

STOPPED THE DIVIDEND

RECEIVER NIXON ENJOINED FROM PAYING OUT MONEY.

Holder of an Interest Note for \$4200 Wants Pay Ahead of Other Creditors.

On the petition of the United States Mortgage & Trust Company, Judge Fraser yesterday retained Richard Nixon, receiver of the Portland Savings Bank, from paying the 3 per cent dividend, the payment of which was to have been begun yesterday.

The United States Mortgage & Trust Company held a mortgage on the Portland Savings Bank building for \$100,000, which was due October 4, 1901. The time of payment was extended to October 4, 1901, on the agreement that the receiver pay \$10,000 on the principal, which was done, and the receiver agreed to pay the interest on the remaining \$90,000 at 6 per cent. To secure the payment of the interest four notes of \$2500 each were executed by Mr. Nixon. These have all been paid but one, which has just matured.

At the time of the sale of the assets of the Portland Savings Bank, the building referred to, known as the Commercial block, was sold to a nominal sum subject to the mortgage. The question seems to be whether Mr. Nixon or the receiver is liable for the payment of the last interest note.

The petition is represented by R. B. Seabrook and J. Thorburn Ross as attorneys. The matter was set for argument Monday.

Durphy Case Closed.

The case of R. F. Murphy will be submitted to the jury by Judge Sears Monday morning. The evidence for the defense was closed yesterday after the deposition of Henry L. Ford, attorney at law, and United States Commissioner at Eureka, had been offered. It related to a conversation between him and Margaret Ryan Murphy, in which she said to have stated that she knew about Dur-

ing having been married before, and what sum of money she deemed satisfactory to make a settlement with Murphy. This evidence was all objected to, and the court sustained the objection.

The court throughout the trial ruled out attempts to introduce evidence regarding Mrs. Murphy No. 2 offering to make a financial settlement with the defendant, or that Mr. Persol, of Eureka, with whom Murphy had trouble, was pushing the prosecution of the case.

The cross-examination of Mrs. Murphy No. 2 was concluded in a brief time yesterday morning by George H. Durham, who assisted the District Attorney in the case. He asked her why her defense to the divorce suit of the defendant in Marion County had been dropped, and she did not remember. "Did Mr. Murphy pay your expenses here from California?" asked counsel.

Two and a Half for One.

If the allegations contained in the complaint filed in the State Circuit Court by J. J. Berg against the Equitable Savings & Loan Association agree with the facts in the case, Mrs. Berg certainly has reason to ask for legal redress. It is set forth that on September 10, 1892, she borrowed \$500 from the Oregon Building & Loan Association, and in December of the same year, borrowed an additional \$500. She was required to hold 15 shares of stock, giving eight shares as a premium, and she agreed in the mortgage given to secure the loans to make monthly payments on the stock until it matured and became worth the face value of \$1000. In the meantime the contract provided that she pay interest on the full sum of \$500 until the 15 shares were paid up, the time of maturity being anticipated at some indefinite period in the future. When the stock reached maturity she was required to surrender all of it to the association in satisfaction of the mortgage, the association getting all of the profits.

Mrs. Berg, according to the complaint, by November, 1892, had paid \$221. In the meantime the Oregon Building & Loan Association was reincorporated and its name changed to the Equitable Savings & Loan Association. It is alleged that in December, 1892, the agents and officers of the latter persuaded her to change from the old society to the new, and procured from her a mortgage for \$500, giving her credit for the original \$500. She was paid on the loan, the mortgage taken by the new company is provided to be void upon payment of \$125 in monthly installments. This makes it cost \$395 to release the original loan of \$500. Mrs. Berg, it is averred, has paid \$221, making a total sum paid by her of \$1044.

It is further alleged that the agents and officers of the Equitable Savings & Loan Association concealed from Mrs. Berg the amount for which the last mortgage was given, telling her the payments would be easier and no response. The court is asked to decree the mortgage null and void, and that it be canceled. William Reid appears as attorney in the case.

Prosecuting Witness Walks off.

In the case of Max Ruhle, keeper of the Rockwood House, charged with selling liquor without license, Judge Cleland yesterday instructed the jury to return a verdict of guilty, and the case of failure of proof to sustain the indictment. Ruhle was accused of having sold drinks of whisky to G. W. Kinney, and the only evidence was that of S. J. Bliss, that he had purchased 20 cents' worth of beer at Ruhle's place. Prosecution rested its case. A. R. Mendelhall moved the court to instruct the jury to acquit on the ground that the state had not made out its case.

