

# THE EUGENE DAILY GUARD

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EUGENE, OREGON, WEDNESDAY EVENING AUGUST 21, 1907

No 190

## PORTLAND BANK FAILS WITH THREE MILLION IN DEPOSITS

Portland, Or., Aug. 21.—(By phone from Associated Press.)—The Oregon Trust & Savings Bank, of this city, did not open for business today but instead a notice was posted by order of the board of directors announcing its inability to realize on securities and consequent suspension. Another notice was posted later stating that the bank was closed by order of the circuit court of Multnomah county, and that Thomas C. Devlin, formerly county auditor, had been appointed receiver.

The Oregon Trust & Savings Bank was capitalized for \$100,000, and its deposits ten days ago amounted to about \$3,000,000. On May 7 the bank issued a statement that its deposits amounted to \$2,464,420, and liabilities \$2,638,420.

That the directors of the institution and the officers, who are W. H. Moon, president, and E. E. Lytle, vice

president, knew of the impending crash several days ago leaked out by the announcement today of a meeting of the bankers of the city, called last night, to consider the situation. The other city banks were called upon to support the Oregon Trust & Savings bank, but they did not respond to the appeal, and the conference adjourned at 2 o'clock this morning.

In an interview today Vice President E. E. Lytle placed the responsibility for the failure on the shoulders of Cooper Morris, cashier of the concern. Lytle asserts that without authority of the board of directors Morris bought securities for hundreds of thousands of dollars, and sold securities for large sums, and that last Thursday, also without authority of the board of directors, Cashier Morris took bonds of the Home Tele-

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## MILLIONAIRES FORCED TO SELL AUTOMOBILES

New York, Aug. 21.—(By phone from Associated Press.)—The World today prints an article in which it illustrates how hard many New Yorkers have been hit by the "rich man's panic" on Wall street. It says that not less than 2000 men, many of them rated as millionaires, have been forced to sell their costly automobiles in order to tide over the slump in their fortunes.

The stronger tone of the stock market of the past few days has materially relieved the strain, but many rich men have been reduced to poverty.

## MORE MONEY FOR GREAT UNIVERSITY

New York, Aug. 21.—(By phone from Associated Press.)—The news is officially given out that the Stanford trustees have disposed of the diamonds belonging to the estate for

\$350,000. Their appraised value by experts was \$500,000, but it was decided to turn them into cash, even at a sacrifice.

The funds thus secured will be expended upon further extensions at Stanford University, plans for which have been formulating for some time past.

## FANATIC MOORS BEATEN BY SULTAN

Tangier, Aug. 21.—(By phone from Associated Press.)—News has reached here of the crushing defeat of the Kamas tribesmen at the hands of the sultan's troops. The fanatic Moors were routed and not less than 600 left dead on the battlefield.

The battle took place in the district where Sir Harry McLean is held prisoner by the rebels, and there are hopes that the crushing blow will lead to his release.

The farmers near the North Fork of the Siuslaw are planning to put a bridge across the stream for their convenience. John Hanzicker has drawn the plans for the structure, which will have a span of seventy feet, besides the approaches.

## LABOR FAMINE CAUSES SHORTAGE IN COAL SUPPLY

Omaha, Aug. 21.—(By phone from Associated Press.)—The scarcity of labor has rendered it impossible for the Harriman railroad lines to work their coal mines to any extent. This condition creates a peculiar situation for, notwithstanding that they have almost an unlimited supply of fuel in their mines, they have been forced to order large quantities of coal from Australia. They have also placed an order for 2000 tons of coal weekly from Illinois mines, paying, in addition to the purchase price, \$7 a ton freight to their supply points.

The Union Pacific is reported as paying as high as \$170 a month for Japanese miners to work their mines and then find it impossible to keep them producing anything like their full capacity. This condition indicates that the stringency of the labor supply is daily becoming more serious

throughout the West, as the shortage of fuel will cause much suffering in many localities if the winter should be severe.

