

Oregon Daily Journal

JOURNAL CIRCULATION
YESTERDAY WAS
29,300

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DON'T FORGET

To call early with your ads tomorrow for the Sunday Journal. Journal Want Ads pay best.

The weather—Occasional rain to night and Saturday; easterly winds.

OREGON TRUST MUDLE PROVOKES FIST FIGHT

PRESIDENT DAY OF DEPOSITORS' ASSOCIATION CALLED A "GRAFTER"

George Jabour Charges Richmond and Day With Hampering Reorganization of Bank. Day Hotly Resents Insinuations and a Scrimmage Follows. Talk of Libel Suits.

After 24 hours of sensational episodes and surcharged atmosphere in and about the Oregon Trust & Savings bank the storm broke this morning with a personal encounter between George Jabour, an oriental rug merchant, and J. L. Day, president of the Depositors' association. Jabour charged Day and Secretary Richmond with being "grafter" and "thieves," and slapped Day in the face. Day returned the blow and they closed, but were separated by the custodian of the safety vault, and the fight ended as suddenly as it had begun, although Jabour continued his denunciation of the two men who have acted as officers of the association. Day has asked the district attorney for a warrant charging criminal libel. The warrant has not been issued.

Since the suspension of the bank Mr. Jabour, who was a depositor to the extent of \$7,000, has required money to carry on his business. He was unable to borrow during the financial stringency. Meantime his liabilities to New York dealers have matured, and this week a representative of his creditors has been in the city, asking for a settlement.

Mr. Jabour has been anxiously watching developments in the proposed bank reorganization, and hoped that it would be consummated in time to enable him to get enough of his money to save his business from ruin. When he heard yesterday that the reorganization plan was being obstructed by Mr. Day and Richmond, he went to the bank to learn the facts.

Meeting Secretary Richmond in the rooms of the bank, he denounced Richmond bitterly in the presence of a number of men, including Receiver Devlin, W. H. Moore, S. G. Reed, Judge Reames and others.

This morning Jabour returned to the bank to learn what had happened. He made in the reorganization plan, and in reply to inquiries said: "Richmond and Day are trying to hold up the reorganization plan on some pretext unless they are paid money and given positions in the bank. They have been claiming to represent the depositors in this bank. They do not represent over 150 of the depositors. They were elected to a meeting by no more than that. They represent only themselves. They have been getting money for their work here, from the men who they say wrecked the bank and whom they talk about putting in jail. If they wanted money for services they should have come to the Depositors' association and stated their case, and asked for pay for their time. They have not done that. They have taken money from the men who are reorganizing the bank, and are threatening to hold up the reorganization unless they are paid money to let it go through. This organization is the only chance the depositors have to get their money back."

Reorganization. "If we cannot get this reorganization through, what will we as depositors get from this bank? We will not get more than 40 cents on the dollar, and in these or our own hands, it means ruin for me. I insist that when good citizens like Mr. Reed and Mr. Devlin, Mr. Moore, Mr. Reames, and I come in and make it a good bank, and pay us back our money, we cannot let anything stand in the way."

Hardly had he given expression to these views when J. L. Day came into the bank. The two men began a discussion of the situation, which rapidly grew into a heated altercation, and Mr. Jabour exclaimed: "You are a gentleman, Mr. Day, working in the interest of the depositors. But you are now working against them. You were all right until you were applied by Richmond. Both of you have been trying to get money for letting the bank reorganize."

Laying down his umbrella, Day called Jabour a "liar," and like a flash the oriental slapped him full in the face. In the brief, sharp encounter that followed neither of the men was the worse for wear, and afterward they continued a discussion that became confidential toward the last, or upon Jabour that there were men concerned in the old bank who should be put in prison, and Jabour agreed to postpone any mention to that end until after the bank was reorganized and the depositors secured settlements in full for their claims.

Day's Statement. "I ask that only one thing be said in the papers, for me, and that is that the depositors withhold their judgment on this matter until they fully understand it."