Deputy District Attorney John Manning interrupted to say that there was further evidence, and asked the bailiff to call Kinney, but there was no response. Kinney had been in attendance, but had gone away. District Attorney Chamberlain was informed of the fact, and came into court and asked for a continuance of one hour. He said the last time he had seen Kinney he was going down the street with a man who stands around the Courthouse. He did not know what had become of him.

Mr. Mendelhall took occasion to remark that he did not know anything about the missing witness, he did not do business that way.

Judge Cleland said the case was set for trial, and he could not see what else was to be done except to grant the motion.

Court Notes.

Judge George will render a decision Monday morning in the case of Della C. Brown vs. D. C. Burns.

The Northwest Door Company has filed an attachment suit in the State Circuit Court against Knapp & Knapp to recover \$405.

Elizabeth Wilson has sued Charles Wilson for a divorce on the ground of habitual drunkenness. They were married in St. Paul, Or., in 1877. There is one child, of whom plaintiff asks the custody.

A. D. Billips, alias W. S. Jones, a colored Pullman car-porter, convicted several days ago of larceny of a watch from William Bradley, was yesterday sentenced to

pay a fine of \$100 by Judge Fraser. Billips expected that a small fine would be imposed, which he could pay. He had to go to jail.

AWARDS AT MILWAUKIE FAIR

Long List of Entries Win Blue and Red Ribbons.

The fruit, produce and needlework fair at the Milwaukee Grange, Patrons of Husbandry, held in the town hall at Milwaukee, closed yesterday afternoon. It was a success in every way. The display was large and creditable, especially in the fruit line. The women's display would have attracted attention anywhere. The blue and the red ribbons were awarded the exhibits yesterday by the judges, Mrs. Lillian Downing, C. C. Millan, A. J. Howard, and T. J. Gary. Following is a complete list of the awards. The first names mentioned received the blue ribbon for the best exhibit, and the second the red ribbon for second best exhibit.

General display—First, J. S. Riley & Son; second, R. Scott.

Fruit display—First, S. McLaughlin, David Wills; second, R. Scott.

Vegetable display—J. A. Dowling, J. S. Riley & Son.

Needlework—Mrs. David Wills, Mrs. A. E. Enselbaker.

Special potatoes—Johnnie Walsh, M. Oatfield.

Special cabbage—James Mason, J. A. Dowling.

Onions—Johnnie Walsh, J. L. Johnson, Corn-J. A. Dowling, R. Scott.

Squash—J. S. Riley & Son, R. Scott.

Special apples—Mrs. Mason, R. S. McLaughlin.

Pottery—Charles Fleischer.

Dried prunes—William Wills, Mrs. John Scott.

Popcorn—Mrs. T. Sellwood, R. Scott.

Waffles—Elmer W. Bunnell.

Quinces—David Wills, M. Oatfield.

Carrots—J. S. Riley & Son, R. S. McLaughlin.

Beans—T. R. A. Sellwood, J. A. Dowling.

Prunes—R. Scott, David Wills.

Pears—William Wills, T. R. A. Sellwood.

Blackberries—David Wills.

Wheat—J. S. Riley & Son, T. R. A. Sellwood.

Oats—J. S. Riley & Son.

Sheaf oats—R. Scott, T. A. R. Sellwood.

Wheat and oats—M. Oatfield, M. Walsh.

Hops—J. S. Riley & Son.

Turnips—J. A. Dowling.

Sweet corn—C. Bunnell, Mrs. Sellwood.

Onions—J. A. Dowling.

Sugar beets—J. S. Riley.

Kale—R. Scott, J. A. Dowling.

Chestnuts—J. A. Riley & Son, R. Scott.

Shells—Mrs. S. A. Traile, Mrs. L. S. Holm.

Agate, petrified wood and Oregon wood—A. J. Howell.

Petrified wood—Second, T. R. A. Sellwood.

Sunflower—Walter Sellwood, J. S. Riley & Son.

Onion pie—Mrs. T. Sellwood.

Polplants—Mrs. Johnson, Florence Higgins.

Beans—R. Scott.

Grapes—Riley & Son, R. Scott.

