

LEAVITT IS IN FIGHTING MOOD

Will Go to Lincoln to Resist Divorce Suit—Says Someone Is Instigating Action—Says All Charges Are Falsehoods.

By Vance Thompson. (Heart News by Latest Leased Wire.) Paris, Feb. 6.—William H. Leavitt, the artist, saw for the first time today the charges made against him by his wife, Ruth Bryan Leavitt, in her suit for divorce, as outlined in dispatches from Lincoln, Neb. Leavitt therein is described as an improvident Bohemian and it is said Bryan forces Ruth and the children in absolute want in Denver.

The description of Leavitt as a Bohemian amuses his friends in Paris. Ever since his marriage he has kept up a studio at Newport, where his wife resided in the city of millions might injure her father's political chances for the presidency. In Paris he moves in the best social and artistic circles. He said today:

"Every one of the charges given out from Lincoln are lies, and Ruth's letters to me, and her father's, prove it now. I intend to contest this suit and they may be sure I will fight to the end."

Charges Undue Influence.
"One thing I must say is that I don't think the suit was brought by Ruth of her own free will. There is undue influence on the part of others. I understand perfectly well that I am going to fight in which the odds are against me, for the suit is to be brought in Nebraska."

"For lawyer, Ruth has her uncle, Allen, who is chairman of the Democratic state committee, and her father, a lobbyist, who holds a similar position on the Republican state committee. But I shall get justice in the end."

"I see they have dropped the charge of desertion. That is well, for they knew it would not stand for a moment in the face of the evidence. In another charge of non-support is another baseless lie. It is a lie, too, that Mr. Bryan ever found Ruth in want in Lincoln. She has always had money from me and on January 21 I sent, as usual, her six months' allowance, a draft on the Franco-American bank of Paris for \$2500."

"The Lincoln statement says 'they do not know my address, so they had to serve notice by publication. This is another falsehood. Ruth wrote me weekly. Bryan wrote, and even Allen had address when his father was asking to consent to a snapshot divorce."

"My witnesses from Denver and from New Orleans will give a very different account of this matter. I say nothing against Ruth. Until I spoke to the Hearst News Service correspondent I have never said a word in relation to the rumors and allegations, but I shall not stand for any more. For the sake of my son, and daughter, I will not permit this unjust divorce to be granted on grounds both false and slanderous."

Leavitt Will Go to Lincoln.
Leavitt would have left Paris by Saturday's steamer had he not been forced to stay over a few days to make arrangements for the exhibition in America, of which he is president. Five hundred pictures of leading French painters will be shipped next week and the French salon in America opens March 4 in Washington. In the meantime Leavitt's big canvas, "The Last Supper," has been packed for shipment to England. It will be exhibited at the Walker art gallery at Liverpool and afterwards at municipal galleries at Glasgow, Belfast, Manchester, Dublin and other cities before being taken to New York. Leavitt will attend the opening of his exhibition in Liverpool on Tuesday and will sail the next day for New York, whence, after a conference with his lawyers, he will go direct to Lincoln, Neb.

PROJECT WORK IS ORDERED STOPPED

Action in Klamath County Believed to Be Result of Rate Protest.

(Special Dispatch to The Journal.) Klamath Falls, Or., Feb. 6.—All new work on the Klamath project has been ordered stopped. Action from the division headquarters of the United States reclamation service at Portland to the local office at Klamath Falls, that lands now covered by water will be continued.

This order is probably the result of the action of the board of directors of the Water Users' association in sending H. S. Smith to Washington to protest against the water rate of \$10 an acre-foot. Work is stopped pending an investigation.

However, all irrigation work in the Klamath valley will go on, as this does not come under the head of new work, and approximately 30,000 acres will be under water this spring. The Clear Lake dam and Keno canal extension will be counted as new work.

No official announcement has yet been made by the Water Users' association of the suspension order.

FIVE MILLION DOLLAR WIFE WANTS DIVORCE

(United Press Leased Wire.) Chicago, Feb. 6.—Mrs. Ruth May Swift Evers, daughter of the late Gustavus F. Swift, the millionaire packer, herself the possessor of \$5,000,000, today filed suit for divorce from her husband, Ernest Hammond Evers, a broker. Mrs. Evers alleges desertion, and asks an absolute decree.

In London more fires occur on Saturday than on any other day of the week, and more in August and December than in any other months.

The Right Beverage for Good Health is POSTUM

after coffee has been abandoned. "There's a Reason" Read "The Road to Wellville" in Pica.

DISCARDED WIFE SUELS SPOUSE

Mrs. John S. Corcoran No. 1 Denies That Husband Has Erred.