## CLEANING OUT GRAFT IN SAN FRANCISCO

San Francisco, Aug. 20.—The first act for the carrying out of the promise to clean up the sub-departments of the municipal government as performed today by Mayor Taylor, when he sent to Police Commissioners W. R. Hagerty, A. M. Walten, P. F. Finn and Harry J. Moore a notification of their removal from office.

A separate notification was addressed to each, and the four documents, typewritten and of considerable length, were delivered at a session of the board at city hall.

## ELECTRIC RAILWAY MAY BUILD BRIDGE YET THIS YEAR

EUGENE & EASTERN COMPANY TRYING TO GET BRIDGE CONTRACTORS TO BEGIN WORK ON PIERS AT ONCE—BRIDGE WILL BE LOCATED SHORT DISTANCE BELOW S. P. STRUCTURE AT SPRINGFIELD

There is accumulating evidence that the Eugene & Eastern electric railway will be pushed forward to Springfield and up the McKenzie river without any unnecessary delay. The most difficult piece of construction work will be building the bridge across the Willamette, a work that was neglected by the former owners of the line until too late to complete it this year, in the opinion of most bridge builders. An attempt is being made, however, to get some contracting firm to undertake the work of building the piers yet this summer, and a few days ago a representative of an Idaho bridge-building firm visited the site, accompanied by an engineer, and made a careful inspection with a view to undertaking the work. What was the result of his investigation is not known, as he returned at once to Portland to confer with the officials of the railroad company.

The bridge will be located about 400 yards below the railroad bridge at Springfield Junction, which is said to be an excellent site.

Regarding the new S. P. depot in Eugene local contractors have not the word that they will be asked to put in bids for the work. This is a new departure for the railroad, which usually puts its own force of carpenters at work on such improvements. It is only another indication that local builders are likely to have their hands more than full this fall, since secrecy of help is retarding construction work, even at this stage of the game, when many buildings have not progressed beyond the orders to the architects.

## MESSAGES COME OVER WESTERN UNION WIRES

The seven-day silence of the Western Union lines was broken last night and about fifty messages came through to the night operator. Some of them were a week old, but others

## TWO NORMAL SCHOOLS DENIED STATE SUPPORT

Salem, Or., Aug. 20.—The board of regents of the Oregon State Normal Schools today rescinded its action of July 18, ordering that the Monmouth and Drain normals be operated this year and instead a resolution was adopted declaring that the schools shall not be operated unless donations are received and that "no donations shall be received without the express understanding and agreement that no claim will be made for repayment by the state or legislature."

The faculty already elected at Monmouth was discharged, and the executive committee authorized to elect a new faculty when funds are available. No faculty has been elected by the Drain normal. Ex-President Resler of Monmouth, says that his institution will meet the conditions imposed and that the school will run next year. Ex-President Briggs, of Drain, could not say what the friends of that institution will do.

The resolution expressing the new policy of the board passed unanimously.

## LOGGING CASE DECIDED BY SUPREME COURT

The Oregon supreme court yesterday handed down twelve opinions, the largest number of decisions handed upon by the state's highest tribunal of justice for many months. Of the twelve decisions, five judgments of the lower court were reversed.

A decision of importance to the logging interests of the state was that of Jacob Kamm, appellant, against Alex and Fred Norman, from Clatsop county. The case was reversed.

This was a suit to enjoin the defendants from using the north fork of Klatskanie creek for floating logs. The Normans are loggers, and saw and float into the channel above Kamm's premises a large number of saw logs, and in order to cause them to float down stream a large splash dam was constructed whereby a large volume of water was accumulated and suddenly released, and permitted to flow down the stream, forcing the logs on the plaintiff's premises in great numbers and cutting the banks and damaging the premises. The defendants allege that they have large bodies of timber and that the stream is navigable and suitable for floating sawlogs and that the river is the only way the logs can reach the market. Moreover, they have been at great expense in plating in the dam and that it proves helpful to plaintiff, as it controls the water and prevents it from overflowing the banks. Upon a trial the court found the averments of the answer substantially true and dismissed the suit, from which judgment the plaintiff appealed.

