

# GOLD IN PARK

## Oakland Laborers Unearth \$400 and Spend It for Beer.

(United Press Leased Wire.)  
Oakland, Cal., Nov. 9.—In time of money stringency the foremen of two gangs of several workmen for several days have noted with surprise a frequency in the libations of the diggers, as unusual as it was demoralizing to proper trench making. Investigation brought to light a tale of wealth suddenly acquired and almost as quickly dissipated.

The gangs came to thirsty pause a few days ago. After an inventory of appetites and cash on hand, a messenger was sent to purchase 30 cents worth of beer. The can bearer, in trudging through West Oakland park looked out on the dirt and shining 130 gold pieces. He returned with the coin and the beer, and then followed a rush to the new gold field. In scratching the park floor the workmen unearthed a paper package containing \$400 in twenties. The rich strike was looked upon as a community affair, and it was voted to buy their noon day refreshments in kegs instead of pails as long as the financial relief lasted, and put to shame the "beer bust" functions of college freshmen.

The police department reports that the gold is the hidden booty of burglary, as far as their knowledge goes, which leads to the conjecture that the amount was cached in the park to await the end of the financial flurry.

# OFFICERS TO BE ARRESTED

(Continued from Page One.)

to the bank on the afternoon of October 28 at 3 o'clock and that it was accepted and deposited without any warning or statement as to the bank's condition being made to him. The next morning the bank did not open its doors for business and has never transacted any business since that date.

It is contended by District Attorney Manning and his assistants that the state will be able to prove that the bank was insolvent at the time Ehnman's deposit was accepted, and that President Hany and the other directors knew the fact at that time and prior to that. It will be shown that the bank has been in an unsafe condition since a short time before the deposit was made, and that the officials were told some time ago that their institution was unsound and insolvent. The deposit was being made by Ehnman at 3 o'clock on October 23 will complete the chain of evidence, which the district attorney believes to be conclusive. Besides the testimony of Ehnman, a number of other depositors have come forward with statements showing that they placed money in the bank on the same day and at about the same time.

In the information it is alleged that J. Thurston Ross, E. F. Burkhardt, John S. Alchison, F. M. Warren and George H. Hill, being the owners and officers of a certain bank, to-wit, the Title Guarantee & Trust company, a corporation, which bank was doing a banking business in the city, county and state, did then and there as such officers and directors, fully, unlawfully and feloniously accept and receive a certain sum of money, to-wit \$500 lawful money of the United States of America, and of the value of \$550 from and of one C. F. Ehnman, and being the personal property of him, said C. F. Ehnman, did then and there as such officers and directors, knowingly that the said bank was insolvent.

The section of the banking act under which the information was drawn is section 18 of chapter 138, and reads as follows:

"Section 18: The owners or officers of any bank who shall receive any deposit knowing that such bank is insolvent, shall be deemed guilty of a felony and punished, upon conviction, therefore, by a fine not exceeding \$1,000, or imprisonment in the state penitentiary not exceeding two years, or by both such fine and imprisonment, at the discretion of the court.

It is presumed the defense will set up the contention that the state banking law is not yet in effect, and will not be until August of next year. Lawyers in the city are divided on the question, some contending that the law went into effect, so far as the section under which the information was brought is concerned, May 25 of this year.

The last section of the new law repeals all statutes in conflict with the new law and if the contention of the defense should meet with the favor of the courts it would mean that until August next there is no statute in effect governing the banks of the state. In other words there would be no banking law in Oregon.

**Section Ambiguous.**  
The legal tangle comes in section 34 of the law and springs from language so involved and ambiguous that either of two constructions could be placed upon it. The section provides that after 12 months after the act goes into effect all banks in the state shall make reports to the bank examiner and it further provides that at any time after these reports are filed the banks may be examined by the examiner. Following this statement comes another paragraph in the same section which says:

"Within 18 months after the taking effect of this act all such banks shall conform to and in all respects comply with all the provisions of this act and be subject to examination by the examiner and the penalties herein provided."