Battenburg—Mrs. Charles McCann, Della Millan.

Croquet work—Mrs. Ernstbuder, Mrs. Charles McCann.

Crazy quilt—Mrs. David Wills, Mrs. A. J. Dowling.

Knitwork—Mrs. T. Sellwood.

Painting on linen—Mrs. David Wills.

Grebe rug—Mrs. George Miesinger.

Embroidery—Mrs. Charles McCann, Mrs. David Wills.

Silk cushion tops—Mrs. David Wills.

Paper flowers—Mrs. David Wills.

Hours—Mrs. T. Sellwood, Mrs. S. A. Traile.

Rye bread—Mrs. Olsen.

Brown bread—Mrs. L. S. Holm.

Lemon pie—Mrs. T. Sellwood.

Quince jelly—Mrs. S. A. Traile.

Apple jelly—Mrs. T. Sellwood, Bertha Bunnell, 11 years old.

Grape jelly—Mrs. Sellwood, Bertha Bunnell.

Preserves—Mrs. H. B. Friesly.

Sweet sauce—Mrs. L. J. Bunnell.

Sweet pickles—Mrs. Bunnell.

Canned cherries—Mrs. L. S. Holm, Mrs. Bunnell.

Canned prunes—Mrs. S. A. Traile.

Canned beans—Mrs. Bunnell.

Canned tomatoes—Mrs. L. J. Bunnell.

Picnic—Mrs. L. S. Holm.

Butter—Mrs. Mason, Mrs. Olsen.

Pekin ducks—David Wills, William Wills.

Buff Leghorn chickens—Mrs. L. S. Holm.

White-breasted Houdon—Mrs. Campbell.

There was talk yesterday of sending the entire exhibit to the Portland Carnival Exposition to show what Milwaukee can do.

Work on Brooklyn Car Line.

There is some delay in getting frogs for the two crossings on the Brooklyn branch of the City & Suburban Railway Company. One is at the intersection of Grand avenue and the Southern Pacific Railway, and one is at the crossing of the Portland City & Oregon Railway on East Eleventh street. The Portland iron works are so busy that they cannot turn out the frogs fast enough. It is understood that work has resumed all along the line in a few days.

East Side Notes.

Miss Julia Wilson, daughter of Charles Wilson, has returned from Joseph, Walworth County, Eastern Oregon, where she had been spending the summer.

George C. Hayner and Miss Eva D. Loomis, both of Portland, were married Wednesday evening, October 2. The ceremony took place at the home of the officiating minister, Rev. Jerome R. McGlade.

TO COLLECT THE BATH FUND

Volunteer Who Will Call on Those Who Subscribed.

Robert Livingston, treasurer of the free swimming bath fund, reported yesterday that collections to the amount of \$240.32 had been made.

Robert End, the sexton of Trinity Church, has volunteered as his contribution to the fund, to collect the balance. Commencing tomorrow, he will call on the subscribers, equipped with proper credentials and with receipts, which he will give in the name of the treasurer. Those who desire to pay by A. B. C. should make them out payable to Robert Livingston.

PLAIN PIANO TALK.

To the Public: With reference to the dissolution of the partnership of Soule Bros. & Johnston, caused by the purchase from C. U. Ridgway and E. S. Johnston of their stock and goods by H. J. Eilers, said transfer being made without my knowledge or consent, would say that I leave it to the public to judge whether such transactions are in accordance with the straightforward, upright business principles. Notwithstanding all the trouble and worry this has caused me, I am still selling piano—good ones, best in the world—at the same location, 236 Washington street. STANLEY S. SOULE.

BUSINESS ITEMS.

If Baby Is Cutting Teeth. Be sure and use that old and well-tried remedy, William's Soothing Syrup, for cutting teeth. It soothes the child, softens the gums, allays all pain, cures wind colic and diarrhoea.

GERMAN CENTRAL BODY

MEETING TO ORGANIZE WILL BE HELD TODAY.

Proposition to Erect a Building to Accommodate All German Societies Under Consideration.

The German societies of Portland have taken steps toward the organization of a central body, in which all shall be represented. A meeting to perfect such an organization will be held at the Turn Hall, corner of Fourth and Yamhill streets, at 3 o'clock this afternoon. All Germans are invited to be present.

