

REASONABLE FINE FOR COE BARNARD

Two Years at McNeil's and \$2000 Cost of Making Bogus Proofs.

WATSON ALLOWED TO GO

Only an Individual Homesteader, and Came In and Told the Truth—Hendricks and Zachary Sentences Later.

Report that a batch of land-fraud defendants were to receive sentence was the claim that filled the Federal Court-room to overflowing yesterday morning.

As a change from the proverbial quarrel with the mother-in-law, a general row with the father-in-law took place yesterday at 715 East Stark street, and as a result Frank Gosa, the ungrateful son-in-law, and Alfred Bennett, the father-in-law, were arrested yesterday by Police-ripley and Giddings, the first on a charge of assault with a dangerous weapon and the other on the simple charge of assault and battery.

When Judge Hunt inquired if some of the defendants who had been convicted were not present to receive their sentences, Francis J. Henry, Special Assistant to the Attorney-General, arose and said: "If Your Honor please, for reasons which the Government deems sufficient, I will ask that the sentence of Hendricks and Zachary be postponed until after the trial of the case which follows this day's case. There is a statute which disbars them from testifying after they have been sentenced, and as the Government has no wish to deprive them of the right of testifying in their own behalf at the approaching trial of this case, in which both are co-defendants, I will ask that an order be made postponing sentence until a later date."

Mercy for Those Who Confess.

Judge Hunt entered an order in accordance with the request of the Government prosecutor, whereupon Mr. Henry continued: "As to Charles A. Watson, it has been the policy of the Government not to prosecute individual homesteaders who took up claim under contract, providing they came in and told the truth relative to the circumstances. Later Mr. Henry modified this policy with the remark that the policy of not prosecuting applied to past offenses, and not as to the future, as it is the intention, he said, to enforce the laws more strictly than heretofore."

"Watson was not given an opportunity to appear before the grand jury," continued Mr. Henry, "because we could not find him at the time; but yesterday I sent for him and asked him if he was willing to make a statement. He replied in the affirmative and stated that he had been afforded the opportunity, he would have given the grand jury all the facts in relation to making his homestead entry. I did not have time to question him in relation to the facts, but he made a statement to Irvin Rittenhouse covering the whole transaction, and your Honor knows that is a straight-forward, straightforward story on the witness-stand in the Zachary case. Under the circumstances, I ask that his sentence be postponed indefinitely, in view of the fact that the policy of the Government has been not to prosecute those individuals who have come forward and given us the facts in relation to their cases, and I have no doubt that he did by much more intelligent men than he is, and under the circumstances I think it is advisable to let him go on his own recognizance."

Watson Off Without Bond.

Judge Hunt believed the suggestions made by Mr. Henry, and he inspired by the right spirit, I do not think you are a bad man at all, Mr. Watson, and you deserve a great deal of credit for your readiness in telling the truth when you had an opportunity to take the stand. I think if you were given an opportunity you would make a useful citizen, and I advise you to take care of your health and your conscience, and learn to lead an upright life. Advise the United States Attorney's office at frequent intervals, and on this basis I am willing to give you a chance. You may go on your own recognizance, and your bondsmen are excused from any further responsibility."

Judge Hunt told Coe D. Barnard to stand up and at this juncture Judge Bennett, his counsel, said that there was a motion for an arrest of judgment pending in his case, and that he desired also to interpose a motion for an arrest of judgment in the case of Zachary, also a motion for a new trial in the Hendricks matter.

After Judge Hunt had overruled the motion for an arrest of judgment in the Barnard case, Judge Bennett insisted that the constitutional feature had never been presented to the court, but Judge Hunt informed the attorney for defendant in unmistakable terms that there could not be anything in the point, and that even if the indictment was loosely drawn it would have no effect. He thereupon overruled the motion for an arrest of judgment, and after giving Barnard a scathing lecture, proceeded to sentence him to two years' imprisonment at McNeil's island, and to pay a fine of \$2000.

New \$8000 Bond.

With the sentence of Barnard came the lapse of his old bond, and upon Mr. Henry's suggestion, his new bond was increased to double the amount, or a total of \$8000.

Judge Bennett was allowed 60 days in the Hendricks, Barnard and Zachary cases in which to file bills of exception, and was also granted until August 25 to file a motion for a new trial in the Zachary case.

