

ASSETS BE DUMMIED IN THE LARM DEALS

Defendant in Columbia Orchards Misuse of Mail Case Says He Acted in Good Faith in Transactions.

Testifying in effect that he was a mere "dummy" for W. E. DeLarm in all Columbia River orchards company transactions, and that he acted in good faith and with honest intentions in all he did, A. J. Bieh, spent two hours on the witness stand in the United States district court this morning. Bieh is defending himself against a charge of misuse of the mails for the part he is alleged to have played in the exploitation of the bonds of the defunct Orchard company.

Bieh was under cross-examination when court adjourned for the noon recess, and took the stand again this afternoon. United States District Attorney McCourt, who is prosecuting Bieh, directed his first cross question with a view to showing Bieh's experience in promotion enterprises before his association with DeLarm.

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"The government rested its case yesterday afternoon. W. T. Hume, Bieh's attorney, moved for a directed verdict for the acquittal of the defendant. United States Judge Bean denied the motion. Mr. McCourt withdrew four of the eight counts of the indictment against Bieh, maintaining that the government had made its case in showing satisfactory evidence that the four particular letters in question had been sent through the mail.

Bieh's defense will put four other witnesses on the stand, according to Mr. Hume. Barring unusual, exhaustive cross examination it is expected that the case will go to the jury by tomorrow noon.

On the stand this morning, Bieh told of his first meeting with DeLarm in Seattle in 1909; of the friendship and business partnership which sprang up between them; of the fortunes and misfortunes of the Columbia River Orchards company; of his final misunderstanding and split with DeLarm; and his subsequent arrest in March, 1912.

"We began to issue bonds in February, 1911," Bieh said. "The bonds were never issued or disposed of except to raise money to apply on work looking to the completion of the Wahluke project.

"We found that we could not sell the bonds for cash, because no one would buy them except municipalities. In order to raise money we then exchanged our bonds for real estate and mortgaged the real estate. For instance, we would exchange a bond of \$1000 face value for a piece of land of equal value. Then we would mortgage the land for \$300. The transaction would give us \$300 cash and \$700 in equity."

Bieh said that he had been just a figurehead in the organization of the Bellingham Development company, which was promoted to assist in raising funds for the Wahluke project, and that he became the operating head of the Oregon-Washington Trust company, through which the bonds were marketed, because of the serious illness of George C. Hodges, who was forced to leave Portland for his health. Hodges, never came back, but after his joint indictment with Bieh, DeLarm, Humphrey and MacWhorter, he went to Canada and has not been arrested.

Bieh said that in September, 1911, he became suspicious of how things were moving and decided to dissolve his partnership with DeLarm. This dissolution was effected, he said, at that time, but that the fact of its dissolution was not published until January, 1912. DeLarm argued that he had been so busy he had forgotten about it.

Raised Money on Personal Notes. Witness testified that to the best of his knowledge at the time between two millions and two and one quarter million dollars in bonds were issued. "The brokers who traded in the bonds were responsible for the ridiculously low prices at which they sold," said Bieh. "The brokers would get hard up themselves and sell the bonds at almost any price for cash. The company did not sanction such sales."

Bieh said that both he and DeLarm raised money for the project on their personal notes. DeLarm, he said, took over all obligations of the DeLarm & Bieh firm, when the partnership dissolution was effected.

"I signed some of the letters written by DeLarm, and did not read them," said Bieh, "because he had explicit faith in DeLarm. He was the operating head of the company, and I did practically what he told me to do."

Bieh said that he still considers a water company project in the Wahluke country would be a splendid paying investment. With 20,000 acres under water, he said, investigations made by himself and by others show that the net income from the proposition in the first 10 years would be \$2,000,000.

Bieh today gave his age as 32 years.

Body of Ambassador Arrives. (United Press Special Wire.) New York, N. Y., Jan. 3.—The British cruiser Natal bearing the body of the late Whitelaw Reid, American ambassador to Great Britain, arrived here today in a dense fog, high wind and heavy rain. The Natal led a procession of American warships, acting as escorts, past the Ambrose Channel Lightship to the naval anchorage in the North river, below Grant's Tomb.

