$250. A jury in Judge Hamilton's department of the State Circuit Court yesterday returned a verdict in favor of the bank for that amount.

Todero had deposited \$500 with the Troutdale bank and, deciding to transfer his money to Kenora, applied for a deposit. The bank proffered him \$250 and two canceled checks, one for \$250 and one for \$50. The checks, said Todero, were not signed by him, and he refused to accept the balance. Suit for the full amount followed.

The checks bore the signature of D. Todero. Graphology experts for the bank of that of Todero and experts engaged by him were just as insistent that the penmanship was not similar to that of the plaintiff.

Bank officials testified that it was their custom in business relations with foreigners to identify them by their faces rather than by their signatures. The jury's verdict upheld the practice in Todero's case.

MAN HIT BY PLANK SUES Negligence in Placing Crosswalk.

Delay in completing street improvements, and alleged carelessness on the part of the Hassam Paving Company in protecting passersby are the basis of a suit for \$15,000 damages filed against the company yesterday by Christian Pouly.

Pouly alleges that the paving company in improving the corner of Day street and Portsmouth avenue placed a plank for a crosswalk in such a way that it protruded eight feet over the sidewalk. As he walked past on the sidewalk on November 15, he tripped, a plank crossed the board and the projecting end hurled him to the ground with great force.

The plaintiff complains that he sustained "serious" injuries. Of the amount sought \$100 is asked to cover medical attention after the accident.

You Must Read This If You Want Benefit. J. W. Greer, Greenwood, La., suffered with a severe case of lumbago. At times the pains were so intense I was forced to hypodermic injections for relief," he says. "These attacks passed with a slight pain in the small of my back which gradually became fairly paralyzing in effect. My attention was attracted to Foley's Kidney Remedy and I am glad to say after using this wonderful medicine I am no longer bothered in any way by my old enemy lumbago." Sold by all druggists.

CHRISTMAS SWEETS

Largest and most varied assortments of confections ever shown in Portland, and all of Sweetland Quality.

We call particular attention to our HOLLY GIFT BOX

Inexpensive, yet a dainty and appropriate gift. SEE OUR DISPLAY OF Special Holiday Mixtures

20c lb. American mixed, the old-fashioned home kind; a favorite with the children.

25c lb. Christmas Creams, a mixture of bon bons and chocolates, in large variety. Extra good.

20c lb. Fancy broken, bright and crisp. Just the best thing for filling the stockings.

25c lb. Our famous Ribbon Candy, bright and glossy and very pretty for the tree.

Our collection of new and exclusive designs in dainty and up-to-date Art Boxes, Cabinets, Cases and Baskets has no equal on the Coast. When filled with Sweetland's Quality Sweets they make most "apros" of Christmas gifts.

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GYMNASIUM AND MANUAL TRAININGSHOP OF THE FRAZER DETENTION HOME.



Makes the Kiddies Happy

The goodies you make with KAOLA will be digestible. The little tots will not suffer with the aches and pains of indigestion if KAOLA has been used in place of lard or butter. KAOLA makes everything so much better, too. You never will know how good the things you cook, bake or fry can be till you have used KAOLA.

Adds 100% to the Goodness of Things

KAOLA is the pure butter of the coconut. It contains not a particle of animal fat of any sort. It will not turn rancid. A trial tin will convince you that it is the very best shortener or cooking fat you have ever used. Pure, White, Odorless.

Your Grocer Sells KAOLA — Also Recommends it



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Make reservations now—many are taking advantage of the attractions at "OREGON'S WINTER RESORT"

Golf—Surt Bathing—Hot Salt Plunge—Private Hot Salt Baths. TRAINS LEAVE PORTLAND EVERY MORNING AT 8 O'CLOCK. Special Holiday Train 6:30 P. M. Dec. 24th to 31st All Trains From North Bank Depot, 11th and Hoyt. Summer Rates From Portland. Low Winter Rates at Hotel.