THE MOENING OREGONIAN, FRIDAY, SEPTEMBER 12, 1902.



ing was surely crazy.

Tom Coleman, B. Van Cleve and others gave like testimony. The prosecution called Ed Norene, IA

McCroakey, George McCroakey, D. Dunn and Dr. Harry Lane in rebuttal, District Attorney Chamberlain and his assistant, Arthur C. Spencer, argued the case to the jury for the prosecution, and Attorney Dan R. Murphy for the defense.

## GEORGE TYLER PROVES ALIBL.

#### He is Therefore Acquitted on Charge of Abetting a Robbery.

George Tyler, a negro, jointly indicted with Estelle Williams, colored, was tried before Judge Frazer yesterday on a charge of robbery and was acquitted.

C. Atterbury, a deckhand, employed by the O. R. & N. Co., testified that on the evening of June 11 he was walking along Salmon street, between Fifth and Sixth at 10 o'clock. He was accosted by the Williams woman, and stopped to see what she wanted, and after talking with her a few minutes, discovered that she had taken \$62 out of his pocket. Atterbury said he was about to pursue the woman, when Tyler seized him by the coat collar ne moved. About this time Louis Foeler came along, and Atterbury stated that he then broke away from Tyler and tried to find the woman, but without success. At-Joseph Day, police stated Tyler.

Joseph Day, police detective, told of the arrest of Tyler and Estelle Williams at 11 c'clock the same night in resorts at the North End. The officer said he had seen the pair at Sixth and Yamhill streets earlier in the evening, walking toward the place where the robbery was com-

Tyler, as a defense, proved an alibi. He called witnesses who testified that he was working in Clark Bros.' saloon that en-tire evening. Louis Foeller was called by the defense. He refused to identify Tyler as Atterbury's essailant, and said it was so dark that he couldn't tell if it was a megro or a white man.

Estelle Williams, soon after her arrest, was released from custody on a bond for \$1000, signed by A. B. Burger and David O. Thornton as survites. She ran away, going to Butte, and the bond was declared forfeited. The District Attorney will take means to collect the bond.

## SUES FOR \$25,000 DAMAGES.

### Max Reiter Seeks to Recover for Injuries Received.

suit of somewhat an unusual charac ter was filed in the United States Circuit Court yesterday by Max Reiter, 'a subject of the Emperor of Germany, against John Stewart and H. L. Powers, engaged in logging at Marshland, Columbia Courty. Reiter asks for \$25,000 damages for injuries said to have been received while climbing a skidway to get a ginss of water. A defective guy-rope threw him ground below and disabled him for

According to the complaint the plaintiff was in the employ of the company on September 14, 1900, and was employed on the skidway in removing debris. He was working within the log cable, and as he was not supplied with drinking water at the time, he became thirsty and started to walk along the road to the engine to get a drink of water. Employee and pe-destrians had been accustomed to walk over the road, with the knowledge and consent of the defendants. While the plaintiff was going to the engine, the deadants carelessly started the cable dragging a log, and the cable vibrated and swung its entire length some distance

United States vs. Robert McIntosh et il.; action on contract, Horsford & Gerspach vs. Robert Wakefield

Edward McCann vs. Edgar Wallace. In re Frank Miner, petition for a reearing

### Decisions Today.

Judge Sears will announce decisions this norning in the following cases: The Larch Mountain Investment Company vs. T. A. Garbade et al.; motion to recall and quash writ of execution. Louisa Schwartz et al. vs. Martin Gebhardt et al.; motion to make answer more certain.

#### Petition in Bankruptey.

petition in bankruptcy was filed in A petition in bankruptcy was nied in the United States Court yesterday by J. D. Kirk, of Ritter, Grant County. The Habilities of the debtor, who had been engaged in the merchandise business, amount to \$5499 \$7, and his assets to \$550. of which \$325 is exempt by the state law.

#### Taxes Soon Delinquent.

The Victor Land Company has sued Samuel T. Lovett to quiet title to lots 9 and 10, block 15, Lincoin Park. The First National Bank of Roseburg has sued Margaret Stark Heiple and Owen B. Heiple to recover \$500 on a note.

The Oregon Water Power & Railway Company has filed two right-of-way suits in the State Circuit Court, to condemn land for the Gresham line. One case in-volves 2.97 acres and the other 1.11 acres. The County Commissioners spent consid-stable time yesterday discussing the righterable time yesterday discussing the right-of-way privileges wanted by the Oregon Water Power & Railway Company for its Gresham-Lents line. The Commissioners concluded that the new line will be a public improvement, and that all matters between the county and the company can be amicably adjusted, and greates where the line will cross county roads satisfac-torily arranged. The County Commission torily arranged. The County Commission-ers will probably grant such right-of-way franchises as are required by the company, if the terms are agreed to.