W. Lair Hill entered an appearance before Judge Hunt as an attorney for P. P. Mays, in the Blue Mountain forest reserve case, which comes up tomorrow morning.

Francis J. Henry filed a motion to strike the plea in abatement from the files in the Mays case, upon the ground that it had been filed too late. This matter and the demurrer to the indictment interposed by W. D. Fenton were argued at some length by Mr. Henry and Mr. Hill, and taken under advisement by the court.

GAY TIMES AT MARE ISLAND

Sergeants of Marines Bring in Women After Dark. MARE ISLAND, Cal., Aug. 18.—(Special.)—The Dunn court-martial convened at 10 o'clock this morning and continued in session only 40 minutes, during which time the records of the preceding days were read and approved. No matter

W. D. & N. WILL FIGHT JOINT RATE

Papers Asking Injunction on Several Grounds Go to Tacoma Tomorrow.

COTTON HAS THEM READY

Constitutionality of Edict Will Be Attacked and Discrimination and Lack of Jurisdiction Alleged.

The Oregon Railroad & Navigation Company will resist the joint wheat rate between Northern Pacific and O. R. & N. competitive points in the interior to Portland and the South with rate, lately announced by the Washington Railroad Commission, orders the O. R. &

NOME RECEIVES GOVERNOR WITH FIRING OF CANNON



GOVERNOR HOGGATT AND HIS PARTY LANDING AT NOME.

Governor Hoggatt, of Alaska, was received at Nome with the firing of cannon. A. S. Wells, a mining engineer, of Portland, writing from Nome, says: "July 30, Governor Hoggatt, of Alaska, arrived here from St. Michael. Elaborate preparations were made for his reception. A company of infantry was on hand and the artillery with four cannon. I was on top of a building and got a picture of the Governor and his party as they came ashore. It had been arranged by Dr. Whitehead for an excursion to some important points in the interior. On their return from the pleasure of going with the party, he gave the Governor and his party a reception as they landed from their launchers. The Governor is a big man in every way, and is a large mine owner in Southeastern Alaska."

MUTUAL SUES TRUSTEES

Asks for Accounting From McCurdy's Expenditure Committee. NEW YORK, Aug. 18.—Complaint in suits involving an accounting of sums aggregating several millions of dollars were served by the Mutual Life Insurance Company upon three of its former trustees, Robert Olyphant, James C. Holden and Charles E. Miller, who constituted the expenditure committee of McCurdy's administration.

A fourth action has been begun against the estate of the late Jacob Hobart Herrick, Mr. Olyphant's predecessor as chairman of the expenditure committee. The suit is directed against the executrix of the estate, Mrs. Herrick, widow of the dead trustee. Efforts to serve the complaint have been unsuccessful. The complainants ask the courts to compel the former trustee to account to the company for all the money received by them, and for all expenditures and disbursements made or permitted to be made by them.

HURT BY FALL FROM CAR

Conductor Way Suffers Scalp Wound and Is Taken to Hospital. As an inbound Willamette Heights car was passing the bridge over Macleay Park, late yesterday afternoon, Conductor W. L. Way missed his footing and fell head over heels. He was not injured on the fall but he received several scalp wounds. Noticing that the conductor was not on the car, the motorman went back and found Way lying on the pavement. Way was taken aboard and carried to the Good Samaritan Hospital, where it was found he had received a scalp wound. Although not serious, it is very painful.

LAURETTE ELECTED CITY TREASURER

OREGON CITY, Or., Aug. 18.—(Special.)—By electing Mortimer D. Lauretette City Treasurer to fill the unexpired term of Jack E. Caulfield, resigned, the City Council last night confirmed the appointment of Mayor Caulfield made when the former treasurer resigned several days ago.

ENJOINS TERMINAL COMPANY

Hill Takes Action to Stop Encroachment on His Holdings. Encroachment of the Northern Pacific Terminal Company, by virtue of condemnation proceedings upon land in North Portland now held by the Portland & Seattle Railway, is sought to be stopped

MARKY OVERTAKERS MORE AFTER TAFT

Attorney Bronaugh Says He Paid Him for Property He Did Not Own.