W. H. Moore, president of the suspended bank, when urged to make a complete statement of the alleged transactions between himself and Day and Richmond, said: "I am willing to say this much. We have tried several times to satisfy them with offers of positions in the bank, and each time thought a satisfactory settlement had been made. Mr. Day was offered a position in the bank, and it was agreed that we should pay Mr. Richmond something for the services he has rendered to the Depositors' association. Yesterday afternoon they seemed to be satisfied until after Mr. Day had talked with Mr. Richmond. Then they came back again to the sub-

THIEF PUTS HOG TO SLEEP WHILE TAKING HIM AWAY FROM STY

(United Press Leased Wire.) Philadelphia, Jan. 3.—Somebody stole Mrs. Rebecca Thomas' 200-pound hog from the rear of her home, at 697 Ferry avenue, Camden, last night. A sponge left behind showed that chloroform had been used to keep the hog from squealing. Pushcart tracks in the snow indicated how the hog was carried away. At one point he must have revived sufficiently to make a break for freedom, as the tracks indicated he was chased by the thief.

MALARKEY GETS BOOKS

Disagreement Between Directors of East Side Bank Ends With Dash Through Door With Institution's Records.

As the culmination of a disagreement between the directors of the East Side bank in the president's office at the bank yesterday morning Attorney Dan J. Malarkey, representing Cashier W. J. Lyons and his brother, J. A. Lyons, took the book containing the records of the institution, escaped through the door and ran down Alder street with President H. H. Newhall and his son Roger in hot pursuit.

The chase was given up as the fleeing attorney reached the Morrison street bridge, but the Newhalls threaten to carry the case into court and at a meeting tomorrow will remove the two Lyons brothers as directors and officers of the institution. It is claimed by W. J. Lyons and his brother that Newhall has attempted to force them out of the bank to make way for his son, lately returned from college. Newhall on the other hand says that the Lyons brothers, who represent a majority of the directors but not a majority of the stock, have forced an illegal dividend of 1 1/2 per cent which he will not pay them.

Three meetings of officers of the bank were held yesterday, and a fourth, at which only the two Lyons brothers and their representative were present, took place at the bank this morning. Mr. Newhall announced that both W. J. Lyons, the cashier and J. A. Lyons, assistant cashier, were discharged and he forbade them to hold their meeting in the rooms of his bank. They laughed at him, however, and being able to finish their session without any interruptions save those made by Mr. Newhall in his efforts to order them out of the building.

The two Lyons brothers have been stockholders in the bank since its reorganization on August 1, 1906. At that time the capital was fixed at \$25,000 and was divided into 250 shares of \$100 each. Mr. Newhall had 145, the two Lyons brothers 50 shares each and Roger Newhall 5 shares. H. H. Newhall and the two Lyons were made directors to serve until the end of the year and were reelected, their terms expiring tomorrow morning.

At a subsequent meeting bylaws were adopted giving the cashier and secretary charge of the books of the bank and saying that a meeting might be called by any one of the directors upon his serving written or spoken notice on the other two.

(Continued on Page Two.)

PRINCESS CHARLOTTE SERIOUSLY ILL.



Berlin, Jan. 3.—Princess Charlotte, sister of Emperor William, who gave testimony for Editor Harden against Von Moltke and Zu Eulenberg, is reported to be ill. The straits of the trial has undermined the health of the princess. The German court has claimed that Harden got the information he presented from the princess, but this has been offset by testimony in rebuttal. However, the nerve-racking ordeal of the scandal has proved too much for the princess.

OVERTAKEN BY WAVE

Mail Carrier's Team Washed Out to Sea and He Narrowly Escapes From Monster Comber Near Yachats—Second Wave Follows.

(United Press Leased Wire.) Newport, Or., Jan. 3.—Seegil, a mail carrier between Newport and Yachats, is sure that something akin to a tidal wave hit the beach near the latter place last Tuesday. Seegil lost two good horses and is happy that he escaped with his life for the wave was sufficiently large to completely envelop his team and had not the carrier jumped toward the cliffs and as the waters receded much with difficulty toward high ground he would have been drowned.

Seegil was passing a narrow part of the beach when he noticed an exceedingly large wave tumbling in toward the sands. In a moment he realized his danger and while the wall of water rushed toward him with great speed he lashed his horses vigorously thinking to start them toward the wide stretch of beach beyond, then he leaped from the wagon just as the water closed in upon him.

The carrier had made considerable progress toward the higher ground when the setting billow caught up with him. He felt it rising almost to his waist and the undertow slowly but surely gripping him. At this crucial moment the water began to recede, and summoning all his strength Seegil struggled toward the cliffs.

