

LAKE OWNERS SEE VICTORY SEE VICTORY FOR BALL

Portland Man May Retain Contract for Carey Act Project on Chewaucan Through Action of the State Land Board.

By Charles M. Bain, Journal Staff Correspondent.

Paisley, Ore., Oct. 18.—It looks as if Clark H. Ball of the Portland Irrigation company has scored one in his play for more time in which to commence work on the Carey act project on the Chewaucan. As December 15 on which the state land board has been set by the state land board, the Carey act project on the Chewaucan, this in itself is equivalent to more than three months' extension. It will take a week for the hearing and another 10 days for the board to hold the case under advisement before giving a decision. Thus the first of the Carey act project on the Chewaucan has been passed and if the board decides adversely against Ball it still has to give him two months' notice before the contract is forfeited. And of the six months roll away and this is all the time extension Ball has asked for.

At any time during the 60 days' notice Ball can resume work, as provided in his contract with the state, and the contract still remains in force. If anything, the matter will only be thrown into the courts, if Ball so elects. It would seem that a delegation from Paisley was to have journeyed trip to the state capital next December for all nothing.

Outline of the Objections.
And after this delegation arrives in Salem, what is to be done? The press dispatches say it is to have an opportunity to make good its objections. These objections are outlined as follows: "Protests have been filed with the board by the settlers in the proposed project on the ground that the state intention of the company is to gain time in which to sell the project, which would cast the burden of the project upon their own shoulders."

The people will generally pass over a question of rhetoric if the meaning is tolerably clear. It is hardly likely that there will be two guesses alike as to the interpretation that is to be placed upon the foregoing question. If the protesters can not make a more logical showing this would indicate the hearing is likely to fail. Where does it say that the contract is not negotiable? How can a sale be made of the project? Do the settlers expect to beat Ball out of his money if he builds the irrigation works but fear they will be compelled to pay if some one else takes hold of the project? Upon whose shoulders do they wish to cast their burden if not upon their own? Every tub should stand upon its own bottom.

It should be borne in mind that the Portland Irrigation company is the only one that has any money invested in the enterprise. Not one of the protesters has any financial interests at stake in the outcome of the affair. Not one of them ever spent a dollar to see if the proposition was feasible or not. On the other hand Ball has spent thousands of dollars in the necessary engineering work and in his campaign to enlist capital.

Prodding Will Not Help.
Of course the delay in getting this project under way is exasperating, not only to the people of Lake county, but doubtless to the Portland Irrigation company. But Lake county has waited 25 years for a railroad, and what is to be done about it? This county should have had railway communication long ago, but it is useless to look against the fates. All these things come about in their own good time, and the prodding of the state of Oregon people here is not going to expedite the reclamation of this land by one day. What will the result be if the protesters succeed in knocking Ball out at the December hearing in Salem? The land is still withdrawn from entry by the national government. It will not be thrown open to homesteaders until the state relinquishes its right to reclaim the land under the Carey act. Do the protesters expect that a new company will charge less per acre for water rights? Or will they think it will call for a new deal and that they may get to file applications for land?

In the meantime Ball is going ahead with his promotion work. He has secured the timber lands of Portland, was here this week. He was accompanied by E. A. Butler, who is of Portland. The two men were looking over the proposition and went up to the reservoir site 20 miles beyond Astoria. Mr. Butler is the uncle of Engineer Butler.

Pain in Heart
"For two years I had pain in my heart, back and left side. Could not draw a deep breath or lie on left side, and any little exertion would cause palpitation. Under advice I took Dr. Miles' Heart Remedy and Nerveine. I took about thirteen bottles, am in better health than I ever was, and have gained 14 pounds."

MRS. LILLIE THOMAS, Upper Sandusky, Ohio.
For many years Dr. Miles' Heart Remedy has been very successful in the treatment of heart troubles, because of its tonic effect upon the heart nerves and muscles. Even in severe cases of long standing it has frequently prolonged life for many years after doctors had given up all hope, as proven by thousands of letters we have received from grateful people.

Dr. Miles' Heart Remedy is sold by all druggists. If the first bottle fails to benefit, your druggist will return your money.

MILES MEDICAL CO., Elkhart, Ind.

