

IN THE SEVERAL COURTS

MORE LIGHT ON AFFAIRS OF THE COMMERCIAL NATIONAL.

Cashier Dooley Testifies That the Bank Could Not Have Paid More Than Forty Per Cent.

The cross-examination of R. M. Dooley, in the suits against the Commercial National Bank of George H. Williams and Henry Weinhaus, was continued yesterday, and resulted in further information being elicited from the witness concerning the purchase of the bank by Wells, Fargo & Co. It appears that \$100,000 was first purchased in 1894, from individual stockholders. The capital stock was then increased from \$250,000 to \$500,000. The Wells, Fargo & Co. people took all of the increase, which gave them the controlling interest in the Commercial National Bank. Then, on the assessment of \$50 per share, amounting to \$250,000, most of which Wells, Fargo & Co. paid, part of it by bidding in the stock of those who refused to pay, and some stockholders surrendered their stock for the assessment.

Mr. Dooley testified during the morning session that the \$250,000 paid by Wells, Fargo & Co., July 1, 1894, for the assets of the Commercial National Bank, was used to pay liabilities of that bank. This made altogether \$100,000 paid by Wells, Fargo & Co., not including the \$100,000 individual stockholders. Subsequently, however, the witness admitted that he was mistaken, and that, as stated Friday, the \$250,000 assessment for the purchase of the assets was followed by a \$250,000 dividend, so the latter sum was altogether a matter of bookkeeping.

When court convened for the afternoon session, Judge Williams began by asking Mr. Dooley, "You testify that the Commercial National Bank was liquidated October 4, 1897; what do you mean by that?"

"It went out of business,"

"Paid its depositors?"

"Yes."

"You stated that the \$250,000 received for the assets was used to pay liabilities of the Commercial National Bank?"

Mr. Dooley—Your honor, I have admitted that it was returned as a dividend.

Mr. Williams—I don't care about that. I desire to test the accuracy of the witness.

Judge Frazer, addressing the witness—You said in answer to a question that the Commercial National Bank went into liquidation and paid the depositors and the liabilities in October, 1897. The books show that in July, 1898, Wells, Fargo & Co. paid \$250,000 for the assets, and you stated that the money was used to pay the liabilities of the Commercial National Bank. If it was liquidated in October, 1897, how did you use the \$250,000 in July, 1898, to pay liabilities of the Commercial National Bank?

Mr. Dooley—The books show it was paid as a dividend to the stockholders.

Mr. Williams—You stated this morning that it was used to pay liabilities of the Commercial National Bank.

Mr. Dooley—That was an error. I said so.

Mr. Williams then pursued an inquiry concerning the change in the name of the bank from the time they were received and the time they were sold, without eliciting much if anything new, and next inquired if any considerable number of bad debts were accumulated between 1894 and the time of the sale of the assets. The witness answered that there were some, he could not say how many. Mr. Pillsbury stated that they would not prepare a written statement of them.

Mr. Dooley explained how loans were made, and when the finance committee was created, in 1895. He said for a time after he entered the bank, R. L. Durham remained in charge, and Mr. Cookingham was cashier. They both made loans. There was no fault found with what they did.

Judge Williams—There wasn't any assessment on the stock until David, myself and Wortman were put out as directors?

Mr. Dooley—I don't remember anything about that.

"Was not Valentine wanting to assess the stock from the time he went in, and it was opposed by the directors?"

"I never heard of it."

Statements made by Mr. Dooley to Mr. Valentine was the next subject of inquiry, and the witness said he changed his statements as his impressions regarding the value of the assets changed.

Judge Williams—Was there not a greater depression in values in 1894 and 1895 than in 1897?

Mr. Dooley—Yes.

"Therefore, as a matter of fact, the assets advanced in value from 1894 and 1895 to 1897?"

"I don't think so."

"Not the kind of real estate we hold—urban and odds and ends?"

Mr. Williams asked that the witness turn to the ledger and read the dividend declared July 1, 1898, of 50 per cent, amounting to \$250,000, at the time the assets of the Commercial National Bank were sold to Wells, Fargo & Co. for \$250,000.

