

CONCERN GETS ABOUT \$40,000

Fraternal Home Buyers' Books to Be Experted-- Proceedings in Quo Warranto--Contract Holder Explains the Scheme.

C. Guy Wakefield and Ross Nichols, who were arrested yesterday afternoon on the charge of using the United States mails for fraudulent purposes, appeared before United States Commissioner McKee this morning and, on notice of the attorney for the government, the case was continued until tomorrow morning at 10 o'clock to give opportunity for the prosecution to make an examination of the books of the Home Buyers' association, which were taken charge of by the government upon an order from the court.

A number of the books were brought to the court room, but upon examination it was stated by Wakefield that some important records were missing, among which was one of the stock books, a blotter of the expense account and a cabinet which contained the applications and record of each contract.

Quo Warranto Proceedings. H. K. Sargent, attorney for Mr. Wakefield, stated: "I have in course of preparation a quo warranto proceeding through which I expect to get control of the business of the Home Buyers' association for my client. This case will be filed at once and to make Harbaugh and his associates show by what right they retain their offices. The charge brought by the government is merely technical as everyone that ever had anything to do with the association, is as guilty as the men who have been arrested."

It is anticipated in view of the proceedings that an order will be issued to withhold the mail of the concern until the case is settled. Postal Inspector Riches has a number of John Doe warrants which will be served on C. E. Harbaugh and W. H. Altman.

Charles H. Glos, who was for a short time associated with the company, is one of the witnesses who will appear for the government at the hearing, where they expect to show that the proposition to sell the books to Harbaugh and Nichols was a fraud. Mr. Glos is familiar with the business and its inside workings, and his evidence will undoubtedly create a sensation. Mr. Glos, when asked this morning what he had to say about the matter, stated that he was a witness for the government and that he had nothing to say anything until he went on the witness stand. He however said: "I worked for the firm a short time with the idea of investing some money in it. I did not consider it a business that was based on sound and honest principles and would not have anything to do with it."

Matured Contracts. The maturing of four contracts for \$2,000 each, in favor of A. H. Eiler last October, is causing considerable discussion among some of the other contract holders. In view of the fact that Mr. Wakefield was once in the employ of the Eiler brothers, it was heretofore assumed that Mr. Eiler had matured the four contracts which amounted to \$8,000, and that the money was available for him to expend in a home. Mr. Eiler in explanation stated:

"I don't know a thing about what the association is doing at present. My contracts were under a different seal than those that now exist. I paid \$23 for the first payment on each. Under my arrangement, after \$50 had been paid into the building fund the first contract would mature and I would receive \$2,000. All of mine have matured, but I have no home and have not drawn down a cent. I refused to make any more payments on the contracts for the reason that I found the payments as arranged were equivalent to paying interest on the money which I expected to get for a home. The impression that I have a home from the association, or have received any money, is all wrong. They never had \$8,000 at one time. I made arrangements with Mr. Wakefield to sell to some one else, my contracts and in this way expect to get the money back that I am now out."

The Bonus System. One of the contract holders this morning stated: "During my business dealings with the company I found that they were making an effort to get the prospective investors in a corner by the bonus system on the fact that they had already matured, or on one that was held by some one else."

United States Commissioner E. D. McKee, in a conversation with Judge Nichols at 5:30 o'clock and the hearing was continued until 10 o'clock this morning.

RAILROADS WIN AGAINST BROKERS

Reports from passenger men who attended the St. Louis meeting of the Transcontinental Passenger association prove the forecast of General Passenger Agent Craig of the G. B. & N., which was made in the Journal two weeks ago, to have been true concerning the stand the railroads would take on the ticket brokers and the connection of this question to fair rates.

Several weeks ago Mr. Craig announced that the rates on the St. Louis fare would depend largely on the attitude Missouri and St. Louis took on the broker question, and from St. Louis local railroad men have received word that before the fair rates were granted this question was thoroughly gone into. President Francis of the fair and Judge Ferris, general counsel of the exposition corporation, were called before the railroad meeting and asked concerning the attitude of the fair, and the state and city on the squelching of ticket brokers. Mr. Francis and Judge Ferris assured the railroad men that the recent laws enacted by state and city against the brokers would be enforced, and the judge promised that the brokers would lose their case, they having taken an appeal to the supreme court. After discussing the case with the corporation, the municipal authorities and the state government were one in frowning on the work of the brokers, the passenger agents agreed to give the northwest a rate of a fare and a third for the round trip, special excursion rates of one fare plus \$2 for the round trip to local points near St. Louis, and the west and Pacific coast country practically a one-fare rate.