Marines from the North Dakota, escorted the remains to the cathedral of St. John the Divine, where it will lie in state with a marine guard of honor until the funeral tomorrow. President Taft, Secretary of State Knox, British Ambassador James Bryce and diplomats will be in attendance.

The services will be conducted by Bishop Greer.

The honorary pall bearers will include British Ambassador James Bryce, Senator Root, Senator Lodge, Secretary of State Knox, J. Pleasant Morgan and Cassius M. Dewey.

ARCHITECTS HERE TO MAKE DIRT FLY

Two New York Experts Shown Several Sites Proposed; They Express Pleasure at Commercial Growth of City.

J. H. Freidlander and A. D. Seymour Jr., architects of New York, whose plans for the Portland auditorium were chosen in country wide competition, are in Portland ready to go ahead with construction as soon as the auditorium commission says "proceed."

Accompanied by Theodore B. Wilcox, Hugh Hume and Dr. J. W. Wetherbee, members of the commission, the two architects this morning inspected the various sites proposed for the large structure, the old exposition grounds, Twentieth and Washington; the Market block, on Second street, and the site at Holladay and Grand avenues.

"We are immensely impressed with all, considering each suitable with its respective features and advantages."

"The plans are tentative of course and will have to be adjusted to suit the convenience of the site selected. But these matters are not of our concern at present, and so there is really very little that we as architects can say at this time."

"This is my first visit here," continued Mr. Freidlander, "and I am certainly well impressed. Portland is a beautiful city and has the atmosphere of being alive and active. Your office structures are of the most modern type and you have some very interesting public buildings. The new courthouse and one of our new high schools pointed out this morning were intensely interesting and to which the city may justly point with pride."

"The geographical position of Portland is exceptionally favorable and the scenery is remarkable. We enjoyed the ride along the river from Pasco yesterday afternoon immensely. The scenery is grand and the grade means that Portland must be the gateway for the great interior."

Speaking as a member of the auditorium commission, Mr. Hume said that under existing conditions, with no funds available for the purchase of additional ground, it appears to him that the building will have to be erected on the Market block, which the city owns.

"The architects are here," said Mr. Hume, "and as the people did not vote additional money for the purchase of a site, it appears to me that we will have to select the Market block. However, Messrs. Freidlander and Seymour are very favorably impressed with all of the sites we have shown them today. They are here to go ahead with the work as soon as the site is chosen."

OVERCOME HOLDUP MAN WITH PISTOL

Louis Montell, Onlooker, Saved Council Saloon From Robbery This Morning.

John Moore, recently acquitted in Montana of murdering a brakeman, was overpowered and arrested at 12:45 o'clock last night when he attempted to hold up the Council saloon at 131 Second street, Louis Montell, living at 83 1-2 First street, was standing at the bar, when Moore held a revolver at H. S. Smith, the proprietor, commanding all in the saloon to hold up their hands.

With a cantlike spring, Montell leaped upon Moore, grabbed the pistol, forcing him to the floor. Montell's thumb caught under the hammer of the pistol, preventing it from being discharged in the scuffle. Primary arrests. DeLarm & Bieh firm, when the partnership dissolution was effected.

W. M. Hendren was standing in front of the bar by the side of Montell. The two men held the holdup man, while the proprietor called Patrolman Dairumple, who was crossing the street at the time. The patrolman called Captain Keller, and the man was taken in the city jail, claiming to be injured from the handling given by the three men in the saloon.

There was another man with Moore when he entered the place. When he saw his partner captured he fled and could not be found. Moore declared he was not intending to hold up the place, that the gun used in the mixup was not his, and that he intended getting a drink before the saloon closed 15 minutes later.

Moore was taken to Missoula, Mont., two months ago on the charge of killing a railroad brakeman. He was arrested in Portland while serving time on the charge of killing the brakeman. He was acquitted. The name used at that time was Casey, but the police records show his name to be Moore. He is held in the city jail under a charge of attempting to commit robbery.