Mr. Dooley read, showing that he received the dividend on some shares; also R. Koehler, E. Shelby and some others, and that George E. Gray was credited with a dividend on 629 shares.

Mr. Williams—Who is Mr. Gray?

Mr. Dooley—Vice-president of Wells, Fargo & Co.

"That stock was held by Gray for Wells, Fargo & Co.?"

"It was, as I understand it."

"Wells, Fargo & Co. received the dividend on the whole 500 shares of stock, except 60?"

"I don't know that they did; these persons received it."

"Colonel McCracken first paid his assessment and then surrendered his stock to Wells, Fargo & Co., who returned the assessment?"

"Yes, I believe so."

"In that way Wells, Fargo & Co. acquired stock for nothing, and then went ahead and paid the dividend?"

"There was no money paid; it was only a bookkeeping entry."

Mr. Pillsbury, defendant's counsel, took hold of Mr. Dooley on redirect examination and brought out a number of new and interesting facts, beginning with the year 1894, when Wells, Fargo & Co. first took an interest in the Commercial National Bank. Mr. Dooley stated that in April, 1893, some accounts of depositors were closed by Mr. Cookingham, and the money credited to interest, profit and loss account.

One of these was Jacob Kamm, who had \$120 on deposit. Mr. Kamm demanded the money after the sale, and Wells, Fargo & Co. paid it.

Mr. Pillsbury—How many of this class of accounts were there?

"Between \$200 and \$300."

"They were all paid after Wells, Fargo & Co. took charge, after July, 1897?"

"They were placed in the hands of a broker named Bloch. He went around and saw the people and got his commission."

On the question of the \$50 per share assessment, Mr. Dooley said \$125,000 was paid in before the sale of the stock for delinquency, in May, 1897.

He next testified concerning the earning capacity of the bank, which he said was not good for some time after 1894. Interest on old notes was not paid, and the expenses were heavy, including \$500 per month rent.

Mr. Pillsbury—When the Commercial National Bank closed its doors, in 1898, state if the depositors could have been paid.

"No."

"How much would they have got if the bank had remained closed?"

"About 40 cents on the dollar."

Plaintiff's counsel objected, but the de-

A HURRY-UP ORGAN SALE

AT ELLERS PIANO HOUSE, 107 FIRST STREET, COMMENCING MONDAY.

Many Strictly Choice, Brand New Organs, Also a Number of Second-Hand Ones—Parlor and Chapel Styles.

We need more room at our lower warehouse. We do not want to go to the expense of renting additional storage space now that our new building, at the corner of Park and Washington, is so rapidly nearing completion, and have therefore brought over to the store 107 First street, about a carload and a half of strictly new, high-grade organs, which, together with an assortment of second-hand instruments, we propose to hurry to new owners this coming week.

When we discount it counts! When we may cut prices, we mean cut prices, and if you have any possible use for a fine organ now, tomorrow is the time for you to buy.

In this stock are nearly 50 fine organs, including nearly every catalogue style of several celebrated makers, among them a number of specially elaborate case designs and some of the latest in business lines and a long-continued stringency of money, and the extraordinary expenses which have been forced upon us, we are pleased to say, and take pride in publishing the fact, that our County warrants are called in up to April 7, 1899, and the road warrants up to June 1, 1899. If the present disposition to practice economy in County affairs continues, we may look for still further reductions in the outstanding debt, and all good citizens should lend their sympathy, but a helping hand to that end is especially submitted.

"W. R. BISHOP,"

"FOREMAN,"

"C. P. PEARSON,"

"FRANK NAU,"

"A. W. ALLEN,"

"F. E. BRACH,"

"A. CUMMING."

HONOR FOR MR. SICHEL.

Presented With a Silver Service by Grand Lodge, B'nai B'rith.

Sig Sichel, past grand president of District No. 4, Order of B'nai B'rith, has just returned from San Francisco, where, on his retirement from his high office, he was presented with a magnificent silver service, which is one of the most beautiful examples of silverware art that has ever been seen in Portland.