Among other things the opinion says: "Every small creek or rivulet in which logs can be made to float for a few hours during a freshet is not a public highway. To make a stream a highway it must be navigable or floatable in its natural state, at ordinary recurring winter freshets, long enough to make it useful for some purpose of trade or agriculture."

Further the opinion says: "A stream that is capable of floating logs, unaided by artificial means, during freshets or stages of water recurring with reasonable frequency and continuing long enough to make its use of commercial value, is a public highway for that purpose. But a stream which is not such a highway cannot be made one by the use of dams or other artificial means without first acquiring the rights of riparian proprietors."

"Nor can a stream, navigable in its natural conditions at certain stages, be made so at other times by artificial means, such as flooding and the like. No one has a right to store water and then suddenly release the accumulation and thus increase the natural volume of the stream and overflow, injure or wash the adjoining banks or otherwise interfere with the right of riparian owners. The riparian proprietor is entitled to the enjoyment of the natural flow of the stream with no burden or hindrance imposed by artificial means."

## PROGRESS OF GLASS BRIBERY CASE AT FRISCO

San Francisco, Aug. 19.—In the Glass case Supervisors Edward I.



JOAQUIM A. NABUCO, Brazilian ambassador to the United States and president of the Pan-American congress of 1906.

Walsh, Thomas Loneragan (recalled), W. W. Sanderson and Daniel G. Coleman testified today. Each reiterated the statement that he was testifying under contract of immunity between himself and the district attorney, and two or three declared that they had been given to understand by Supervisor Gallagher, speaking for the prosecution forces, that they would be allowed to finish their preparatory work and that the prosecution would "do all in its power to help them redeem themselves and regain their lost standing."

So much was made of this by the defense in its cross-examination that Hency was moved to remark that to the court that evidently Glass' attorneys were laying the foundation for a special attack on the prosecution in their coming arguments to the jury. Supervisor Nichols testified that on the day he accepted the \$5000 bribe from T. V. Halsey, of the Pacific States Telephone Company, he went to the office of Abe Ruef and told him what he had done, and that Ruef said: "Halsey is a d—n fool—you keep the money."

This week Ezra Meeker is driving his ox team through the streets of New York on his way to Oyster Bay to interview the president.

Los Angeles, Aug. 20.—An armed mob attacked the office of the Postal Telegraph Company at Ash Fork, Ariz., at an early hour this morning, and almost demolished it with a rain of bullets. The lives of four employees were greatly endangered, but so far as known no one was injured.

It is anticipated that the attack may be renewed tonight, and Governor Kibbey and the federal government have been appealed to for protection. The latest dispatches from Ash Fork today stated that arrangements were being made by the manager of the office at that place to run a special engine to Prescott, the county seat of Yavapai county, and bring the sheriff and a number of deputies to quell the riot.

## MOB DESTROYS TELEGRAPH OFFICE

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JOHN J. PERSHING, Brigadier general, United States army, promoted from captaincy for distinguished service.

were fresh, some dated August 20 coming from San Francisco. The bigger share, perhaps, were about three days old.

This morning Operator Hall did not get down early at all on account of illness, and when the night operator came down the wires were not open to transmission of messages.

## DOUGLAS COUNTY'S ROAD TO BOHEMIA

Judge Wonacott, Surveyor Roberts and Road Viewers Dixon and Weber returned Monday evening from a trip to Bohemia, going via the North Umpqua route. They left here Monday morning, August 12, and reached Bohemia Saturday afternoon. The findings will not be fully known until the viewers file their final report, but we understand the route for the proposed road is entirely feasible, but it may be found rather expensive. The champion mine is now running about fifteen stamps, but the others are generally quiet.—Roseburg Review.

Charles Nickell, the Jacksonville newspaper man, who recently sold out, is preparing to begin the service sentence of thirteen months at McNeill's Island for participation in the Jackson county land frauds.



## Petticoat Sale

Black Satin Petticoats each . . . \$1.00 to \$3.50  
Silk Petticoats, all colors \$5.00 to \$20.00



Kimonas \$3.50 to 20c



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