BABY IS BORN IN THE CEMETERY ON FRIDAY, THIRTEENTH

If there is anything to the popular superstition attaching to Friday, the thirteenth, the little daughter of Hirt Bradford's cemetery, has a doubtful future in store. The baby was born at the home of its parents in the cemetery Friday morning, December 13, at 8:15. When the child was 13 days old she weighed 13 pounds. Her birth certificate was not filed till yesterday, which was the second day of the year 1913, and it was recorded by the secretary of the health office at 13 minutes after 2 yesterday afternoon.

COFFEE RETAINS MANY DEPUTIES

Incoming County Clerk Lets Nearly Half the Force Remain Same.

John B. Coffey, who will take the office of county clerk next Monday, will retain half the office force of his predecessor, Frank E. Fields. This was made certain today when Mr. Coffey announced his appointments.

Bain R. Mason Jr., long prominent Republican politician, will become chief deputy in place of H. V. Smith, and John J. Erkins will be head office deputy, succeeding R. A. Reid. Harry Trueblood becomes cashier in place of D. D. Christensen, V. P. De Martini takes the place of Herman Schneider on the probate books, and E. R. Skayie is the new "clerk," in place of T. F. Noonan, the license clerk.

J. H. Bush is retained as clerk to the presiding judge, F. G. Wilde in charge of naturalization matters, H. M. Lull assistant cashier, T. S. Wells as reception clerk, and Archie L. Baehle, as fee clerk. Another old time employe retained is Earl R. Lounsbury, the night indexing clerk. Other appointments in the main office are:

D. J. McLoughlin as bookkeeper, W. H. Soules on feebook work, Amos Moore as warrant clerk, Frank H. Fields, son of the retiring clerk, as clerk of department No. 1, S. L. Smith as clerk of department No. 2, E. A. Briggs as clerk of department No. 4, Ed Ryan as clerk of department No. 6, G. W. Parker as day index clerk, Charles J. Strode as general utility man, H. J. Field, W. M. Lawlor and George H. Lewis as tax roll men, Margaret L. O'Brien and Mary McGuinness as stenographers, Nellie S. Starr as filing clerk.

SENATOR JEFF DAVIS OF ARKANSAS, ENEMY OF 'IDLE RICH,' DIES

Most Picturesque Figure in U. S. Senate Victim of Apoplexy; Death Unexpected.

Washington, Jan. 3.—Out of respect to the memory of United States Senator Jefferson Davis of Arkansas, who died suddenly of apoplexy at his home in Little Rock shortly after midnight, the senate adjourned today immediately after convening. This action prevented the trial of Judge Robert W. Archibald of the commerce court, charged with misconduct in office.

Senator Davis undoubtedly was the most picturesque figure in the senate. He was elected a member in 1907, and made himself known from the first day. Smashing all precedents throughout his membership, he roared the "criminal rich" and ignored all efforts of his colleagues to smother him.

Davis' most recent exploit was the introduction of a resolution removing trial duties from "New England's sacred codfish." In support of his resolution, he poked fun at Senator Lodge of Massachusetts.

Davis boasted that he had never used an automobile and would never pay to ride in one. He had the biggest voice and the most lurid vocabulary of any member of the senate. Davis' pet hobbies were the south, the negro question, trusts and the criminal justice system. In 1908, when Senators Gore, La Follette and Stone conducted a filibuster against the Aldrich currency bill, Davis withdrew from Arkansas as follows:

"Hold on, I am coming."
"He arrived too late, however, to be of any service."

TWO ARE INJURED IN AUTOMOBILE ACCIDENTS

M. M. Birsch, living at the Campbell hotel, was struck and knocked down yesterday evening at Nineteenth and Morrison streets by an automobile driven by S. F. Durkheimer. The injured man was taken to the Good Samaritan hospital by the driver. The injuries were not serious. R. J. Rosenthal, 408 East Eleventh street, was in the auto at the time. Eye witnesses report that Birsch walked in front of the machine. The driver lives at 807 Lovejoy street.