Accompanying the service was a handsome silver plate, something larger than an ordinary business card, upon which was engraved, "Presented to Sigmund Sichel by his friends and admirers in District Grand Lodge No. 4, I. O. B. B., 1899."

The speech of presentation was made by Rev. Dr. J. H. Nichols, the most distinguished rabbi on the Pacific Coast. Dr. Nichols recited the work that had been accomplished by the order during the year that Mr. Sichel was at its head, the extension it made into new territory, and the firm hold it had gained in its broad field of philanthropy. Among other things he said:

"Brother Sichel, many grand presidents before you have done well; but you, sir, have excelled them all. In your official capacity you have earned our deepest respect, and in your private life you have won for you the respect and admiration of your brethren, and the courteous attention you have accorded their persons and their advice, have won for you their friendship and love."

"When you return to Portland, I charge you, in the name of the Grand Lodge, to say to the good soul who is queen of your heart and home that the esteem that we feel for you is none the less here, and that the sincere affection we have for you is yet more markedly here. May the most comforting of all sensations—that of happiness born of content—ever be the lot in life of you both."

During Mr. Sichel's incumbency of the presidency he has done much to build up the work of the district, the extent of which is the whole Pacific Coast, and that his efforts were appreciated is shown by the handsome remembrance he received on his retirement.

Sellwood Postoffice.

A petition is being circulated at Sellwood for the appointment of A. B. Hemstock to be postmaster at that place. Mrs. M. Prather, the postmistress, has resigned, her resignation to take effect the first of April. In all probability Mr. Hemstock will receive the appointment.

"We therefore recommend that the County Commissioners, as soon as practicable, build a wing or addition to the County Courthouse sufficient to provide quarters for those officers now removed from the Courthouse, and also to give additional room to other departments that are now crowded."

We visited the City Jail and found everything as neat and clean as a jail could be kept under the circumstances; for, owing to bad sewerage and bad ventilation and rotten sidewalks, it is in a most deplorable condition. We would respectfully recommend that the City Council take immediate steps to have another story added to said building, so that the Chief and Captains' offices may be made larger and adequate to meet the public demand for our growing city, and that the jail can be put on the top floor, away from the public gaze, and so that, when it is necessary for ladies to visit our Police Station to transact business, they can do so with impunity and profound secrecy, and also not be contaminated with vulgar language from prisoners in an intoxicated condition. On our arrival at the Police Station we were met by Chief of Police McLaughlin, who took us in custody and showed us through all apartments. We find him to be a most amiable gentleman, and thoroughly understanding every detail in the police business, and gives his particular attention to boys and girls under age, and through his efforts a wonderful change has taken place in the direction in the last 20 months. In conclusion, we will say it is fearless in the discharge of his duties, and a good man for a dishonest man to keep clear of.

Poor Farm.

"We visited the County Poor Farm and found 112 inmates—males, 99; females, 13. The hospital department is under the supervision of a competent nurse, a graduate of one of our city hospitals. The food is wholesome and in abundance, the dining-room neat and tidy, and has a cheerful and homelike appearance."

The Children's Home. In charge of Mrs. K. S. Ward, matron, was visited by us and carefully inspected. We found that this institution contained 39 charges—21 girls and 18 boys—all of whom were in good health and happy. The institution is in perfect order throughout, and is certainly a credit to the city.

"We visited the Home of the Boys' and Girls' Aid Society of Oregon, situated at Thirty-first street, near the Sandy road, and there found a model institution for children in every sense of the word. The present superintendent, W. T. Gardner, and the matron, Mrs. Mary J. Graham, have both held their respective positions for the past eight years. All the children, without exception, seemed to be happy and free, although under discipline, and with the exception of the smaller ones, who range in age from 2 to 4 years. These are provided with a fine porch, on which to play, and the greater number of the children were attending the North Central Public School. This institution cares for two classes of children, the dependent and delinquent, and we found on hand 23 in all, 15 of whom were girls and 8 boys, committed from the following counties: Clatsop, 1; Clackamas, 1; Clatsop, 1; Douglas, 1; Jackson, 2; Klamath, 2; Lane, 2; Lincoln, 2; Multnomah, 19; Umatilla, 2. The superintendent informed us that the children are placed as soon as possible in private families, where they

THE SUNDAY OREGONIAN, PORTLAND, FEBRUARY 25, 1900.