(Special Dispatch to The Journal.) Spokane, Wash., Feb. 6.—Mrs. John S. Corcoran No. 1 tried desperately to shield her husband tonight when asked regarding the report that several hundred dollars worth of merchandise was missed from the stocks of the B. E. Flske and Columbia Optical companies of Portland shortly after her wayward husband's clandestine departure from this city with property belonging to the stenographer whom he met while both were in the employ of B. E. Flske & Co. and who became Mrs. Corcoran No. 2 in Spokane. She refused to confirm the report that Corcoran had prevailed upon Miss Lela Marshall to turn over the keys of the firm's offices to him.

Pale and emaciated, wife No. 1 displayed no signs of illness when she contrasted to her bitter denunciation of the ex-stenographer was her manner when speaking of her husband. It is obvious that she had thought to prosecute wife No. 2 only; that her husband could return to her untroubled, knowing nothing of the relationship between the husband and Miss Marshall while the three were living in Portland.

Meanwhile, Miss Marshall (Mrs. Corcoran No. 2) has secluded herself in some remote part of the city and it is impossible to locate her. She is out under \$500 bonds, and it is believed will keep in hiding until next week, when John S. Corcoran and his two wives will appear in court together—Corcoran and wife No. 2 to answer to the bigamy charge preferred by wife No. 1.

B. E. Flske, of the optical firm of that name, stated Saturday night that his and the Columbia Optical company were short several hundred dollars worth of optical goods; that the merchandise missed shortly after Mrs. Corcoran's departure for Spokane with Miss Lela Marshall. It was also stated that Corcoran had used his influence with Miss Marshall to obtain possession of the keys which she carried to the offices of B. E. Flske & Co.

UNION GRAND JURY PROBES SHOOTING

(Special Dispatch to The Journal.) Union, Or., Feb. 6.—The grand jury, accompanied by District Attorney Ivanhoe, came over from the city to take the evidence of F. P. Lavinis, who was shot by his son-in-law, Clayton Smith, February 4. The result of a family quarrel in which the daughter of Ivanhoe is said to be involved.

The case has been brought before the grand jury, and as Mr. Lavinis was unable to attend the session of that body, the jurors drove to this city in a body to hear the witness. She is still in a critical condition, but it is believed she will recover.

Smith is in jail at La Grande, awaiting the decision of the grand jury as to whether or not he was justified in shooting.

SETTLE WATER CODE'S FATE VERY SOON

(Continued from Page One.)

talled by the conservation commission's measure. Binzham himself has made somewhat savage remarks on the commission bill, declaring that it is too cumbersome and is not prepared to meet every one of these objections.

They are prepared to show that the machinery provided for enforcement of the law is necessary, because the distribution of water in accordance with determined rights must be made by persons having authority.

Copies Wyoming Law.
The board of control provision, whereby rights are first to be determined, is copied from the Wyoming code. There it has been tried for 18 years, and the number of appeals to the court is decidedly small. Cases are usually decided in six months, and the most complicated ones in 18 months. For three years 400 claimants to water from the Walla Walla river in Washington have been in court, and the water users along Silver creek in Lake county, have been at it eight years. Even when a case is decided it leaves no certain right, and other claimants may not come in and start new litigation, pursuing the same unending course.

This is considered sufficient answer to the argument that the determination of water rights should be given into the courts in the first instance. Every case decided by the board of control is appealable, but the experience of Wyoming proves that appeals are rare. Rights are determined by disinterested experts, the result is usually satisfactory and the defeated litigant is obligated to carry the case into the courts.

In the last two years in Wyoming not an appeal has been taken, and up to 1905, when over 5000 ditch rights were passed on, there were only seven appeals, affecting 50 ditches.

East Deeply Interested.
Eastern Oregon is vitally interested in the success of the conservation bill. A delegation from Malheur county, consisting of G. A. Taylor, and J. R. Blackaby, J. W. McCulloch, and J. S. Solas of Ontario, will be in Salem during the week of the bill and will tell the lawmakers why they want it. Some of the reasons are thus cogently stated by Mr. Blackaby:

"We Blackaby bill as it has been drawn will protect all legitimate interests, and it will hasten the development of our section of the state by making the right to water as certain as the right to land. It will clear up the mass of litigation in the courts, which have really decided nothing when they were concluded, because some new ditch or water user would come in and start the thing over."