The purpose of this move is to build a central hall with accommodations for all the various organizations composed of Germans. There are about 13 of these societies in Portland. Only two of them have any property worth mentioning. The German Aid Society, benevolent association, whose object is to relieve want among worthy Germans, has several tracts of valuable real estate about the city and a fund of nearly \$15,000 out at interest, and the Turn Verein owns the Turn Hall property, at the corner of Fourth and Yamhill.

As roughly outlined, one of the plans suggested for the proposed central German association is to take a lease for 25 to 35 years of the real estate at the south-east corner of Eleventh and Morrison streets, owned by the German Aid Society, and to build thereon a suitable structure, which would cost something like \$100,000. This would have stores on the ground floor and the upper stories would be divided into theater, gymnasium, dining-room, offices for the constituent societies and auxiliary rooms fully to meet the demands of the organizations to be quartered there.

The German Aid Society would probably be content with a share in the proceeds from rents of the building, but the probability that the enterprise could not be counted on to do much more than pay expenses in the first 10 years does not make it an attractive one for the German Aid Society. But the owner is not willing to alienate title, and the leasehold arrangement is regarded as the only one practicable under the circumstances. Even then the erection and maintenance of the building would be a considerable burden on the central body, composed, as it would be, of organizations that have few tangible assets. But these difficulties will, it is believed by those interested in promoting the new project, melt away if united effort can be brought to bear upon them. To bring this about is the object of today's meeting.

BROKE NEWS BY PHONE.

Operator Listens to Message of Her Brother's Death.

A strange instance of the light and shade surrounding a telephone operator's life came about Friday when a telephone message was sent from a city hospital announcing the death of Herman Stark, 20 years and 11 months old, who had lived with his mother and sisters at 667 Washington street. Herman had been sick about 10 days before he went to the hospital for treatment, and his relatives confidently expected him to recover.

But Herman suddenly became worse Friday about noon and died before his relatives could be brought to his bedside. The doctor, however, called on the physician to the hospital to inform the young man's relatives of the sad news, and he telephoned to central and said: "Give me Herman Stark, please." It was the operator to whom he talked with Miss Emma Stark, one of the dead young man's sisters, and she recognized the telephone number of her home and asked the communication by telephone, but failed to do so.

"The people won't answer," she ultimately replied to the caller. "But," she proceeded, "I am sure that if you wish to communicate with my people, I can take the message for them."

The physician at the other end of the line hesitated, but he broke the sad ten rings as gently as he could. When it dawned upon the poor girl that her brother was dead, she fainted. Restoratives were applied and just then one of her sisters called on business and when this young lady was told about Herman's death, she too became ill.

Herman Stark was unmarried and had a wide circle of friends. His funeral will take place this afternoon at 2:30 o'clock from 667 Washington street.

SWELL VAGRANTS JAILED.

Alleged Political Influence Could Not Save Them.

Three colored men, dressed in well-tailored and wearing diamonds, Burr Williams, A. G. Green and Walter Robins, were before Municipal Judge Campbell yesterday, charged with being vagrants. Williams and Green are known as two of the Princes of Whitechapel who have set the fashion there in clothing and jewelry. The police evidence was that Williams and Green are two of the most notorious vagrants in Portland, that they rarely work, and yet are possessed of fine clothes and jewelry. They get the money the police do not know, personally.

When the names of the defendants were called in court, they were lounged up to the Chief of Police and said: "Good morning, Chief."

"I have nothing to say to you," said the Chief, turning away. But Williams dived into the hat and he walked up to the railed enclosure, sacred to policemen and lawyers, and familiarly placed his right hand on the Chief's coat sleeve.

"Get out of this," roared Chief McLaughlin, in enraged tones, and he shook Williams like a terrier shaking a rat. Williams sneaked away. The defendants' attorney argued that if the Judge fined him for being a vagrant over \$50, he would be in Whitechapel again also to be fined.

"We will attend to these people when their turn comes. Ope thing at a time," said the Judge. He then said he had determined to make an example of idle lawbreakers, of men who never work if they can get fools to work for them, and he sentenced Williams and Green each to pay fines of \$50 and to be imprisoned for 30 days. Robins was fined \$5.

"STEINWAY PIANOS."

Soule Bros. Piano Company take pleasure in announcing that the Steinway, Emerson, Estey, Grame, Richmond, and Other Fine Pianos—Also Organs—A Chance of a Lifetime—Come in Tomorrow—You Cannot Afford to Be Late—Easy Terms of Payment.