THREE BROTHERS MEET AFTER SEPARATION OF MANY YEARS

Reading from left to right: Robert M. Bush, aged 66, of Cairo, Ill.; D. W. Bush, aged 76, of Bush's Landing, Wash.; Simeon H. Bush, aged 84, of Chehalis, Wash.



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Robert M. Bush of Cairo, Ill.; D. W. Bush of Bush's Landing, Wash., and Simeon H. Bush of Chehalis, Wash., held a reunion not long ago, after 58 years of separation. The three men are brothers, Robert being 66 years of age, D. W. Bush 76 and Simeon 84. Fifty-eight years ago the brothers separated, leaving their father's home at Peoria, Ill. The two elder brothers came to the west and engaged in farming. Robert Bush, then but 7 years of age, was left at the family home, but later went into business.

Although through all of the intervening years the brothers have known the whereabouts and condition of each other, they have never been together. Recently the eastern business man journeyed across the mountains to meet his western farmer kin, and together the three spent a happy reunion in visiting the Seattle fair and reliving boyhood memories at the western farm homes of D. W. and Simeon Bush.

Who is in charge of the preliminary work Ball has been doing this fall in clearing a right of way. But the necessity for Ball's action in putting these two men at work is not apparent. Mr. Hobson, another Portland capitalist, placed upon the Portland Irrigation company and the Chewaucan Land & Cattle company. The people here look upon the part of the matter as a joke. Haggin obtained title to the Chewaucan marsh on the ground that it was swamp land and should be drained. New to the area he had bought the Chewaucan in order to be reclaimed would seem to be ridiculous.

Whether there is behind this allegation a deeper plot to flank Ball out of his position is not known. But the fact has general credence that if Ball should be reported to have bought the Chewaucan promoters ready to take hold.

In this connection the ownership of the reservoir site may play an important part in future developments. This is principally owned by George M. Jones and it is known that Nebraska parties have made overtures to Mr. Jones to buy this site. To acquire this move was made in the interest of the Oregon Valley Land company, which has a large tract of land in the Chewaucan marsh from Haggin, would be only a guess. There is nothing definitely known.

In the estimate of the cost of the irrigation works, approved by State Engineer Lewis, the 2300 acres in the reservoir site is an important factor. The Portland Irrigation company for a time held an option from Mr. Jones at that figure. But the 3000 men at work on the reservoir up the Deschutes have enhanced all land values in Lake county. If the reservoir site should fall into the hands of the Deschutes it would be natural to suppose that they would make him pay a handsome price for it. And if Ball begins condemnation proceedings the jury to award the damages would be the neighbors of these same people who have signed this proposition. However, there are two or three other reservoir sites available and nearly as good as the one at the junction of Elder creek and the Little Chewaucan.

Failure Spells Disappointment.
If Ball's enterprise should go by the board there will be a lot of disappointed homesteaders out in Sand Hollow. Among these are Nelson, Robinson, Rothwell, Heminger and Moore, and between themselves and relatives they have taken up 4000 or 5000 acres of land, part homesteads and part deserts. Heminger sank a well 105 feet to get water for domestic use. The others haul water in barrels from the irrigating ditch at Fitzpatrick's. They are all under the Portland ditch and expected to make desert proof by getting water from that company.

Ball may at any time get the necessary capital and begin work. This would end the matter so far as the people are concerned. Of course the question as to title to the water would still be open. But whatever happens it is a safe bet that when December rolls around not a man from Lake county will have interest enough at stake to make the trip to Salem to protest against the further extension of time to the Portland Irrigation company.

FIVE YEARS IN STATE PRISON
(Continued from Page One.)
State Treasurer George A. Steel and had in their control for safe keeping \$288,424.87 of state school money and that they willfully, unlawfully and feloniously converted the same to their own use, as was divulged upon the investigation of the failure of the bank in the fall of 1907.

The first question taken up by the supreme court is whether the deposits made by George A. Steel were general or special. The court holds that under the statutes authorizing the deposits by the state treasurer the money can be deposited only for a special purpose, namely, for the collection of checks and drafts transmitted by the treasurer, the safe keeping and prompt payment of the money upon the treasurer's order.

