

ROSS' LAND DEAL FRAUD, IS PLAIN

John W. Cook Says Convicted Banker Misrepresented Price of Desert Tract.

TRIAL BEFORE WOLVERTON

40-Cent Acres Sold for \$1 and \$7000 Not Put Up by Financier as Agreed, Says Plaintiff. Priority Claim Sought.

That J. Thorburn Ross, former president of the defunct Title Guarantee & Trust Company, induced John W. Cook, of Cook & Taylor, to agree with him in the purchase of 21,730 acres of desert land in Morrow and Umatilla counties, and misrepresented the price at which it was bought, is the allegation of Mr. Cook, which was tried before Federal Judge Wolverton yesterday in chambers. The grand jury was using the courtroom, hence the change in place of trial.

Ross is under sentence to the Penitentiary for misappropriation of stock funds and has appealed his case to the United States Supreme Court. The suit is that in which R. S. Howard, Jr., receiver of the Title Guarantee & Trust Company, is the plaintiff, and using the Oregon Land & Water Company, the Bailey Ditch Company, the Columbia Land & Irrigation Company, the Hingham Land & Water Company, the Columbia Desert Land & Irrigation Company, the O. R. & N. Company, I. H. Hingham, F. B. Holbrook, J. T. Ross, A. A. Lindsay and John W. Cook, Mr. Cook is one of the intervenors.

In his petition, filed yesterday, he asks that he be allowed priority of claim to the land involved in the amount of \$7000, which he says he invested, interest at 10 per cent, attorney's fees, and costs of the suit.

Ross is alleged to have represented to him that the land was purchased at \$1 an acre, and that he and Ross were to share this sum equally, each putting \$7000 to be paid to C. B. Wade, and assuming equally deferred payments, which were to be made to the Northern Pacific Railway Company. He alleges that in fact Ross purchased the land for 40 cents an acre, and put no money into the transaction himself. He says further that he did not know until less than a year ago that fraud had been practiced upon him.

Mr. Holbrook, Mr. Cook and Receiver Howard were the witnesses heard by Judge Wolverton. Mr. Holbrook said he thought it was Ross' intention to have Cook foot the bills in such a manner that they would get the land for practically nothing. He said also that he and I. H. Hingham paid nothing for their interest in the stock of the Hingham Land & Water Company. This corporation was absorbed by the Oregon Land & Water Company. Mr. Holbrook said he held one share of stock in the Columbia Land & Irrigation Company, for which he paid nothing. Ross held 2350 shares, Cook 2247, and John E. Alchison, A. A. Lindsay and Holbrook three. The legal department of the Title Guarantee & Trust Company managed the three corporations, he said.

"It was my judgment," he continued, "that the purchase by the company I was interested in should be of that land below the Bailey ditch. It would interest me most. Of course, I had no means of watering my land, and I could not see how we could enter a proposal to buy that other land when we had no means of watering it, but Mr. Ross finally solved that by saying, 'I will sell this land to Mr. Cook for a certain sum of money.'"

That is the land embraced in Northern Pacific contract No. 7 and certain scrip pieces, it was to be sold to Mr. Cook, or rather they would form this Columbia Land & Irrigation Company, which would hold them, and the difference between the amount of money Mr. Cook would pay and the amount of money owed Wade and the Northern Pacific would be the part Ross and I would have to make good on, but I do not see how we could enter a proposal to buy that other land when we had no means of watering it, but Mr. Ross finally solved that by saying, 'I will sell this land to Mr. Cook for a certain sum of money.'"

10 TEACHERS APPOINTED

School Board Announces New Detail. One Instructor Transferred.

The Board of Education yesterday announced the appointment of ten teachers and the transfer of one.

SCHOOLS ATTRACT TO CITY

All Ideas Set Before Children Lead Away From Farm. HOOD RIVER, Or., Sept. 21.—(To the Editor.)—The column, "Ideas of the Day," in a recent issue of the Oregonian, takes an outline of a plan to be followed by the National Association of Immigration Officials in adding the "Back to the Farm" movement. The item contains the following: "It is suggested that a short course in agriculture in the public schools will be instituted." It is suggested that a short course in agriculture in the public schools will be instituted. It is suggested that a short course in agriculture in the public schools will be instituted.