A report from the Good Samaritan hospital shows that William McGee, 6 years old, was struck by an automobile Wednesday while playing in the street near his home, 624 Jefferson street. The lad had one leg amputated several months ago, the remaining limb being broken by the accident Wednesday. The driver of the auto picked the boy up and placed him back on his wagon. The boy did not seem to be badly injured. The boy's mother is a widow.

Roswell Miller Is Dead. New York, Jan. 3.—Roswell Miller, chairman of the board of directors of the Chicago, Milwaukee & St. Paul R. R., was found dead today in his home here. Heart failure is believed to have been the cause of death.

Mrs. W. E. Beatty, who will be the soloist at the Luther Warrenton meeting to be held next Sunday at the Gippy Smith Tabernacle at 8 P. M.

STRAIGHTEN OUT KINKS IN PARCELS POST SPEEDILY

Misunderstanding of Rules by Patrons the Only Cause of Trouble in Portland; Postmaster Issues Pointers.

Portland's postoffice was not swamped yesterday by the parcels post business. The little bit of parcels post matter, comparatively speaking, amounting to only 25 sacks, could have easily been handled by one man working half a day. The parcels post clerk was the busiest man in the office, however, because he had to answer from one to 20 questions for every package mailed. The local parcels post service has already begun to settle into the well-oiled groove that is the distinguishing feature of the other mail service of the government.

Acting Postmaster Williamson recommends just two points for prospective patrons of the new service to remember, in case they have not already absorbed them: First, all merchandise matter must have the distinctive parcels post stamp on it, and the name and address of the sender. Otherwise it will not be accepted.

If any packages are mailed, even with the parcels post stamp and without the sender's address, no matter how legible the address of the receiver is, the parcel will be sent to the dead letter office at Washington, D. C., and the sender will probably never see it again.

Mr. Williamson also cautions about the size of the parcels. In determining that, a 6 foot tape line is the best. If the girth of the package, both ways, is greater than 72 inches, the package will not be accepted. This is another rock upon which a parcels post patron has stumbled in the two days that the system has been in operation.

SAY PROBATE RECORDS WERE FALSIFIED IN N. Y.

Letters received from Nelson H. Tunnecliff, an attorney of New York city, by Attorneys J. Hennessy Murphy and Emmons & Webster, representing alleged heirs of the estate of H. D. Winters, who died a year and a half ago leaving an estate of about \$100,000 in cast side property, charge that the records of the estate probated in Montgomery county, New York, have been falsified. The claim is made that the falsifications apparently have been made in favor of heirs claiming to be related through John Winters of Montgomery county, New York.

According to the letters, the will of John Winters shows that Henry D. Winters was named as one of his heirs and sons. Mr. Tunnecliff had a certified copy made of the will on May 13, 1912, and in this certified copy no mention was made of Henry D. Winters. Hearing that claims were being made that Henry D. Winters was a son of John Winters, and was named in the will Mr. Tunnecliff wrote the clerk of Montgomery county stating that his certified copy contained no mention of Henry D. Winters.

Mr. Tunnecliff enclosed a copy of the letter received in reply from the clerk, which states that upon looking up the will the clerk found the interlineations mentioning Henry D. Winters, but that the ink and the writing were different from that used in the remainder of the will. The clerk also states that the certified copy furnished Mr. Tunnecliff was the only one given by his office, and that he believes the interlineation was made since the copy was made.

The hearing of the claims of the many would be held in the state will be held in March before Probate Judge Cleaton. The date was set that far ahead that all claimants might secure proof of their rights. The state is also represented, exchequer proceedings having been begun to have the estate turned over to the state.

Political Lessons for Women. For the purpose of initiating the new voters into the mysteries of different political and civic problems, the Women's Christian Temperance Union has planned a series of popular meetings at their headquarters in the Behrman Walker building, Fourth and Yamhill streets. The first of the meetings will take place at 7:30 in the evening of Wednesday, January 8, when representatives of the five political parties will tell why the women should vote the respective tickets.