Those who believe that the law is not in effect as regards penalties for its violation argue that the clause holds, and that no action can be brought under the act for 18 months from the time the statute would have become effective in the usual course, that is May 25, or 90 days after it was filed with the secretary of state. They contend that 18 months has been given the banks to prepare for the observance of the law, and that until the expiration of that time they are not bound by its provisions.

**Two Different Phases.**  
The state contends, however, that the seeming ambiguity is caused because section 34 covers two different phases of the law. It is argued that the law went into effect May 25, last, and at that time began to run upon the statute books of the state. The provisions of the law grant the banks 18 months in

which to make reports and prepare for examination by the state bank examiner. It is argued then that six months after the act goes into effect the banks in which to comply with the newly created requirements as to reserve funds, conservation of deposits, character of securities, and all the other details of banking transactions. At the close of 18 months, it is argued, that the law requires all banks in the state to have their books audited and to fully conform with all provisions of the law.

There are two different kinds of penalties provided for, one for felonies, such as an unscrupulous banker, and another for misdemeanors, such as refusing to submit to the bank examiner or to allow an official to examine the condition of the bank, or to prepare clerical memoranda such as is required. It is contended by the state therefore that section 18 is in effect, and that the last clause of the section applies to those penalties for misdemeanors growing out of failure to assist the machinery of the state bank examiner's office.

Should the courts hold with the state in its contention the district attorney's office believes a check is made on the Title Guarantee & Trust company which will insure their conviction without a fight or uncertainty of outcome. Should the court hold with the defense, however, the case would go out of court because brought under a statute which is not now effective.

### DOORS OPEN MONDAY.

#### Title Guarantee Will Then Begin Work of Liquidation.

Commencing next Monday the suspended Title Guarantee & Trust company will open its doors for the transaction of the business of liquidation. Office hours will be from 10 a. m. to 3 p. m. Receiver George H. Hill will immediately begin the making up of his report to the court on the company's condition, as required by law. The receiver has a number of clerks, a treasurer of the company, and a number of clerks, to assist in the work.

The listing of notes and various collateral securities held by the bank and the collection of money due from various sources will be taken up simultaneously with the accounting department of the bank is said to have been kept up in good condition and its financial statement will be a comparatively easy matter to compile.

The department termed "trust funds," which is said to be intact, and not involved in the bank failure, consisted of moneys that had been placed in the bank's hands for building houses on the installment plan or otherwise. In many instances the owners of estates having money to be invested at interest patronized the Title Guarantee & Trust company as a medium for the making of these loans, the supervision of contracting and construction of dwellings, and collection of the installment payments and interest. The trust funds amounted to between \$60,000 and \$100,000.

So far as I know, the banking department of the Title Guarantee & Trust company carried on its usual business up to the closing hour of the last day before the holidays began, and transacted business as usual. I do not think there can be any question as to its having received deposits the day before the holidays began," said Receiver Hill, who was vice-president of the company. "In fact, I know of one instance where a person called on me, who came here this morning and advised me that he had deposited money that day and had been given with me the check of getting the court to set aside the amount. I suppose that is a question resting entirely with the court."

"I have been kept busy most of the time since my appointment answering inquiries and have not found time even to attend to the mail," and he pointed to a pile of letters delivered yesterday by the postman. "Next Monday I will return to the private rooms, where I can work undisturbed, and begin the work of listing the assets and making up a report to the court."

### SOLID AS ROCK.

**East Side Bank Laughs at Flurry and Honors All Checks.**

During the present crisis until today the East Side bank at East Washington street and Grand avenue has been paying every order and check on its accounts, no matter how large demands. This morning, however, owing to the inability of the bank to obtain gold from other banks of deposit, withdrawals were limited to \$10,000. The bank is paying cash on their own checks to this limit.

A. H. Willets, a grocer at 123 Grand street, presented his check for \$175 last evening and received the amount in gold, a sum that could not be obtained at any one time on the west side since the holidays were declared. Mr. Willets' heavy deposits are carried with the west side banks by the East Side bank, and inability to obtain cash on those deposits is causing a serious situation. Mr. Newhall to limit withdrawals. However, none of the east side banks has been compelled to close their doors or certificates in payment of their own checks.