ABERDEEN'S ARMS WIDE OPEN TODAY

Excursions From Northwestern Points to Pour Into City for Bridge Fete.

ALL RAILROADS TAKE PART

Portland to Send 150 to Help Grays Harbor Make Merry Over New Span—Sound Also to Take Part—Programme Big.

With three railroads making special rates from Northwestern points and running special trains, indications are for a big celebration at Aberdeen today, in commemoration of the opening of the bridge across Chehalis River, admitting the O.-W. R. & N. and the Chicago, Milwaukee & St. Paul railroads into Grays Harbor.

All day yesterday committees from the Commercial Club, the Rotary Club and the Ad Club were busy enrolling the names of business men who wished to go to Aberdeen, and they report that when the train pulls out of the depot 150 excursionists will be on board.

Sound Also to Take Part. The Chicago, Milwaukee & St. Paul is conducting a special train from Seattle and the Northern Pacific is running one from Tacoma. Besides these special trains, all these roads are making a special rate of one and one-third fare from all Northwestern points on their lines. The regular O.-W. R. & N. train, connecting for Aberdeen, will leave Union Depot at 8:30 o'clock and Northern Pacific trains will depart at 7:10 and 10:30 o'clock. The Milwaukee road does not conduct a train from this city.

Many Rail Officials Join. O.-W. R. & N. officials who will attend are W. P. Warner, district manager; William McMurray, general passenger agent; F. W. Robinson, general freight agent; A. A. Morse, special representative; Guy L. Anderson, secretary to Mr. Miller; C. H. Dexter, general agent; all of Portland. W. D. Skinner, district freight and passenger agent for the Seattle district, who has charge of the Aberdeen territory, and Ross Nagel, traveling freight and passenger agent, also of Seattle, are others of the O.-W. R. & N. officials who will be at the celebration.

Officials from the Chicago, Milwaukee & Puget Sound road, who will attend, are P. Warner, district freight and passenger agent of this city, and the following who have their offices in Seattle: R. M. Calkin, traffic manager; E. D. Burroughs, general freight agent; J. R. Heltsch, assistant general freight agent; George W. Hibbard, general passenger agent; J. F. Bank, advertising agent; H. J. Manly, commercial agent; Tacoma; R. F. Weeks, contracting freight agent; A. P. Chapman, Jr., passenger agent; R. M. Boyd, general agent; James Hughes, superintendent of dining cars.

Wine To Dedicate Span. The following Northern Pacific officials are to attend: A. D. Charlton, Portland; J. H. ...

POLES MAR FINE STREET

Lombard Street Spotted by Electric and Phone Companies.

PORTLAND, Or., Sept. 21.—(To the Editor.)—I desire to call attention to the frightful misuse of public streets by our telephone and light companies. Take Lombard street at University Park. It is the principal street of that suburb, and was evidently intended to be an example of what a splendid street should be like. It is 50 feet wide and about three miles long. The property owners have gone to great expense to have hard surface pavement laid, and ought to be entitled to a decent looking street.

CITY HALL NEEDS ROOM

City Auditor Will Ask Council to Authorize Estimate. City Auditor Barbur will ask the ways and means committee of the City Council in the near future to authorize the employment of some one to figure an estimate of cost on one or two stories on the City Hall wings on the Fourth-street side of that building. It is necessary to have additional room, as the Municipal Docks Commission and the Free Employment Bureau, conducted by the city.

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WATER RIGHTS HELD SAFE

Dr. C. H. Rafferty Has Title to Bull Run by Actual Purchase.

CONSPIRACY CASES UP

Grand Jury Probes Judge Hanford Effigy Deal. Charge of Attempting to Obstruct Justice Placed Against Nine Men, Including ex-Mayor Fawcett.