TURKISH VESSEL IS BLOWN UP BY MINE AT SMYRNA

Two Thousand Turks Surrender to Greeks on Chios; Rumors That Adrianople Has Fallen.

(United Press Special Wire.) Smyrna, Jan. 3.—Striking a floating mine at the entrance of this harbor today, the Turkish sailing vessel Theodoros, 600 tons, was blown up and part of her crew were killed.

Athens, Jan. 3.—Official announcements made here today that the Turkish garrison on the island of Chios, 2000 strong, has surrendered unconditionally to the Greek force of occupation.

Paris, Jan. 3.—Unconfirmed reports that Adrianople has fallen and rumors that the city is in imminent danger of falling are in circulation on the bourse here today. So far, no official confirmation has been obtained.

Vienna, Jan. 3.—Joint occupation of Albania by Austria and Italy immediately after the conclusion of the London peace conference is predicted here today by an article in a local newspaper. The article declares that the step is to be taken by the two powers to pacify the country and to establish there a new condition of affairs.

IRONWORKERS ARE FREED ON BONDS BY HIGHER COURT

(Continued From Page One.)

vanced by Krum and Zollner. He charged the defense attorneys with misrepresenting facts, and then reviewed the case.

Assured of 30 Days. Besides the 30 days granted by law, the court also granted the convicted men another 30 days for the preparation of their case for appeal.

Justice Baker said this would not prevent the appeal coming up for hearing at the April term of the court of appeals here. The bonds must be given in Judge Anderson's court.

In reading the decision of the court, Justice Baker said there might be substantial error in the trial so the convictions would not stand. He said the court would admonish the government in cases where application had been made for a writ of error and superedeas not to ask for immediate execution of a sentence but to allow the defendants time to make such application.

Theater Suppers. Afternoon teas. Noon luncheons.

The Portland Hotel
G. J. Kaufmann, Mgr.
N. K. Clarke, Asst. Mgr.

Will be as welcome as the fine ones we served to you on Christmas and on New Year's, and it will be as well prepared and as courteously served. To enjoy it to the utmost, bring some one to share it with you. Music.

THEATRE SUPPERS
AFTERNOON TEAS.
NOON LUNCHEONS.

The Portland Hotel
G. J. Kaufmann, Mgr.
N. K. Clarke, Asst. Mgr.

FIELDS SENDS CHECK TO STATE TREASURER

(Salem Bureau of The Journal.) Salem, Or., Jan. 3.—While suit was pending against him for collection of \$2078.75 alleged to be due from his game and fish licenses fund, County Clerk Frank S. Fields of Multnomah county yesterday sent a check for the full amount to the state treasurer. State Game Warden W. L. Finley, at whose instance the suit was brought against Fields is here today checking up the matter and conferring with Attorney General Crawford.

"Now that the state has received its money I am satisfied," said Warden Finley, "and I shall recommend to the district attorney that suit be dismissed Monday. But it is likely that another suit will be brought against Mr. Fields to recover certain 1911 game license books for which Mr. Fields has made no accounting."

"Mr. Fields made a practice of buying these license books a few at a time, and he bought them from the Lincoln-McFord company and Mann & Beach, and generally in an order of so many books in which the licensees were numbered he would also get a book with unnumbered licenses. It is these unnumbered books that are missing."

"We do not know whether licenses were sold from those books and if so how much more Mr. Fields' account may be short."

FAMILY ROW ENDS IN MUNICIPAL COURT

Two spouses of with, a pair of neighbors, and another woman were the contributing factors to the domestic trouble of Mr. and Mrs. William Grabach during the holiday week at their apartments in the Morton, which trouble ended this morning in the municipal court, where the woman was fined \$20 for being disorderly.