"Another thing of vast importance to us is the Malheur irrigation project. Here the government proposes to go above all the present ditches for a vast storage reservoir. But before it does this it wants to know what rights the water users on the Malheur have. These men also want to know and have a right to know. This bill will make it possible to determine the rights of everyone in the same proceeding, and when once settled, the rights will be permanent and appurtenant to the land. Without the water the land is of little value, but now a man who deeds the land to another cannot tell what rights he has. This is an intolerable condition."

Must Act for Future.
"In our section the development of water power has not begun, but we realize that this is the time to conserve our power resources for the future. Before the private rights are initiated is the time to place such restrictions as will preserve them for the benefit of the people, without making it burdensome for those who wish to bring about development."

"We are going to support the commission bill, because we believe it has the best thought of the state in it. All the present irrigation companies in our section are in favor of it. They want to get rid of unending litigation and to know just what their rights are."

The Oregon state grant is also being held the bill heartily and publicly. Its provisions, Mr. Solas is saying, are good words for the commission to use. The action of the granges was the result of a long and earnest discussion of the question throughout the state. Their resolutions declare for a code

that will vest rights only on direct grant from the state, for a system to determine priority and limitations of every existing right, for the keeping of data in one central office, for a procedure whereby rights to surplus waters may be acquired, for beneficial use as the test of the right to appropriate, for limitation of power grants, and for an efficient administrative system for the distribution of water."

Like Every Year Limit.
On the question of power limitation the granges favored 25 years as the maximum, but the conservation commission decided on 40 years. The argument that the development might

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Second week of a selling event that will be appreciated by thousands of observant homekeepers—Our annual clean-up of odds and ends that have accumulated in the past few months—contributed from every section of the store—sample pieces, discontinued patterns, broken suits, novelty pieces, draperies, bedding, floor coverings, crockery, remnants of upholstery material and many other articles too numerous to mention—priced regardless of cost with intention of quick disposal.—Delivery at our earliest convenience—Store open 9 A. M. Monday.