The St. Louis meeting was the most largely attended by leading passenger officials of any session of the Transcontinental association, and from reports of the meeting it was evident that the roads of the country are standing together solidly in their fight against the brokers. In the opinion of railroad men the St. Louis meeting will to a large extent determine the Lewis and Clark rates, and it is generally believed by passenger officials that the roads will require restrictive and even prohibitory legislation against ticket brokers from the city and state before the special rates are granted.

Very Busy Month for Inspector. Plumbing Inspector Hulme had a busy month during January, according to the report which he completed this morning. Segregated it gives the following statement: New buildings inspected, 57; old buildings inspected with new fixtures, 23; coppers connected, 31; sewers connected, 102; written notices served, 33; total number of licensed plumbers, 99; reports of defective plumbing, 16; plumbing remodeled on notice, 3; total number of visits for month, 469; total number fixtures connected, 79.

Extreme of Liberty. From the Denver Republican. It is simply beautiful to note the promptness of corporations to reward heroism when it saves their property from destruction. Kate Shelly, who prevented a train from going into the Des Moines river 25 years ago by flagging it with her new red Sunday petticoat, has just been made station agent on that road.

Nearly the Limit. From the Knoxville Sentinel. Norristown, Pa., has produced a woman who invents the shape of two desperate jail breakers with an unbroken St. Louis, Chicago, and Minneapolis. She has just now have to make a back seal.

COURT REDUCES DREYFUS' BOND

PRINCIPAL IN CARROLL SHOOTING AFFAIR SECURES REDUCTION OF BOND TO \$1,000--CASE IS CONTINUED--DEFENSE URGES THAT NO HARM WAS MEANT.

Jacob Dreyfus, accused by Thomas L. Carroll with attempting to kill him by shooting in Carroll's candy establishment yesterday, will have a preliminary hearing in the police court next Tuesday.

The case was called today and Dreyfus was arraigned, charged with assault with a deadly weapon. Attorney W. M. Davis appeared for the defendant, while the complaining witness was represented by Attorney Dan Malarkey, Deputy District Attorney Spencer stated that Mr. Malarkey wanted a continuance, and it was agreed upon.

Mr. Davis requested the court to reduce the amount of the bond, as his client desired to get out of jail, and he had spent the night in prison. Judge Hogue replied that it was a very serious charge, but Mr. Davis insisted that Dreyfus had shot in the heat of a quarrel and intended no harm. He stated that Dreyfus had invested all of his money in the candy business, and having been here but a short time, he had few friends. Mr. Davis said he thought he could raise a \$1,000 bond, and this was agreed to by the prosecuting attorney, with the understanding that Dreyfus' bondsmen would be strictly responsible, and that the defendant promise not to attempt to injure Carroll.

In speaking for Dreyfus, Attorney Davis says that at a meeting of the creditors of the Carroll business a few days ago it was agreed that Mr. Carroll, who was secretary and treasurer, and Mr. Sutro, president, should step out. They were drawing \$125 each a month, while Dreyfus had taken \$1,000 worth of stock and had invested \$700 in cash. The understanding stated, Mr. Davis, was to let Dreyfus run the business, he to get \$50 a month. This agreement, he said, was broken by Carroll, who refused to give up the books. This misunderstanding led to the shooting affray yesterday, when Dreyfus fired two shots at Carroll.

It is said that Sutro invested \$3,200 over and above the stock he contracted for. Still at the meeting of creditors yesterday it was reported that the liabilities were about \$4,500, of which \$900 is due Sutro on notes. The assets are about \$3,000, of which the book accounts amount to \$2,000, and the stock and fixtures \$1,000.

Mr. Davis is making an endeavor to secure bail for Dreyfus, and he hopes to succeed in doing so during the night. At a meeting of the creditors of the house yesterday it was decided to place R. L. Sabin in complete charge of the business to dispose of it for the best interests of the creditors.

SAYS SLAPPING IS ONLY CURE

WILLIAM HAHN ADMONISHES MESSENGER WITH HEAVY HAND AND THINKS GREAT GOOD WOULD FOLLOW THE ADOPTION OF THIS PRACTICE.