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TITLE GUARANTEE OFFICIALS TO ANSWER TO INDICTMENTS MONDAY

DIES FROM EFFECTS OF HER FIRST BATH IN NINETY YEARS

(United Press Leased Wire.) Bellefontaine, Ohio, Jan. 3.—To the first bath since her childhood days, physicians here ascribe the illness which ended the life of Mrs. Nancy A. Neas-ton, 95 years old, today. She was taken to the Logan county infirmary two weeks ago from her home in Monroe township and there was forced to plunge into a bathtub of warm water and soapsuds. She protested vainly. "I have not been in water since a child. I took my last bath in St. Mary's river 90 years ago and I can't stand water now!" she cried. A chill came over her soon after she emerged and she took to her bed with what the physicians pronounced pneumonia, dying today.

J. Thorburn Ross, T. T. Burkhardt, John E. Aitchison, George H. Hill and Possibly State Treasurer Steel Will Be Called to Time by District Attorney John Manning

J. Thorburn Ross, T. T. Burkhardt, John E. Aitchison, George H. Hill and possibly George A. Steel will be brought into the criminal court next Monday morning on indictments charging them with having "taken money of the Title Guarantee & Trust company for their own use and for receiving deposits after they knew the bank to be in an insolvent condition."

Other than two indictments will be filed against the accused by District Attorney John Manning and it is very probable that a deal of information will be presented in court charging the defendants on different counts with having engaged in illegal deals. Evidence taken from the books of the institution will be used as a basis by the district attorney on which to indict the men on different counts of having committed larceny by converting the money of the bank to their own uses. The long series of investigations which have been conducted under the direction of the district attorney's office have practically come to an end in so far as a sufficiency of evidence to stand as ground work for the indictments is concerned. The books are said to show so many crooked deals that the prosecution is satisfied that it has more than established its case and that it will be able to convict the defendants unless they are brought to trial.

BANK LOOT COMPLETE

Title Guarantee's Ledger Leaves Missing—"Suspense" Fund Was Grab Bag Out of Which Everyone Took Handful.

Two leaves of the ledger of the Title Guarantee and Trust company bank showing the personal account of T. T. Burkhardt have been taken from the bank and cannot be found by the experts now working on the books. Clerks when asked by George Black, expert in charge of the work, to show him the account turned confidently to the places where the pages should have been, but found them missing. The pages had evidently been taken from the book since the closing of the bank and the commencement of the investigation. The sums under investigation which cannot be found on the ledger through the absence of these two leaves make a total of \$10,000 placed to the credit of T. T. Burkhardt from the "suspense" account, a sort of general jackpot into which were put all manner of funds for the purpose of clearing to the place where the officials wanted them to rest.

Ledger Leaves Stolen. According to the "suspense" account there were two items charged to the account and credited to Burkhardt. One sum was for \$2,000 and was charged off the "suspense" account early in the year; the other came late in the year and was for \$8,000. The "suspense" account shows that the two sums had been transferred to the credit of Burkhardt in his personal account. When an effort was made to trace the money to the personal account the ledger leaves were found to have been taken out and presumably destroyed.

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ACROBATIC AUTO KILLS ITS OWNER

Machine Turns Turf Causing Death of Prominent California Capitalist.

(United Press Leased Wire.) Red Bluff, Cal., Jan. 3.—Elias D. Gardner, aged 41, one of the most prominent capitalists of northern California, and a Mason and Elk of high standing, is dead as the result of an unusual automobile accident which occurred near Cottonwood, while on his way from his home in Red Bluff to his orchard near Anderson. The connection on the front part of the body of the runabout, with the axle, broke. The body, in which Mr. Gardner sat alone, was thrown completely over, as the machine was going rapidly and Mr. Gardner was pinned beneath it. The deceased was a leading spirit in the Elias D. Gardner company, Steel and Gardner company and the Ludwig Fruit company. He was the leading general insurance broker in northern California.

CORDAGE FIRM LOSES A SUIT

Idaho Company's Counter Claim in Damages Partially Allowed.