WOMAN TELLS SAME TALE

Mechanics and Workmen With Work Licenses Also Hunger for Where-withal of Sojourner at Collins Hot Springs.

MANY SAWMILLS MUST CLOSE

Shortage of Cars Causes Serious Situation in Lumber Industry. The shortage of lumber cars is embarrassing millmen in this state, and the situation has reached an acute stage.

Unless more rolling stock is available for lumber loading, many of the Oregon mills will be compelled to submit to an enforced shutdown that will extend until cars are forthcoming, to relieve the crowded yards of the millmen.

At a meeting of millmen held yesterday afternoon in the Chamber of Commerce, the question of car shortage and car supply was given a prominent place in the matters brought up for discussion. It developed from reports from the millmen making up the Oregon Lumber Manufacturers' Association that the car shortage is unusually severe, not only in Oregon, but in Washington as well. The gravity of the situation is fully recognized by the millmen in Oregon, and complaints were never so numerous.

Peter W. Britts yesterday commenced suit in the State Circuit Court against Kathryn G. Taft and W. H. Taft to remove the title to certain real estate and labor furnished for a building on lot 2, block 7, Portland. There are also other liens.

More and more complicated grows the neighborhood scandal of Powell addition, the latest movement to cause the residents to talk being the filing of insanity charges against Mrs. G. W. Stewart.

IS A GOSSIP SANE?

COUNTY COURT LIKELY TO FACE DELICATE PROBLEM. Woman Accused by Mrs. G. W. Stewart of Illegating Little Boys' Repulse With Insanity Charge.

More and more complicated grows the neighborhood scandal of Powell addition, the latest movement to cause the residents to talk being the filing of insanity charges against Mrs. G. W. Stewart. Mrs. L. B. Fluke, daughter of Mrs. E. S. Botsford, at whose home she was in custody when she was sent to the Oregon State Asylum for Insane, yesterday filed the insanity complaint, setting forth that Mrs. Stewart has been making so much trouble in the neighborhood that there is reason to doubt her mental balance. In other words, Mrs. Fluke considers Mrs. Stewart a gossip. The question for legal decision may arise whether habitual gossips are not deranged.

Mrs. Fluke says she does not care particularly about what was said relative to the condition of Mrs. Jarvis; but that Mrs. Stewart deliberately lied when she said the two little boys at the Botsford home had been mistreated. One of the little boys is the son of Ida Jarvis and the other is the grandchild of Mrs. Stewart. Mrs. Stewart in an interview stated that she had seen the children beaten time and time again, and often was tempted to appeal to the authorities to put an end to the alleged inhuman treatment. Mrs. Fluke stated that she had seen the children beaten time and time again, and often was tempted to appeal to the authorities to put an end to the alleged inhuman treatment.

M. J. Buckley Goes to Denver.

M. J. Buckley, general superintendent of the Harriman lines, has gone to Denver, where he will attend a "family" meeting of superintendents of the Harriman system. Steps will be taken at the gathering to make the operating department of the system more uniform.

To Tillamook for A. & C. R.

C. A. Stewart, general agent for the Hammond roads, leaves tomorrow for Tillamook, where he will represent the two roads at the Tillamook County fair, to be held there this week. He will make the trip a vacation outing and will fish in the Trask while he is away.

ARMSTRONG THE TAILOR

Rooms 10 and 11, Raleigh building, Sixth and Washington. Phone Pacific 2522.

BY THE LATTER CORPORATION BY VIRTUE OF AN INJUNCTION SUIT, WHICH WAS FILED IN THE UNITED STATES COURT YESTERDAY BY JUDGE CAREY, COUNSEL FOR THE PORTLAND & SEATTLE

Judge Gilbert granted a temporary injunction yesterday, citing the defense to appear tomorrow to show cause why the injunction should not be made permanent.

The complaint sets forth that the Northern Pacific Terminal Company, formed by several roads for mutual terminal facilities, is in the nature of a trust company and holds the yards in North Portland in the interest of the Southern Pacific, O. R. & N. and Northern Pacific combined. It is alleged that the attempt on the part of the majority stockholders of the terminal company, which are representatives of the Harriman roads, to involve the terminal company in a large expenditure of money for the acquisition of the Portland & Seattle lands, over the protest of some of the railway systems, is illegal and in violation of the agreement made by the roads forming the company.