There is another peculiarity of this bank that has caused comment. The East Side bank opens early in the morning and transacts business every day until 8 o'clock in the afternoon. The city has adopted such a practice in the patrons of the institution have the utmost confidence in it, which is practiced as well as expressed.

### STEEL DENIES

(Continued from Page One.)

me that his bank was never in better condition, and that it was surprising how well the position of the bank was maintained, apparently not being at all disquieted by the failure of the other institutions. The insurance company said:

"Relying upon this statement I continued the deposit with his bank, and it was only recently that I noticed the magnitude of the sum held in the bank. I do not know why I added any funds to the deposit other than those which went there in regular course of business. The school funds are not touched by any of the banks as a deposit, because of its fluctuations. One day it would be large and the next it would be down by a loan made against it, and on this account it was not of so much value to banks as some of the other funds. I kept the school funds in one account for the convenience of the office, and during the recent past the payments into the funds have greatly exceeded the withdrawals, so that a large balance accumulated there rapidly.

"Just a few days before the governor proclaimed the holidays," continued Mr. Steel, "I noticed the school funds were being made arrangements for otherwise disposing of the surplus when the holidays were proclaimed.

"I do not see, then," continued Mr. Steel, "how my motives can be questioned. I will admit that I may have used bad judgment in allowing the fund to grow large, but I believed implicitly in the stability of the institution, and when I discovered the size of the deposit took immediate steps to protect

# U. S. COIN

## Manager and President of the J. M. Acheson Co. Speaks

Owing to the persistent and widely circulated rumors and many phone inquiries made of us during the last 24 hours, which were that this store had failed, I wish to say it is absolutely untrue, yet I will tell you this, that this bank and money panic is hitting us below the belt, all right, but there will be no failure until J. M. A. has exhausted all the resources he can command, and I have a good many yet, even if the banks are closed and I can't borrow. An unscrupulous firm of attorneys for the last week has been fusing a circular letter to our eastern creditors trying to stampede them onto us, the motive and object is obvious. We owe our bank but little and it is not pressing as it is not due. Let that settle that rumor. I make no secret of the fact that I owe quite a little eastern accounts, as this is the height of the season. This money panic has lessened sales, hence we are short the same as a bank, but we have the goods here—a tremendous stock—by far the largest in this city. Therefore Monday we will start in our store a panic sale to turn these goods into money. Every one who needs goods come in. You will help this big store and help yourself. Nothing preventing, I leave for New York tomorrow, as one of the firm of parrot attorneys is now in the east and it's now J. M. A. against lying and misrepresentation as represented by this Portland attorney. It's up to the people to take care of this store plant, which would be a credit to any city in the United States, to protect this store and our creditors while I am east.

J. M. ACHESON,  
Fifth and Alder Sts.

### EXPRESS COMPANIES TO BE INVESTIGATED

**Interstate Commerce Board to Probe Order and Commission Department.**

(United Press Leased Wire.)  
Washington, D. C., Nov. 9.—At Chicago on November 18, the interstate commerce commission will make a further investigation of the matter of the alleged purchase and sale of commodities by express companies.

The inquiry is considered among the most important being conducted by the commission. The order was issued March 2, 1907, passed a resolution directing the commission to inquire and report whether or not the express companies, directly or through their agents, are engaged in the business of buying, selling or handling on consignment fruits, vegetables and other commodities.

This action was taken in response to complaints by western commission men that the business done by the express companies is injurious to their interests and is unfair competition. The express companies say that for many years it has been the custom for them to take orders from customers for the purchase and shipment of articles by express by what is known as the "order and commission" department.

### JOINT PASSENGER AGENCIES WILL GO

**Western Association Will Maintain Denver Office but Abolish Others.**

(United Press Leased Wire.)  
Chicago, Ill., Nov. 9.—At a general meeting of the Western Passenger Association it was decided to abolish all of the joint agencies. They are located at Chicago, Denver, St. Louis, Kansas City, St. Paul, Minneapolis, Des Moines, Omaha, Leavenworth, Atchison, Colorado Springs and Pueblo. An agency will be maintained at Denver for the validation of tickets.