(Special Dispatch to the Journal.) Moscow, Idaho, Jan. 3.—In the district court this morning the jury returned a verdict for \$1,500 for the defendant in the damage suit of the Portland Cordage company vs. the Lincoln-Good Cordage company of Kendrick. A balance of \$930 was claimed to be due on a car of binding twine bought last summer. The defendant claimed the twine was defective in quality and short in length and that the farmers who bought it returned it as unfit for use. A counter claim of \$1,500 damages was accordingly set up. The case occupied a week in the trial. Over 40 farmers appeared as witnesses.

MORROW FREED FROM PRISON

Governor Forgives Man Who Went Wrong Years Ago and Finally Reformed.

(United Press Leased Wire.) Santa Fe, N. M., Jan. 3.—A New Year's pardon was granted by Governor Curry to Samuel Morrow, a contractor of Globe, Arizona, who at the last term of court was sentenced to serve one year in the penitentiary on the charge of receiving stolen property. In many respects Morrow's case was a parallel to that of William January of Kansas City, whom President Roosevelt pardoned from the federal prison at Fort Leavenworth. The alleged crime for which Morrow was sent to the penitentiary was committed nine years ago. He was charged with horse stealing and receiving stolen property. Pending trial at Carlsbad, Morrow escaped and went to Globe, Arizona, where he married and settled down. Recently Morrow was recognized and taken from his wife, who was seen to become a mother. After his pardon Morrow immediately returned to his home in Arizona.

ANACORTES DRIVER KILLED BY HORSES

(United Press Leased Wire.) Anacortes, Wash., Jan. 2.—Thrown from a heavy lumber-laden truck by a team of wild colts, Walter Dean was instantly killed yesterday in a main street of a large crowd on the main street of the town. Dean was delivering lumber and was driving two young and partially unbroken horses, which were frightened by the animals being led and driven into the balance and fell from the wagon. The wheel passed over his neck, breaking his neck.

CARS SMASHED BY ANGRY MOB

Rioting Continues and the Strikebreakers Stoned by Angry Crowds.

(United Press Leased Wire.) Muncie, Ind., Jan. 3.—With the dawn of day rioting, incident to the streetcar strike was resumed this morning. Cars manned by strikebreakers were stoned by the sympathizers of the strikers and during the morning two cars were demolished. The crews of strikebreakers on both cars fled.

TARS TOSS ABOUT OCEAN EIGHT DAYS IN AN OPEN BOAT

(United Press Leased Wire.) New York, Jan. 3.—A tale of the seas replete with more harrowing details of suffering than the one related by the seven members of the crew of the bark Germanic who arrived here today has seldom been told. After the captain, in making a last stand, went down with the Germanic in a severe storm in midocean, the crew was tossed about in a small boat for eight days by the mountainous waves, until picked up by the steamer Newton, sailing from Middleborough, England.

CHINAMAN ACCUSED OF BEING ROBBER

Asteria, Or., Jan. 3.—A Chinaman named Wong Wo, was arrested this afternoon charged with having robbed two fellow countrymen of \$700, two weeks ago. Since then he has been trailed to Fort Bragg, California, where the crime was committed. He is being held awaiting an officer from Fort Bragg.

Don't Miss Tomorrow's Journal

Thomas B. Merry's racing news. Another highly interesting letter. Saturday's funny pages for the youngsters full of wit and a laugh for every second you look at the idny things the funny men do. GET THE SATURDAY JOURNAL TOMORROW, AND THE OREGON SUNDAY JOURNAL NEXT SUNDAY

Each one of the rescued seven was so near death when found that it was feared every one would die. Dying of starvation, throat and their limbs swollen and bodies covered with boils, they were lying on the bottom of the tin.

Quick work on the part of the physicians of the Newton brought the sailors back to consciousness. The Germanic left Fleetwood, England, on November 23. In midocean it ran into a storm it could not withstand. This captain along to the ship until it was cut in two by the sea. The crew leaped into a lifeboat in the hope that it would be picked up sooner than it was.

The carrier held his ground until he was able to splash out of the rapidly shallowing swirl. Glancing over his shoulder he saw another great wave gaining momentum every second, curling shoreward. Seegil made a desperate dash for the rocks, gained them and mounted to a considerable height about the sands. He was none too soon. The water leaped as high as his place of refuge and he noticed his team of horses struggling in the surf. The horses and vehicle were washed out to sea when the second wave had spent its force. Seegil says the waves rolled ashore about 3 o'clock in the afternoon.