Funds Were "Special Deposit."
As it was a special deposit, the title did not pass to the bank at any time, according to the court, and therefore the bank had not the right to loan the state's school money or use it in any way whatever. The bank held it only as collections. Many authorities are cited in support of the contention that the state treasurer could not make a

general deposit of the educational funds. The defendant further urged that the proof shows only a deposit and conversion of checks and drafts, and not money, as charged in the information, but the court holds that when these checks and drafts were paid by the banks on which they were drawn the money, and it is immaterial how they were paid.

It was contended also that the corporation, and not the defendants, were in possession of the educational funds, and that the officers were not personally liable. The court, however, held that "if the officers and directors of a corporation join in a criminal act as a corporate act, they are jointly liable with the corporation if it is an act for which the corporation may be prosecuted, and if it is a felony the directors and officers are individually liable."

Authorized to Receive Money.
The defendant also contended that the statute under which he was convicted was intended to punish persons who were authorized to receive money from the state such as a tax collector or state treasurer. But the court holds that under the act of 1907 the trust company was made an active depository of money. This it could do only by the act of its officers, and if it was a violation of the statute for the trust company it was equally so for any one who did the act for it or authorized it.

The court concluded that conversion by Rose was sufficiently shown when a demand was made and it was shown that the money was not in the bank, but had been paid out to meet other liabilities under the direction of the officers.

MARRIED MAN ELOPES WITH UNCLE'S WIFE
Kansas City, Mo., Oct. 16.—Charged with stealing his uncle's wife, Edward Simpson was arrested here on a state warrant. Mrs. Mary Simpson, his aunt, the wife of a Cleveland real estate broker, also was arrested. Hine Simpson, the husband, appeared against a statutory charge and was sentenced to four months in jail.

Simpson, the nephew, is married. His aunt is the mother of an eight-year-old boy who was found here with the couple. The Simpsons had lived in a suburb of Cleveland. Mrs. Simpson is 42 years old. The nephew is 27. Neither appeared downtown over their arrest.

Man near Estacada makes the Progress editor believe that he has six chickens hatched from two eggs, three from each.

TERROISTS IN RUINED CHURCH

Troops at Lisbon Surround Men Who Placed the Bombs.

(United Press, Leased Wire.)
Lisbon, Oct. 18.—Troops are surrounding the square containing St. Laurence church, which was damaged by a terrorist's bomb. The public is excluded and it is impossible to learn what is transpiring inside the square. It is reported that a party of terrorists were caught in the building after the explosion and that they barricaded the ruins and are standing off the troops.

SCHOOL FOR WAITERS A NEW INSTITUTION

Chicago, Oct. 16.—A school for waiters is the latest innovation at the University of Chicago. Here are some of the instructions from its text book: Avoid appearing to slam things down on the table.

Most customers desire some part of their meal first.

Do not scuffle, talk or drop trays.

Always place a drink to the right of a customer.

A waiter should never leave any customer after serving till he knows he has the necessary silverware to eat with.

A cereal in the morning should be served right away, whether the rest of the order be ready or not.

An egg with a broken yolk should not be served at all.

Good scholarship will not make up for a deficiency in service.

To be a good waiter it is essential that you should be quick, but also that you should not appear to hurry.

Waiters should remove used dishes as soon as the customer is through, but wait that he is through, and avoid giving an impression that you are in a hurry for him to finish.

There are the standard and one other gentle reminders for the 40 students waiters who serve their 700 fellows at the men's commons. They were compiled into pamphlet of eleven pages by Thomas L. Barrell, manager of the restaurant. He says there has been a vast improvement in the service since the orders were issued.

SAYS LOVER TOYED WITH AFFECTIONS

Christie Brown, a maid who has been employed at 116 Third street, north, has filed suit for \$10,000 from Michael P. Cannon, a lodger at the same address because, as she alleges, he toyed with her affections and refused to marry here after giving her a promise that he would.

The promise, according to the complaint, dates back to March 15. Cannon, who is a native of Ireland, was employed at the same address because, as she alleges, he toyed with her affections and refused to marry here after giving her a promise that he would.

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Orrine Cured Him of DRUNKENNESS

Her Husband Now Spends His Evenings at Home.