An altercation Wednesday night in the office of the City Messenger and Delivery company between William Hahn, proprietor of the Linwood, and Otto Prag, messenger boy, over an alleged bill for 50 cents' worth of crawfish, in which Prag came off with a battered left eye, has resulted in the institution of a suit to collect \$5,000 from Hahn.

According to Prag he secured the crawfish for women's night more than a month ago, promising to pay Hahn later. Hahn came to the messenger office several times to collect his money but the boy alleges the saloon man did not come to him, but to the night clerk and demanded the boy's instructions to go to the bookkeeper and collect the bill.

Tuesday evening about 7 o'clock Hahn came to the messenger office and spoke to John F. Shorey, the manager, and requested to see Prag.

"When I came out," said Prag, "he called me a vile name and said I was a petty larcenist and struck me. Then Shorey ordered him out of the place."

Hahn says Prag promised to call and pay the bill and did not do so. "I went to Shorey the other night," he said, "and told him he had a boy working for him who was a petty thief and that I wanted to slap his face. If every one would do as I did, we would have a better class of messenger boys."

Suit for damages was filed in the circuit court yesterday afternoon against Hahn by Bronough & Bronough, attorneys for Prag.

Prag's left eye is badly discolored and he declares he was obliged to consult a physician. Hahn says Shorey threatened to have him arrested for striking the boy.

ROSE SOCIETY CALLS MEETING

The Portland Rose society will meet next Friday at the Unitarian chapel, corner of South and Yamhill streets, for the purpose of hearing reports of the society, and also to make arrangements for the rose show to be held in this city this year. The members are determined to commence in plenty of time to make the show a success. Prizes will be offered to different varieties of roses. All those who are interested in any way in this work are asked to be present at this meeting.

W. H. King's suit against the Keystone Lumber company to recover \$250, alleged to be still due on the sale of a sawmill in Chatahokee, Ga., was argued before Judge Sears in the state circuit court today. King alleges that when he sold the mill it was agreed that he was to retain sufficient lumber to build a house. The lumber, he contends, was pointed out, and it was agreed that it was his property. In spite of his agreement he says that the new proprietors sold the lumber, and refused to account to him for it.

PORTER MAY HAVE FLED TO CANADA

The local office of the United Health & Insurance company has been notified that C. P. Porter has been acting without the authority of the company in eastern Washington. At Walla Walla he wrote up about 30 policies and collected the advance fee of \$5 on each, which was not turned in. He in some manner secured some of the printed matter of the institution and posed as an agent. Instructions were sent to have the man arrested.

CLAIMS THE TICKER WAS TEN CENTS OFF

D. E. Melike, a produce dealer on Front street, filed a suit in the state circuit court today to recover \$299 with interest, from the Western United Telegraph company, because of an alleged error in a telegraph message. Melike claims that on September 2, 1902, in Cleveland, O., he sent a dispatch to the Walla Walla Produce company, stating that he would guarantee 40 cents per crate net on a car of prunes. Instead of delivering the message as it was written he alleges that the company transmitted it so as to read 50 cents per crate, to his damage.

INCREASED SALARY CLAIMS REJECTED

The county board today rejected the claims of the four circuit judges for additional salary, claimed under the law passed at the recent special session of the legislature. These claims were taken under advisement by the board last month, owing to doubts as to the validity of the law.

YEAR'S RECORD IS PROGRESSIVE ONE WITH A TELESCOPE

THREE LINES OPENED ON UNION AVENUE BY PORTLAND RAILWAY IN PAST YEAR--BUSSELL STREET IN THE LAST ADDITION--OTHER EXTENSIONS PROMISED.

The first day's business on the new Albina line of the Portland railway company was a record breaker as far as passengers carried counted, though, owing to the free tickets distributed by the Albina sub-board of trade, the net receipts were not especially large, though a sprinkling of cash fares was found in the gross returns. The Albina line ends at present at Maryland avenue, but will during the year be pushed to St. Johns, as the subsidy promised by citizens of the Peninsula has been raised. Just when work will begin on the extension to St. Johns is not yet known, but probably will not be before the annual meeting of the stockholders of the company, which will be held in San Francisco in March.