The sale of Steinway and other pianos that has been in progress during the past week will continue until every one of the instruments out of the Soule Brothers & Johnston stock has been sold out. Dozens of instruments are now being sold almost daily, and in order to keep up the interest, and to make this the greatest month of piano-selling ever in the West, we have decided to include our entire regular stock of pianos (excepting only a few very costly special art styles of Weber, and Chickering, and Kimball) in this sale. When we say discount, it means discount, and if you will stop a few moments tomorrow to investigate this sale, you will make arrangements for owning one of these many bargains before the sun sets Monday.

Just think of it. A piano that has always been sold here in Oregon, and cannot today be obtained for less than \$350 in California, is now going for \$145, and everything else at corresponding low prices.

Steinway pianos that have always been represented as being worth \$550, \$600, yes, even \$750, can now be obtained for very little more than \$400, and on payments of \$15 a month, if desired.

Then come the Estey pianos, which have been said to be worth \$400 and \$500. No need of paying much more than half that price just at this time.

Emerson pianos are good pianos. Soule Brothers & Johnston's prices on Emersons ranged from \$400 to \$500—an average of, say, \$450. It is said that they sold two or three for that figure. This morning we offer the best Emerson in this stock for \$325, others for \$325—and some that are said to be Emersons, and previous art, for the Emerson name appears on the fallboard, while on the plate appears the name of the factory superintendent, Mr. Joseph Gramer—well, we'll sell these called Emersons for what they are worth. We have nearly a carload of them. \$185 and \$195 will secure choice of several different cases.

Whoever heard of the Nugent piano? It is what is known as a stencil piano—although it has been said to be "worth \$250." We offer one of Soule Brothers & Johnston's big oak Nugent pianos tomorrow for \$145. Several Richmond pianos, about half fancy walnut and oak cases, for about half the former prices asked for them.

THEY'RE GO-

ING RAPIDLY

Fine Pianos and Organs at Eilers Piano House.

Closing Out the Entire Line of Steinway, Emerson, Estey, Grame, Richmond, and Other Fine Pianos—Also Organs—A Chance of a Lifetime—Come in Tomorrow—You Cannot Afford to Be Late—Easy Terms of Payment.

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Remember we have the factory warranties for every instrument in stock. We will deliver pianos at sale prices to any part of the city, and give our regular one year's tuning agreement with every instrument sold.

During this closing-out sale, as stated above, we will offer also a number of discontinued catalogues of the Kimball, the Weber, the Chickering, the Decker, the Vose, the Whetlock, and others, at "cut prices," and if you have anyposable use for a piano or an organ, you cannot afford to miss getting one now. Payments of \$5 a month will secure a good piano now. Come in early if you can.

Remember the street number. Eilers Piano House, corner Park and Washington streets, entrance, 551 Washington street.

W. W. Whipple, of Astoria, Arranges for a Special Train.

W. W. Whipple, of Astoria, who has been in the city for several days in conference with M. J. Kinney and other sawmill men, arranged yesterday for a special train to carry the "barnacle" excursion from Astoria to the lumbering centers of the Northwest. Mr. Whipple, who is a Chamber of Commerce and Push Club in himself, has offered to defray half the expenses of a five days' trip.

About 50 prominent Astorians will make the trip, and it is expected that upon their return sawmills will be erected at various points on the river. Mr. Whipple has been in correspondence with A. H. Hammond, who is now in San Francisco, and has received assurances from the railroad millionaire that he will aid the people of Astoria, by investing capital, if they will show good faith in their own resources by making some effort to develop the timber of the country adjacent to Astoria.

Natural inference: Stubb—Our foreign cousin is getting more Americanized every day. Penn—Ah? Stubb—Yes; every time he passes a well-dressed block in Chicago he asks which city Alderman lived there?—Chicago News.

Fire broke out last night in the factory of the C. J. Hibbard Boot & Shoe Company, 131 Front street, and a smart little blaze ensued. The alarm was sent from box 12 at 11:15, and by the time the firemen arrived the smoke had got downstairs to the commission warehouse of the Pearson-Purge Company. The blaze was quickly mastered, however, and the total loss is estimated at about \$500. The origin of the fire is not known.

Commission Warehouse and Shoe Factory Damaged \$500.

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