That the city is protected against its rights to the water of Bull Run from its head to its mouth was declared yesterday by Dr. C. H. Rafferty, and I believe with the City Attorney, that the rights are safe. When the Portland Water Committee assayed to pipe Bull Run water to Portland it had to obtain the rights of A. Cunningham, a railroad man, who had filed on all the water of Bull Run and had obtained the same title that a man obtained to a piece of land, and by so-called title the Portland Water Committee purchased Cunningham's rights for \$20,000. Cunningham even contemplated constructing water works and piping Bull Run water for Portland's consumption and spent some money there.

But the point is that the purchase of the water rights on Bull Run from Cunningham was not obtained by such man as the late William S. Ladd, Henry W. Corbett, Frank Dekum, Cyrus A. Dolph, men who knew what they were doing. I don't think that these men made any mistake, and when they paid Cunningham for his water rights they got them. They got the same rights to the water of Bull Run then, according to the laws at that time that a man gets to a lot, and I don't think that any subsequent filings of the Mount Hood Railroad & Power Company, or the Development Electric Company, or anyone else, can ever invalidate or impair those rights.

"Of course, there are always men who will seek to make money out of the cities in some way, by attacking its water rights. The subsequent filing on Bull Run water by the city in my judgment were not necessary, having acquired Cunningham's rights by purchase and deeds, but Attorney McNary thought they might avoid litigation. The records of the purchase of the water rights from Cunningham are on file in the office of the Water Board, and I believe that they will demonstrate to any court that the city purchased the water rights and owns them in fee simple.

"Twenty miles above the headworks is Bull Run Lake, which has 47,000,000 gallons in reserve which the city can tap. Residents of Portland have little idea of the value of this reservoir. It is walled in by rocks of all sides and without vegetation to contemplate it. Millions have been expended by Eastern cities to develop such a reservoir as has been provided for Portland. This vast reservoir can be tapped at any time by a tunnel and a supply for several millions of people may be obtained."

Store Open Until 10:30 Tonight

Today's Specials Raincoats

AND ALL-WEATHER DOUBLE-SERVICE COATS FOR MEN, WOMEN, AT A SAVING OF 30 TO 40 PER CENT

Ladies' and Misses' Superior All-Weather Double-Service Coats, sizes 32 to 48, \$10.00. That Nifty Tan Rubber Slip-On for Men and Women, at \$5.50. Men's and Boys' Weather-Resistant All-Weather Double-Service Coats, sizes 32 to 48, \$10.00.

900 Superb Ladies' and Men's English Gables and English Slip-Ons, specially priced at \$15 and \$10.00. The House of Coats, showing Men's Combination Raincoats and Overcoats, specially priced at \$20, \$15 and \$12.50.

312' Storm Cape with storm hood, \$1.45 and \$2.25. Boys' Combination Raincoats and Overcoats at \$4.75.

Goodyear RAINCOAT COMPANY

307 WASHINGTON ST., Between 5th and 6th



For the man who likes black or gray, we are showing Double-Service Coats, specially priced at \$20, \$15 and \$12.50.

CONSPIRACY CASES UP

Grand Jury Probes Judge Hanford Effigy Deal. Charge of Attempting to Obstruct Justice Placed Against Nine Men, Including ex-Mayor Fawcett.

TACOMA, Sept. 22.—The Federal grand jury today summoned dozens of witnesses to testify in the cases against nine men charged with conspiracy to obstruct justice.



Trade Building Sale

Today we give all our customers the opportunity of coming into either of our two stores and pick out any Suit in the entire stock, paying only \$15.00. There are hundreds to choose from, worth \$25 and \$30.

Brownsville Woolen Mills Store

Third and Morrison. Third and Stark.

POLES MAR FINE STREET

Lombard Street Spotted by Electric and Phone Companies.

Cultivated Soil

California produced an average crop of prunes in 1910 of 120,000,000 pounds—a great source of wealth to the state.

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Today we give all our customers the opportunity of coming into either of our two stores and pick out any Suit in the entire stock, paying only \$15.00.

Crosset Shoe

Look at this new "patent"! It's a Crossett—which means it is correct in style, perfect in fit. Same with No. 127, only it's gun metal. Here's a strong, reliable shoe for wear—anywhere, anytime. And it's Crossett for comfort! \$4. to \$6. everywhere