\$92.50 Parlor Suit \$59.00 Four pieces, overstuffed in silk damask.	\$35.00 Turkish Chair \$22.50 Tapestry covering with full spring seat, back and arms.	\$32 Mahogany Settee \$18.00 Highly polished, real mahogany; seats two.	\$45 Set of Six Chairs \$29.00 Six elegant mission chairs, leather seat and back, oak frames.	\$9.50 Oak Extension Tables \$6.90 6-foot length, golden solid top, 42 inches square.	\$25 Standing Desk \$14.00 High bookkeepers' desk, with 3 drawers, 8 feet long.
\$65.00 Napoleon Bed \$36.00 From most exclusive Grand Rapids factory, polished quartered oak.	\$92.00 Reception Room Set \$55.00 Polished Circassian walnut; settee, arm chair and rocker.	\$61.50 Reception Room Set \$34.00 Tuna mahogany, piano polish; three pieces, settee, arm chair and rocker.	\$10 Coil Bedsprings \$5.00 Made of 100 spiral springs with woven wire top, slightly damaged.	\$17.50 Parlor Stands \$11.00 Real mahogany, pedestal style, with shelf and rail.	\$6.50 Costumers for \$4.50 For hats and coats, made of iron, oxidized copper finish.
\$82 Reception Room Set \$49.00 Settee, chair and rocker, mission finish, very high grade.	\$3.00 Box Dining Chairs \$1.90 Golden oak, odd chairs left over from sets.	\$20.00 Cellarette \$10.75 This is a combination with magazine rack, mission finish in quartered oak.	\$4 Airtight Heater \$2.50 These are 26-inch size, for wood only, with low draft.	\$275 Mahogany Bedroom Suit \$169 Four poster bed, enormous dresser, solid hand carved mahogany.	\$3.75 Parlor Stands \$1.95 Large overstock makes us put a number of these on sale.
\$45.00 Mission Settee \$27.00 Real leather seat and back, oak frame.	\$14.00 Roman Chairs \$9.50 Mission finish in quartered oak.	\$14.00 Arm Chair \$7.25 Real mahogany, piano polish; a light dainty style.	\$15 Large Arm Chair \$6.00 Made of the new grass fiber, finished in light green.	\$30.00 Oak Bedstead \$15.00 Very heavy, polished, quartered and hand carved; heavy roll finish head end.	\$12.50 Pedestals for \$7.00 Polished mahogany, round; many of these in this sale.
\$30.00 Dressing Table and Chair \$12.00 In maple, with pyrographic designs burnt into the wood.	\$8 Rush Seat Chairs \$4.90 Fine high grade in polished quartered oak.	\$14.00 Hall Seat \$6.40 Light golden finish oak; this is an extra value.	\$1.75 Inlaid Linoleum \$1.00 All small pieces and remnants up to 10 yards at above price.	\$6.50 Iron Beds Only \$4.50 First class in every way, but are overstocked in this pattern.	\$36 Leather Rockers \$19.75 With mahogany finish frame, spring seat and leather back.
\$8 Combination Tables \$4.50 Oak or imitation mahogany. Top may be raised, forming a seat.	\$8.50 Piano Seat \$5.00 Polished golden oak, three feet long.	\$45.00 Buffet Only \$29.00 Very odd, stylish mission piece, trimmed with leaded glass and hammered brass.	90c All-Wool Carpets 55c All remnants up to 12 yards on sale at this price.	\$26 Mission Lady's Desk \$17.00 High grade Early English finish, rounded top, book shelf below.	\$33 Leather Chairs \$18.00 Massive carved oak frame, high back and spring edge seat.
\$33 Somersaultic Bed Davenport \$21.50 Denim covering, steel construction, felt mattresses.	\$16.00 Piano Seat \$9.00 Polished burl Circassian walnut.	\$130 Bedroom Suit \$79.00 Bed and dresser, solid mahogany of highest quality.	25c Matting for Only 17c All remnants and pieces up to 8 yards at this price.	\$45 Parlor Cabinet \$27.00 Mahogany, with full plate glass back, bent glass front and glass shelves.	\$2.00 Lace Curtains \$1.33 One-third discount on all one and two-pair lots.
\$23.50 Velour Davenport \$14.75 Mottled green color, spring edge, 6-foot length.	\$39.00 Dining Table \$25.00 French legs, round top, claw feet, 8-foot length.	\$75.00 Dresser Only \$49.00 Solid mahogany with large French bevel mirror.	\$8.00 Oak Hall Chair \$3.25 A very pretty piece of specially selected oak in this.	\$46 Mission Parlor Suit \$34.00 Four pieces, oak frame, red leather upholstery.	\$7.00 Brass Chairs \$3.90 Indestructible polished brass, with leatherette seats; a novelty.
\$5.00 Mission Card Table \$3.50 This table can be folded flat; top is 30 ins. square.	\$5.40 Heating Stove \$3.00 Not perfect, but good, in size, style and value.	\$18.00 Shaving Stand \$9.00 Mahogany, with three compartments, and 10x13 adjustable beveled mirror.	\$15 Settee for Only \$6.00 Of solid oak in antique finish, seats two.	\$38.50 Chair and Rocker \$21.00 Fancy mahogany bedroom pieces, done in green hair-cloth.	\$2 Children's Morris Rockers \$1.25 Mission finish in solid oak with reclining back.
\$10 Upholst'd Patent Rocker \$6.75 Walnut frame, green tapestry covering, spring seat and back.	\$14.00 Fancy Chair \$8.25 Highly polished Early English finish and style, very heavy.	\$8.00 Maple Table \$4.50 Best birdseye with French legs, shelf and 23-inch top.	\$8.50 Kitchen Safes \$6.75 Made of eastern hardwood, has 4 doors and 2 drawers.	\$15 Reclining Chairs \$8.00 Good for invalids or old people; made of oak; adjustable.	\$7.00 Toilet Sets for \$3.50 Every fancy toilet set in the house is now half price.

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that will vest rights only on direct grant from the state, for a system to determine priority and limitations of every existing right, for the keeping of data in one central office, for a procedure whereby rights to surplus waters may be acquired, for beneficial use as the test of the right to appropriate, for limitation of power grants, and for an efficient administrative system for the distribution of water."

Why should there be a perpetual right to the use of water for irrigation and not for power purposes? If the question that Chairman Teal of the conservation commission has several times been asked on in answer. His reply is that the natural use of water

is for use on land, and that it is highly important that a permanent right be fixed, so that the water title may be transferred with the title to the land itself. Another difference is that water power rights tend to monopoly, being easily concentrated by capital.

The last fight of the power lobby is to secure some broader definition of existing rights than the conservation commission is willing to concede. The commission has prepared an amendment protecting these vested rights. The friends of the bill say they have no hesitation in protecting every right that actually exists.

They only anxiety on this line is to avoid seeming recognition of rights that do not exist. They do not want a clause read into the act that will give away something that should be conserved, leaving the courts a free hand to determine the rights that exist at the time of enactment.

F. T. Griffith, representing the Portland Railway, Light & Power company, concedes that the conservation commission has sought to be fair to every vested interest. He says the conservation deserves great credit for the study it has made of the subject, and he freely concedes that the principles are right. He says he is not fighting the bill; that he has no objection to the 40 year limit.

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