THEATRES---AMUSEMENTS---ENTERTAINMENTS

HEILIG THEATRE
Seventh and Taylor
Phone Main 1 and A-1123.
LAST TIME TONIGHT

THE BLUE BIRD
Masterpiece of Fantasy.
Martin Beck and Mort H. Singer
Present His Best Musical Comedy.
Prices \$2, \$1.50, \$1, 75c, 50c

A MODERN EVE
Brilliant Cast—Stunning Chorus.
—Augmented Orchestra—
Prices, \$1.50, \$1.00, 75c, 50c.
SEAT SALE AT HEILIG, 10th-Taylor

AT BAKER THEATRE THIS WEEK
THE ETERNAL WALTZ
6 Other Great Acts—50 in Company
Mat. 10c, 25c, 50c. Nights, 35c, 50c, 75c.

ORPHEUM WILL OCCUPY HEILIG THEATRE NEXT WEEK.
RALPH HERZ PRESENTING **MINNIE DUPREE & CO.**
AND FIVE MORE STELLAR ACTS

THE BAKER PLAYERS TONIGHT Bungalow Theatre
Presenting "IN THE BISHOP'S CARRIAGE," one of the greatest stock plays ever written. The story of a girl fitted. Dramatized from the famous novel. Evenings, 25c, 50c, 75c. Mat. 25c. Regular Matinee Sat.

EMPIRESS—Sullivan & Conditine
MR. HARRY BURKHARDT and 12 Distinguished Actors Present "CIRCUMSTANTIAL EVIDENCE" 5 other headline acts. Special prices: Mat. any seat, 10c. Evenings, 10c, 25c.

PANTAGES—WEEK DEC. 30. A-226, Main 4635. Curtain 2:30, 7:15 and 9.
6—Acrobatic Castillians—6, 2 Worths, Haynes and Montgomery, the Four Musical Aviators, George Rowley, Eckert & Frances, Hillari, Pantagoscope. Popular prices. Boxes and first row balcony reserved. Box office open from 10 a. m. to 10 p. m. Phone—

LYRIC THEATRE—WEEK DEC. 30. The Royal Filipino Quartet, Keating & Flood Musical Comedy Co. in "THE MIMIC CITY" two performances. Lyric prices—Mat. and night. Matinee daily. New Year's prices, any seat, 15c. Nights, night and Sunday continuous performance and 25c.

BUNGALOW THEATRE—Main 2, A-5380. Geo. L. Baker, Mgr. ALL NEXT WEEK, OPENING SUNDAY MATINEE. Return of ROWLAND CLIFFORD'S BEAUTIFUL PLAY, **THE ROSARY** With Harrison J. Terry as Father Kelly, and the Same Great Cast as Last Season. Prices, 25c, 50c, 75c, \$1.00. Matinee, 25c, 50c. Bargain night, Monday, and Bargain Mat. Wednesday, all seats 25c. Seats now selling.

PEOPLES THEATRE—STARTING SUN. JAN. 5
Biggest and Most Expensive Exclusive Feature Ever Offered—Egypt's Fascinating Queen.
As Portrayed by **HELEN GARDNER** "CLEOPATRA"
And a Superb Company of Players. Prices—Balcony, 10c; lower floor, 25c; box seats, 50c. Box seats reserved in advance by phoning Marshall 880. All big easten opera houses are charging 25c, 50c, 75c and \$1.

After the surfeit of holiday entertaining, you will enjoy a quiet dinner, with perfect service and good music at the Imperial Grill. Table d'Hote \$1

Dine Your Friends and Family at the ARCADIAN GARDENS

Portland's Dining Place De Luxe
SPECIAL PROGRAM FROM 12 TO 2 AND EVERY EVENING

PEARL GILMAN Singing Comedienne
FRANCIS AND HALL "Dancing Bees"
CLARK & WILSON Singing and Dancing Girls
MISS TOVIN soprano

GUILE—TENOR

HOTEL MULTNOMAH
H. C. BOWERS, Mgr. GAINER THIGPEN, Ass't. Mgr.

FOR THE OVER SUNDAY Box of Sweets We have just the thing; so many different confections, all daintily prepared. You'll Like Our Hot Drinks

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