WRAPPER SALE.

## Fall styles, light and dark colors, val-ues \$150 to \$250. Your choice for 75c and \$5c. McAllen & McDonnell, corner Third and Morrison.

## THROUGH THE COLUMBIA RIVER

GORGE. GORGE. A delightful trip of a few hours will take you through the famous "Columbia hiver Gorge." the greatest combination of river and mountain scenery on earth. O. R. & N. train leaves Portland daily at 9 "A. M. Return can be made by steamer from Cascade Locks. Special low rates for this trip. Get particulars at O. R. & N. ticket office. Third and Washington.

## BUSINESS ITEMS.

# If Boby is Cutting Teeth. Be sure and use that old and well-tried remedy. Mrs. Winslow's Southing Syrup, for children teething. It southes the child souther the gume, allays all pain, cures wind collo and distributes.

Every woman should know that Carter's Lattle Liver Pills are a specific for sick hendache. Only one pill a dose. A woman can't stand everything.

stored. Fortunately, the women employes were in the front part of the store at the time, else their Summer dresses would have suffered. ne time was lost in turning in an Se alarm of fire, as in the excitement the men did not remember where the nearest fire-box is located. Mrs. St. Clair, 73 Sixth box is located. Mrs. St. Clair, 73 Sixth street, telephoned to fire headquarters, and the firemen arrived on the run, send-ing in an alarm from box No. 135, at Sixth and Washington streets. A line from a chemical engine was taken through the front part of the building to the rear, where the fire was blazing. An-other line of hose was carried along the south wall of the building, but by this time the blaze was such a hot one that the firemen found it very difficult to con-tinue at work. Fearful that the gazoline tinue at work. Fearful that the gasoline tanks would explode, several fire-fighters from hose company No. I, among them being Firemen Brazen and Austin, ran into the building where the fire and smoke were thickest, and succeeded in

carrying out several of the smaller tanks. Unluckily for Brazen, one of the tanks Unluckily for Brazen, one of the tanks he carried exploded with the intense heat, and the blazing gasoline ran over his trousers. He was at once picked up and cared for. He is burned severely on his right leg, from the knee to the ankle, and his left leg is slightly burned. The fire was a difficult one to subdue, as the flaming oil floated above the water sent in streams from the firemen's hose and defied all efforts to drown it. Ulti-mately, Acting Chief Laudenklos ordered

and defied all efforts to drown it. Ulti-mately, Acting Chief Laudenklos ordered mately, Adding Chief Laudenklos ordered streams played over and around the fire, and by this method, after an hour's fight, the fire burned itself out. Good work was fone by the firemen in keeping the fire to the frame building where it originally started. It looked at one time as if the fiames would sweep southward and ulti-mately sweep up the Carnival buildings, which are just over the fence from the burned dye works. The rooms over the burned dye works. The rooms over the dye works are occupied by Frank Mark, and his furniture is damaged by smoke

## MAY IMPOSE PENALTY.

and water.

## Port of Portland Commission Discusses Delay on Dredge Contract.

At yesterday's meeting of the Port of

At yesterday's meeting of the Port of Portland Commission most of the time was spent in discussing the contract of the Williamette Iron & Steel Works for the new dredge engine. The commission has been withholding a considerable sum that would otherwise he due, as penalty for delay in completing the contract. This penalty now reaches about \$5700, ac-cording to the figures of the commission, and a sum appreciably less according to the company's figures. But the question involved is whether the iron works ought to stand any penalty. Everybody admits that the work was not done on time. The Iron works puts forth the claim that iron works puts forth the claim that the penalty clause of the contract was vitilated by the condition that if the work vitated by the condition that if the work necessarily to be supplied from the East should be delayed, the iron works should have a corresponding extension of time to complete its work. There was delay in getting the shafts from Pittsburg. This, the company alleges, should ab-solve it from liability for penalty. The commission, however, is inclined to take the ground that the company did not use due diligence in getting the shafts, theredue diligence in getting the shafts, there-by contributing to the delay in the East which it is now seeking to take advan-

tage of. The fact that the shafts were lying in the railroad yards in Portland 19 days before the company discovered them, is one of the things cited to show

assorted colors-sizes 2 to 14 years-values up to \$8.00 for

# 69c each

Children's Sailor Suits and Fancy Dresses in galateas, ginghams and percales, assorted colors, best makes, ages 4 to 14 years, values up to \$5.00

\$1.89 each

from present liability. Then comes in the part that the delay in completing the engine may have played in the delays

Men's Clothing All'the new Fall styles now being shown-The story of the clothing is the story of the store-helpful gathering. The materials, the cut, the trimmings and the make strictly up-to-date in every particular-The most prominent makers in the land are represented with

their newest and best styles to please every taste-This Fall and Winter stock has never been equaled in Portland-With every garment goes our guarantee for satisfactory wear, and last but not least, remember our clothing prices are fully 20 per cent lower than you have to pay at the exclusive clothier's.