It is your own loss if you omit a visit to Edwards' warerooms.

Edwards' warerooms.

Odd Dressers to match iron beds. This dresser is perfect in all details and finish, made of oak, in golden-oak finish, 42 in double serpentine top, with 2x20 bevel French plate mirror. Two top drawers of half-well pattern, with cast brass handles, knobs and escutcheons, complete with casters. Price.

Ever watchful for the interest of his numerous customers, does carry in stock for their selection the largest and best selected stock in this city at the lowest prices. Pay us a visit.

Divan Couch, Length, 8 feet, width 2 feet 4 inches. Sprung seat and edge; full upholstery; covered in heavy Cabot muslin, and draped in Oriental tapestry drape, especially made for our extensive upholstery department. Price.

Three-piece Parlor Suit. Very handsome and durable, nicely finished in mahogany, highly hand-polished, fitted with artistic design, scroll on side and back, ornamented with handsome carved design. It is upholstered in four grades of well-selected coverings and spring seats. Price.

We want your business. We are going after it. We have the goods you want. We have a number of new styles. We want you to see them. We will sit to please you. We want our customers to know that we have a most extensive line of Chairs, Novelties from the many-faceted Indian stools to chairs of Gothic style. We have the chairs for parlor, bedroom, boudoir, hall, dining-room and library, and our prices are the lowest.

Crockery and Glassware, Granite and Tinware.

In this department our stock has been carefully selected from the best Eastern factories, and we are daily adding to our stock in this department. Our prices are right.

Linoleum. A carload just arrived. All handsome patterns, from grades—(A), the best, to (E), the cheapest. Price.

45c, 55c, 65c, 75c, 95c

H. E. EDWARDS, 185-187-189-191 FIRST STREET

NEW SPRING GOODS

309 Washington St.

70 Cents

Sack Hard Wheat Flour.

19 Cents

Best Dry Granulated Sugar for \$1.00.

\$1.00

25 Pounds Good Clean Rice.

40 Cents

Gallon Fancy Table Syrup.

40 Cents

Box No. 1 White Macaroni.

25 Cents

4 Pounds Petite Prunes.

5 Cents

Found Dry Black Figs.

25 Cents

4 Pounds Loose Muscatel Raisins.

12 1/2 Cents

Pound Soft-Shell English Walnuts.

Branch store at Oregon City, Wholesale Warerooms 149 Front Street.

W. L. Douglas

\$3.50 Men's Shoes

ALL STYLES, ONE PRICE, SOLE AGENTS.

E. C. Goddard & Co.

OREGONIAN BUILDING

An Important Improvement

In Dunlop Tires has been made. It consists of a flap of fabric fastened to one edge of the outer cover. When the tire is in position this flap extends across the rim, affording an artificial bed in which the tube may lie without danger of being punctured by protruding spoke ends.

Over 100 manufacturers are supplying Dunlop Tires on their wheels—certainly a strong endorsement.

Books of any kind or size.

The American Dunlop Tire Co.,

Belleville, N. J. Chicago, Ill.

Dunlop Tires are made for Automobiles, Carriages and Bicycles.

Distributors for Portland:

MITCHELL, LEWIS & STAYER CO.

EDWARDS

It is your own loss if you omit a visit to Edwards' warerooms.

Edwards' warerooms.

Odd Dressers to match iron beds. This dresser is perfect in all details and finish, made of oak, in golden-oak finish, 42 in double serpentine top, with 2x20 bevel French plate mirror. Two top drawers of half-well pattern, with cast brass handles, knobs and escutcheons, complete with casters. Price.

Ever watchful for the interest of his numerous customers, does carry in stock for their selection the largest and best selected stock in this city at the lowest prices. Pay us a visit.

Divan Couch, Length, 8 feet, width 2 feet 4 inches. Sprung seat and edge; full upholstery; covered in heavy Cabot muslin, and draped in Oriental tapestry drape, especially made for our extensive upholstery department. Price.