Instead of joint agencies, three special traveling agents will be maintained. Beth Israel, "The Four Mile" and "The Christian nation as a nation, and therefore has a right to 'Go We Trust' on its coins. It is a national sentiment, not something to be used by the men at the head of the government. It is not an expression but the expression of the nation itself. However the coins will be commercially used and the motto, 'They will stand as well in the markets of the world—and that is what they are for.'

### GRIEVE TO SEE

(Continued from Page One.)

has outlived a dozen employes. If America, under commercial stress or in the pride of prosperity surrenders her faith in God for confidence in gold she will go the way of Rome. Whether it be a thoughtless omission or a deliberate withdrawal, and whether it be the president or seventh assistant, I dare not do less than deprecate it.

**No Reason for Change.**  
Rev. Benjamin Young, D. D., pastor of Taylor Methodist Episcopal church—I can see no reason for the change in the form of the national coinage, especially as regards the omission of the motto in God We Trust. I don't know why that phrase should have been left off the coins. Of course, even with it off I don't think the country is going to the bow-wow. A mere phrase is but a bit of verbiage—it is the meaning and faith back of the words that counts. We will be just as Christian a nation without the words on our money as with them.

Rabbi Jonah B. Wise of Congregation Beth Israel—"The 'Go We Trust' is an integral part of the United States emblem—it represents the majesty of the state and the motto should be left on our money except in North and South Dakota, where three-cent fares still obtain. Clergy permits have been withdrawn in all two-cent fare territories.

### PRESIDENT IS AFTER NEW YORK BANKERS

(United Press Leased Wire.)  
Washington, D. C., Nov. 9.—The president is said to have in contemplation a plan to cause several New York bankers to be prosecuted on a charge of returning false statements to the comptroller of the currency regarding their loans. It is said that the bank examiners have been busy since the investigation revealed itself as serious, causing trouble for the Knickerbocker Trust company over accounts of various kind in its office. They can't find out conditions in some of the banks to be not exactly what the bank officers have reported to be.

The president is reported to be much aroused over the revelations, and he is considering what is the best course to take in the matter.

### STEEL WILL NOT RESIGN

(Continued from Page One.)

only that he shall turn over the funds to his successor. Mr. Steel's term will not expire for three years, therefore, if he remains in office, there can be no such accounting as will enable the state to bring suit against his bondsmen at the surety company.

If he persists in his resolve not to resign his office, it is reasonably certain that proceedings will be commenced against him by the governor and the attorney-general were questioned on the subject this morning they would indicate what course they would pursue except to refer to the provisions of the constitution and the statute already quoted.

"We are giving the matter our most careful attention," said Governor Chamberlain. "I am not ready to act yet, but when I do I shall act decisively."

**CHILD'S CRY**  
(Continued from Page One.)  
boy going to live with his grandmother, Mrs. Sophia A. Mott, who now lives at 248 Wabash avenue, there can be no such accounting as will enable the state to bring suit against his bondsmen at the surety company.

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# WINGFIELD USES FIRE AT DULUTH

## Nevada Man Averages Insults Made Through Mining News.

(United Press Leased Wire.)  
Duluth, Minn., Nov. 9.—Three million dollars is the amount now fixed as the probable loss by fire which destroyed the Great Northern elevator, "A," early this morning. The losses are as follows:

Great Northern elevator power house, \$1,300,000.  
Great Lakes Dredge Dock company, \$85,000.  
Freeman Flour Mills and Elevator company, \$200,000.  
Manly Superior Storage company, \$150,000.  
Whitney brothers and Superior Shipbuilding plant, \$25,000 each.

The flames were so fierce that four tons were driven back, and it was impossible to fight the fire from the shore. For several hours the firemen's only fight was to keep the fire from spreading. Seven hundred thousand bushels of grain was destroyed. Two saws, one derrick and two tugs were unable to escape and were burned to the water's edge.

The Globe elevator and the Payton, Kimball and Barber sawmills caught fire but were saved by heroic work. Forty small dwellings, however, were destroyed. One man employed by the Manly Superior Storage company, who rushed into the building to get a chest of papers has not yet been found.

The fire was extinguished at noon. Fire swept over a mile around the waterfront.