Judge Carey stated that his client, the Portland & Seattle Railway, makes no objection to the acquisition of more ground for terminals by the Northern Pacific Terminal Company, but makes vigorous objection to any steps tending toward the absorption of the Portland & Seattle lands, which are much desired for their extension.

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WHY

It is to your advantage to keep an account with the

OREGON TRUST & SAVINGS BANK

SIXTH AND WASHINGTON STS. Portland, Oregon

- BECAUSE: It is a careful, strong, safe, liberal, prompt, accurate and successful institution.
- BECAUSE: It is a growing, active, progressive, up-to-date bank in every particular.
- BECAUSE: Your account will be appreciated by this bank and your interests will always carefully be considered.
- BECAUSE: The bank has an excellent fireproof vault and a modern burglar-proof safe in which to put your funds and papers.
- BECAUSE: Every depositor is always a welcome visitor at the bank.
- BECAUSE: This bank studies the needs of its customers, and properly takes care of them whether their business is large or small.
- BECAUSE: It does an exclusive banking business, and, consequently, nobody can serve you better.
- BECAUSE: It is in position to make good investments for you, to collect your drafts and notes, and attend to your banking wants generally.
- BECAUSE: Its dealing with all customers are absolutely confidential, and it is always ready to assist and advise.
- BECAUSE: We pay 2 per cent interest on accounts subject to check.

BECAUSE We do not believe you can ask for better treatment than this bank will give you, and we, therefore, ask you to write or call upon W. H. Moore, President of W. Cooper Morris, Cashier of the Oregon Trust & Savings Bank, of Portland, Oregon. W. H. MOORE, President.

HANDSOME BRICK TO RISE

WILL PROBABLY REPLACE BLOCK BURNED OUT YESTERDAY. Thirteen Business Houses Destroyed, Several Others Damaged, and \$25,000 Loss Caused.

The fire which broke out early Saturday morning in the block bounded by Fourth, Fifth, Barnside and Council streets consumed or damaged property to the value of at least \$25,000. Thirteen business places in all were totally destroyed, and several others were damaged. Prompt work by the fire department alone saved thousands of dollars and heroic efforts by police and firemen prevented any loss of life, which seemed possible at any time, as fully 150 people were asleep in the fire zone when the alarm was rung in. A pitiful incident of the fire was the death of a large number of horses, which were imprisoned within Hart's livery stable, midway of the block, and two of his fingers were painfully crushed. Harrison was taken to the Good Samaritan Hospital, where his injuries were dressed. It was said last night at the hospital that it would not be necessary to amputate the fingers.

Fingers Crushed in Machinery. Frank Harrison, an older at the Alder street power station, of the Portland General Electric Company, while oiling some machinery last night, caught his hand in a pulley, and two of his fingers were painfully crushed. Harrison was taken to the Good Samaritan Hospital, where his injuries were dressed. It was said last night at the hospital that it would not be necessary to amputate the fingers.

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WRITE IF YOU CAN NOT COME IN

The Factory Cost of a Fine Piano is \$237

It DOESN'T TAKE A PHILADELPHIA LAWYER LONG TO FIGURE OUT A PROPOSITION OF THIS KIND: If it costs \$200 to build a piano and you get it directly from the maker, we would say \$237 were a fair price for it; but if this same piano be sold by a factory agent to a retailer and from a retailer to a commission man (with a possible teacher's "take off" thrown in) and from this commission man to the user, we would say it were only fair to pay \$350 for it—they really couldn't make any money unless you DID pay this amount. . . . More pianos than you think travel this old-fashioned road.

Get our proposition — it is later-day piano dealing; by this we mean all expensive et ceteras are rubbed off and we get right down to first principles — just maker and player doing the talking.

WE WOULD LIKE TO SEE YOU MONDAY

THE REED-FRENCH PIANO MFG. CO.

FROM MAKER TO PLAYER. — Commonwealth Building. Sixth and Barnside Streets.

BUSINESS CHANCE Fine opening for a Notion, Dry Goods Store or Ladies' Out-fitting Parlors, in new block; large store with basement. Suitable for any line of business. Low rent, long lease; Seventeenth and Washington streets.

GEVURTZ & SONS 173-175 First Street.