The new service through Albina to Maryland avenue is a 15-minute one, five cars to be run on the line. This gives lower Union avenue a car about every two minutes. During the past year the Portland railway has centered its building activity chiefly on Union avenue lines and at present operates five lines of cars where a year ago there were but two. During the year the Vernon line was opened which gave Highland and the busy part of Union avenue added service, then late in the year the Broadway line was installed, opening up a new district to quick transit and also helping considerably in the carrying of the city. With the addition of the Russell street line the Union avenue problem is solved for the time, and what has grown to be the busiest east side thoroughfare in two years is now well taken care of by the five lines. Besides the three new lines of cars the Portland railway has made its Vancouver service less of a local one by cutting out all stops between East Burnside and Mechanics street. New cars of extra length have been added to all these lines and have doubled the carrying capacity of the company's older lines.

VAN HOUTEN CASE IS POSTPONED

David Van Houten, the acquitted murderer of Albert Young, was arraigned before Justice of the Peace Reed this afternoon on a charge of threatening to kill, and released on \$1,500 bail, pending a hearing of the case tomorrow morning.

District Attorney Manning, who issued the warrants against Lindsay, the complaining witness, had no desire to persecute Van Houten, but that he believed his life to be in danger, and that he had taken the step merely to insure his own safety.

Attorney T. J. Cleason, of behalf of Van Houten, said that his client was dissatisfied with the testimony that Lindsay had given during the trial, but he had no desire to harm Lindsay or anybody else, and the statement that he had threatened to kill was a mistake.

C. F. Ruegg and George F. Sierrett, two residents of Mount Tabor, qualified as Van Houten's surety.

It is understood that Lindsay has agreed to a discontinuance of the case. That Van Houten will immediately leave town. Van Houten declares that he would have been in Montana before this if Lindsay had not caused his arrest.

COURT TEARS ARE WAY BELOW PAR

When standing before Municipal Judge Hogue today R. E. Dowell shed tears of bitter sorrow when he recalled what he once had been and what he is now. Whisky, he said, was the cause of his downfall.

Several days ago the man was arrested while intoxicated. He had just been released from the county jail. He was at liberty but a short time when he stole an overcoat and the detectives proved his guilt to the satisfaction of the court. He is not going to whisky. It is my worst enemy and has brought me to this. I have a little girl of 14," but the thought of her caused the heartbroken man to give way and he wept bitterly.

When he regained his composure he made a solemn promise to behave himself in the future.

"Ninety days in the county jail," was the order of the court. By that time Dowell will be able to get work outside of the city, where he will be away from temptation. He told the judge he would write to his step-father at Salem, who he was sure would be glad to welcome him home again.

PLEURISY, PNEUMONIA, COXSIPPION CURE

George G. Hovey, 309 West 128 Street, New York City, lost 70 pounds in five months, but after using Duffy's Pure Malt Whiskey his health was restored and he has not lost a day's work in a year. He says he owes his life to

Duffy's Pure Malt Whiskey

READ HIS OWN WORDS "I was taken ill with pleurisy and pneumonia, which developed into consumption. I was unable to attend to my business for a long time. I wasted away to 134 1/2 pounds. I tried eight of the best doctors, and all told me I could not live six months. I took from fifteen to thirty-five grains of creosote every day for a year without benefit. I had seven hemorrhages, was not able to walk up four steps of stairs at a time without resting, and was not able to attend to business for two years."

"Finally I gave up doctoring and began taking Duffy's Pure Malt Whiskey. I gained in flesh and strength, am able to attend to my business, and am a healthy man. I have not lost a day's work in the past year. My appetite is good and I sleep well."

"If any person who has consumption will take Duffy's Pure Malt Whiskey he will be cured, as it is the best remedy in the world. I owe my life to it."

GEORGE G. HOVEY, 309 West 128 St., New York City. Duffy's Pure Malt Whiskey has carried the blessing of health into more homes during the past fifty years than all other medicinal preparations. It cures pneumonia, pleurisy, consumption, coughs, colds, grip, bronchitis, catarrh, asthma and all diseases of the throat and lungs; indigestion, dyspepsia, and every form of stomach trouble; nervousness, malaria and all other ailments that debilitate the system, and promotes longevity; makes the young strong and healthy and keeps the old young. Duffy's pure malt whiskey contains no fusel oil and is the only whiskey recognized by the Government as a medicine; this is a guarantee. Prescribed by 7,000 doctors and used exclusively in 2,000 hospitals.