She bought Orrine from the drug list in her home town—she bought it after reading the Orrine Free Booklet. In the booklet she read of the wonderful cure of drunkenness which was accomplished by the aid of Orrine. On page 16 of the booklet she read the liberal guarantee to refund all money paid for Orrine if it failed to effect a cure. After reading the booklet she became convinced that Orrine was a remedy of unusual merit. She decided to purchase it and cure her husband of drunkenness. Orrine cured him. Now she is a happy wife in a happy home.

Orrine helped to purchase the home. Read the following letter from Walter K. Schmidt Co., 84 Canal St., Grand Rapids, Mich.:

"For a number of years we have been agents for Orrine. During that time we have had occasion to be convinced, beyond a doubt, that Orrine is a reliable remedy, worthy of recommendation. One of the many cases coming under our attention is a man who received \$25.00 per week, who had not taken a full pay envelope home for over five years, was induced to try Orrine, a complete cure being the result. The man became worth more to his firm, receiving an advance in pay, and has purchased a home. The house stands on a lot showing the merits of Orrine. We can not help but feel that we were most fortunate when we secured the agency for this reliable liquor cure."

Orrine is prepared in two forms. No. 1, a powder, absolutely tasteless and odorless, given secretly in food or drink. Orrine No. 2, in pill form, is for those who wish to cure themselves. Orrine costs only \$1 a box. The guarantee in each box. Write for Free Orrine Booklet (mailed in plain sealed envelope) to Orrine Co., 728 Orrine Building, Washington, D. C. Orrine is for sale in this city by Woodward, Clarke & Co., Distributors, 280 Washington St. and 125-27 Fourth St. They know Orrine is a reliable and efficacious remedy for drunkenness and they will not offer you a substitute.

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100 NEW TRIMMED HATS ON SALE \$3.95

—From Edson Keith & Co., Chicago, we received 100 show room samples.

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—These hats go on sale Wednesday at \$3.95, rare bargains, no two alike.



A REMARKABLE SALE OF FINE LINENS

—Note carefully the reasons—we purchased from one of the greatest linen mills of Belfast, Ireland, 1000 warehouse samples in 2 yard and 2½ yard lengths of fine table linens. These linen ends are all perfect goods and equal to any cut off from the bolt. Note the prices and saving.

—Regular \$1.35 piece of 2 yards by 1½ yards, each98¢

—Regular \$2.50 piece of 2 yards by 2 yards, each\$1.95

—Regular \$1.75 piece of 2½ yards by 1½ yards\$1.29

—Regular \$3.00 piece of 2½ yards by 2 yards, each\$2.48

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VALUES ARE EXTRAORDINARY

—Two styles in this sale are in plain white and fancy stripe, featuring the high-class workmanship for which our flannelette gowns are noted. Made with high neck and "V" shape, trimmed with fancy braid and galloon bands.

—These gowns are made in full sizes and lengths and sold regularly up to \$2.50. Special Wednesday \$1.29.

—Ladies' lounging and bath robes in ripple eider, down and fancy figured blanket cloth, self border, satin binding, heavy cord and tassel girdle. Regular \$4.00 value—

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—Medium size, special \$2.98. Large size, special \$4.48.



Stylish Raincoats

The ones that look like a regular overcoat

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Why the Davenport & Tracy is always in demand and sells readily—
BECAUSE they are admirably proportioned, and are built to wear.
BECAUSE they are correct in tone, and are delightful to all piano players.
BECAUSE they are genuine musical instruments, and are high grade in every particular.
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BECAUSE they are open to the keenest scrutiny, and are purchasable at reasonable prices.
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Now During Our Clean-Up Sale

In which we are making room for a large shipment now on the way, we will sell you a Davenport & Tracy, or an Ivers & Pond, Gabler, Behning, or Melville Clark, at a greatly reduced price, and when we say this we mean just what we say, that just now we will sell you a piano on a closer margin of profit than you can possibly obtain elsewhere, as a comparison of prices will demonstrate. To quote prices here means nothing—call and see the pianos. A little down and a little each month will secure one of our nice pianos.

Remember, we are located at 106 Fifth street, next to the Perkins hotel. Open evenings by appointment. G. W. Kennedy on the floor.

Hovenden-Soule Piano Co.

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