### GIRL OF MYSTERY IS AMY CLARK OF DENVER

**Confesses to Thefts and Declares She Has Worked Game Two Years.**

(United Press Leased Wire.)  
Chicago, Nov. 9.—The "Girl of Mystery," who has been in the custody of the police since yesterday on a charge of receiving alleged plunder in a room at the Auditorium hotel, today revealed her identity by saying that she is Amy Clark, daughter of a Denver contractor. She says she has been traveling over the country, making a living by stealing.

Amy made a complete confession to the police and insisted that her name was Marian Hurley, until a Denver wheelwright who said Amy and her sister, Dorothy, stopped at a fashionable Denver hotel until they were ejected. She says she has been living by her wits for two years, being a constant passenger on fast trains between Chicago and New York. She said her plan was to work her way into the confidence of her fellow passengers, men preferable, and later rob them.

### APPEAL TO PEOPLE BY DEPOSED JUDGE

(Special Dispatch to The Journal.)  
Aberdeen, Wash., Nov. 9.—Police Judge Fox, who was deposed by the city council at its last meeting, has announced his intention of fighting the election of that body. As he was elected by the people, he claims the council has no right to depose him. He says he will take the necessary legal steps to enforce the action of the council.

### BONUS FOR CASHIER'S CHECKS AT MOSCOW

(Special Dispatch to The Journal.)  
Moscow, Russia, Nov. 9.—Reports from the local banks are to the effect that the deposits have been larger than for several days, and prospects are very bright. Moscow bank's checks are being paid at a premium there, a spirit of confidence having sprung up over boasted vitality of the local banks. In some cases a premium was paid on checks by several of the business firms there.

### NEW COAL MINES WILL SOON SHIP

(Special Dispatch to The Journal.)  
Chehalis, Wash., Nov. 9.—The Coast Range Coal company, which recently secured the old Crescent Coal company mines near the four mile west of Chehalis, will begin shipping coal this week. The Chehalis electric light works is now selling about 10 tons of coal a day from its coal mine at the site of its plant on Coal creek, east of this city. This fuel is all taken for local consumption.

### CHEHALIS NEEDS MORE SCHOOL ROOM

(Special Dispatch to The Journal.)  
Chehalis, Wash., Nov. 9.—Under direction of the school board plans are being drawn for a new school building of eight rooms, the building to be either brick or frame and cost from \$15,000 to \$20,000. A bond election will probably be called to determine the matter of building.

### OHIO BANK CLOSED FOR LACK OF CASH

Steubenville, Ohio, Nov. 9.—As a result of a run yesterday the First National bank of Mingo, an iron mining town, closed this morning after paying out all the cash in the vault, amounting to \$50,000. The officers of the bank say it is solvent.

### FEELS WELL YET DYING

Many a man believing he is well has gone to an insurance company only to be told by the examining physician to put his affairs in order as he has only a few months to live, due to advanced kidney disease. Thus many people do not even know they have kidney trouble.

If you know it you have had notice. No matter how well you feel or look if you have kidney trouble don't feed it with delay. As above, it may be already chronic. Hence, the necessity for taking all the care that the only thing known that reaches it in both the first and chronic forms, viz.: Fulton's Renal Compound.

The census shows that 58,000 deaths the last census year were from a disease of the kidneys that was absolutely incurable up to the discovery of Fulton's Renal Compound. It also shows that over nine tenths of all the census cases sooner or later assumed this one form. How under the sun have such people who have kidney trouble afford to take anything but the only known specific for the serious forms?

"It has put several of our dying fellow citizens on their feet."—Honolulu Daily Advertiser.

If you have kidney trouble start right at druggists.

# DR. MILES' ANTI-PAIN PILLS

## FOR HEADACHE

NEURALGIA. SCIATICA. RHEUMATISM. BACKACHE. PAIN IN CHEST DISTRESS IN STOMACH. SLEEPLESSNESS.

FOR HEADACHE

TAKE ONE of the Little Tablets AND THE PAIN IS GONE.

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They Relieve Pain Quickly, leaving no bad After-effects

25 Doses 25 Cents

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