Three-piece Parlor Suit. Very handsome and durable, nicely finished in mahogany, highly hand-polished, fitted with artistic design, scroll on side and back, ornamented with handsome carved design. It is upholstered in four grades of well-selected coverings and spring seats. Price.

We want your business. We are going after it. We have the goods you want. We have a number of new styles. We want you to see them. We will sit to please you. We want our customers to know that we have a most extensive line of Chairs, Novelties from the many-faceted Indian stools to chairs of Gothic style. We have the chairs for parlor, bedroom, boudoir, hall, dining-room and library, and our prices are the lowest.

Crockery and Glassware, Granite and Tinware.

In this department our stock has been carefully selected from the best Eastern factories, and we are daily adding to our stock in this department. Our prices are right.

Linoleum. A carload just arrived. All handsome patterns, from grades—(A), the best, to (E), the cheapest. Price.

45c, 55c, 65c, 75c, 95c

H. E. EDWARDS, 185-187-189-191 FIRST STREET

NEW SPRING GOODS

309 Washington St.

70 Cents

Sack Hard Wheat Flour.

19 Cents

Best Dry Granulated Sugar for \$1.00.

\$1.00

25 Pounds Good Clean Rice.

40 Cents

Gallon Fancy Table Syrup.

40 Cents

Box No. 1 White Macaroni.

25 Cents

4 Pounds Petite Prunes.

5 Cents

Found Dry Black Figs.

25 Cents

4 Pounds Loose Muscatel Raisins.

12 1/2 Cents

Pound Soft-Shell English Walnuts.

Branch store at Oregon City, Wholesale Warerooms 149 Front Street.

W. L. Douglas

\$3.50 Men's Shoes

ALL STYLES, ONE PRICE, SOLE AGENTS.

E. C. Goddard & Co.

OREGONIAN BUILDING

An Important Improvement

In Dunlop Tires has been made. It consists of a flap of fabric fastened to one edge of the outer cover. When the tire is in position this flap extends across the rim, affording an artificial bed in which the tube may lie without danger of being punctured by protruding spoke ends.

Over 100 manufacturers are supplying Dunlop Tires on their wheels—certainly a strong endorsement.

Books of any kind or size.

The American Dunlop Tire Co.,

Belleville, N. J. Chicago, Ill.

Dunlop Tires are made for Automobiles, Carriages and Bicycles.

Distributors for Portland:

MITCHELL, LEWIS & STAYER CO.

EDWARDS

It is your own loss if you omit a visit to Edwards' warerooms.

Edwards' warerooms.

Odd Dressers to match iron beds. This dresser is perfect in all details and finish, made of oak, in golden-oak finish, 42 in double serpentine top, with 2x20 bevel French plate mirror. Two top drawers of half-well pattern, with cast brass handles, knobs and escutcheons, complete with casters. Price.

Ever watchful for the interest of his numerous customers, does carry in stock for their selection the largest and best selected stock in this city at the lowest prices. Pay us a visit.

Divan Couch, Length, 8 feet, width 2 feet 4 inches. Sprung seat and edge; full upholstery; covered in heavy Cabot muslin, and draped in Oriental tapestry drape, especially made for our extensive upholstery department. Price.

Three-piece Parlor Suit. Very handsome and durable, nicely finished in mahogany, highly hand-polished, fitted with artistic design, scroll on side and back, ornamented with handsome carved design. It is upholstered in four grades of well-selected coverings and spring seats. Price.

We want your business. We are going after it. We have the goods you want. We have a number of new styles. We want you to see them. We will sit to please you. We want our customers to know that we have a most extensive line of Chairs, Novelties from the many-faceted Indian stools to chairs of Gothic style. We have the chairs for parlor, bedroom, boudoir, hall, dining-room and library, and our prices are the lowest.

Crockery and Glassware, Granite and Tinware.

In this department our stock has been carefully selected from the best Eastern factories, and we are daily adding to our stock in this department. Our prices are right.

Linoleum. A carload just arrived. All handsome patterns, from grades—(A), the best, to (E), the cheapest. Price.

45c, 55c, 65c, 75c, 95c