CAUTION--When you ask for Duffy's Pure Malt Whiskey be sure you get the genuine. Unscrupulous dealers manufacture cheap imitations and sell them at a profit, and which, far from relieving the sick, are positively harmful. Demand "Duffy's" and be sure you get it. It is the only absolute medicinal, health-giving quality. Duffy's Pure Malt Whiskey is sold in sealed bottles only; never in flask or bulk. Look for the trade-mark, the "Old Chemist" on the label, and be certain the seal over the cork is unbroken. Dealers of all drugs and groceries, or direct, \$1.00 a bottle. Interesting medical booklet free to anyone. Duffy Malt Whiskey Co., Rochester, New York.

PARENTS AWAY; CHILDREN SUFFER

MR. AND MRS. CASE GO TO THEATRE AND CHILDREN ARE NEARLY BURNED TO DEATH--ARE SAVED ONLY IN THE NICK OF TIME BY BRAVE CITIZENS.

(Journal Special Service.) Baker City, Or., Feb. 4.--At 9 o'clock last evening in Sumpter the fire alarm sounded and flames were discovered in the residence of E. A. Case on Cedar street, a merchant of that city. In the house were two small children--Mr. Case's little boy and the little girl of Mrs. Beggs, a sister of Mrs. Case. The parents had gone out to a lodge meeting and left the children in bed. A little before 9 o'clock Mrs. Case went to the house to see if everything was all right and afterward they went to the theatre. Within 20 minutes the firebell sounded and the alarm was given in the theatre. Before Mr. and Mrs. Case could get home their hands were raised for the fire, and a cooking stove and the two children had a narrow escape from death.

Just after the fire department responded to the call men discovered the children alone in the burning house. Charles Randall, a fireman, saw the smoke and fire and pulled the little boy out from under the bed, where the child had taken refuge in his fright, and managed to get him out into the open air. The boy was almost completely suffocated, but was wildly revived. The cries of the little girl were heard at an upper window at the same time, and a Mr. Shinn managed to reach her and carried her down in an unconscious condition. It is thought that both children will recover.

The residence was one of the handsomest and best furnished houses in town, and is now a total wreck. The amount of insurance cannot be learned at this time.

NEEDS MONEY FOR THE PANAMA CANAL BREWER JOHN BEHN BECOMES DERANGED

Washington, Feb. 4.--Secretary Shaw filed his resignation for the withdrawal of the funds from the national banks the necessity of preparing to pay the first installment on the Panama canal purchase and also the probability of loaning funds to the St. Louis exposition. He is desiring to sell a portion of the security now held by the government are authorized to withdraw and transfer them, thus avoiding in many instances the withdrawal of the cash from the channels of trade.

John Behn, a German brewer aged 31 years, was locked up in the city jail this afternoon. He is supposed to be mentally deranged.

Shortly after dinner the insane man entered the office of Weinhard's brewery and attempted to take possession. He insisted that the German brewer should take care of him and he refused to leave the office. He grew more violent each minute and the police were summoned.

Officers Reising and Carpenter responded to the call and when requested to accompany them Behn refused. He raised his hands and screamed at the top of his voice. Finally he sprang at Reising, seizing him by the throat. To protect himself the officer had to use his fists.

"I was going to the old country," said Behn. "When we were in the middle of the ocean the vessel sank and I went to the bottom of the sea. Last July the women of a lodge to which I belong came and rescued me and now I am here."

ARLETA RESENTS OFFICERS' INTEREST

Charged with being a vagrant and an idle and dissolute person, Arleta Fay, whose home is on the Blizet Indian reservation, was in the police court today. The half breed girl, who is said to be but 12 years of age, was neatly gowned in a suit of the latest style and she was very indignant that the police should have taken such an interest in her. The officer told her she was living in bad company in the north end and Judge Hogue continued the case until word can be sent to her relatives. The girl says she is 19 years of age.

Articles of incorporation of the Peerless Pure Food company, with a capital stock of \$45,000, were filed in the office of the county clerk today. The incorporators are Thomas Schneider, Peter Johnson and Walter Johnson.

Articles of incorporation of the Western Paper Mache and Presse Manufacturing company were filed in the office of the county clerk today. The incorporators are G. E. Beck, Joseph Doneliet, D. H. Rand and William Foley.