= IN =

Fall styles in Boys' Clothing now ready.

## **MEIER & FRANK COMPANY**

takes the ground that, even had it been A motion was passed that all official ing to pay for the lumber required the technically linble for the contract penal- communications of the commission should city would furnish the labor and enty, the fact that the commission has suf- | be approved by the chairman. Adjournfered no damage through the delay in the engine contract would absolve it ment was taken, subject to call of the chair.

## WANT ONE GOOD BRIDGE. South Portland Citizens Interviewed

City Engineer on Subject.

of other contractors, whose work was in a greater or less degree dependent on the completion of the engine. This introduced complications, and the commission con-cluded it could not settle this matter un-til the entire dredge should be finished A committee from the South Portland Improvement Association, which has been dormant for the past few months, met City Engineer Elliot yesterday afternoon and had a long conference about the and all the contractors reckoned with on the same basis. The legal question as to whether the liquidated damage specified bridges leading over Marquam Guich. The committee, which consisted of J. E. Werlein and Frank Hacheney, stated that in the contract can be collected regardless of whether the commission has suffered actual damage was referred to the Port of the bridges were absolutely needed in the southern part of the city and if all could not be maintained at least one Portland attorney for an opinion. A lot of bids for furnishing and out-

fitting the new dredge were presented. They were referred to the clerk and Enshould be kept in service. They recom-mended that this be done by making a gineer Lockwood to tabulate, and Chair- fill and constructing a culvert at First man Banfield and Commissioner Selling street, and thus insuring a permanent were appointed to award the contracts. The bill of Trenkman & Co., of \$2662 for roadway. Mr. Elliot said the First-street bridge

1000 feet of 20-inch pipe, was ordered paid. An offer of 600 feet frontage and 1000 depth on Mock bottom for a drydock was dangerous, and the only immediate relief that could be obtained would be

nublic school registration just completed labor and enfor traffic until such time as the Legis-lature shall afford relief. Mr. Elliot informed the committee that the Frontstreet bridge will receive immediate at-tention. The bridge is not in a bad con-

piques, fancy tissues, etc.

All 50c to \$1.00 Waists 29c

All \$1.25 to \$2.25 Waists 59c

All \$2.50 to \$4.00 Waists 89c

Story of the early bird catches the worm fits this case well.

lition, but one or two bents require strengthening. After the conference Mr. Eiliot said to a reporter that he would prepare esti-mates showing the cost of filling of one bridge and a cuivert thereunder; of the cost of a single iron bridge, and of the

cost of all reconstruction of the three bridges now spanning the gulch. By a fill, Mr. Elliot said, the city might eas-ily do away with one of the bridges. Mr. Werlein said that on Saturday even-

ing the cltizens of South Portland will hold a meeting in Hobkirk's Hall, and the matter of bridges will be discussed and the further Improvement of South Portland considered. The South Portland Improvement Club has, he said, been inactive for some months, but under the leadership of Judge Caples it will secure what he considers its deserts.

show a total for Greater New York of 502 deavor to place the bridge in condition | 903 scholars. This is an increase of 25.00 over the preceding year. There are \$4.700 pupils enrolled in "part time" classes, not classes, not included in the total given. Children to the number of 33,000 were refused admiasion for various causes.

Round the

Store

New Monte Carlo Coats in

New Silk Shirtwaist Suits-

Novelty Silk neckwear just

New Veilings-latest styles.

"Perrin's" Gloves, Fall styles.

Beautiful new Dress Trim-

Velvet Waistings in immense

silk and wool.

mings.

varieiy.

MEIER & FRANK COMPANY

THE WERE AND THE COLOR

handsome styles.

New Silk Waists.

received by express.

## TO HONOR M'KINLEY.

## vices Be Held at Oyster Bay.

egrams were received from Governors and other public men today for McKinley me-morial services next Sunday, and the fol-

lowing from the President: "Oyster Bay, N. Y., Sept. 11.-Editor Times-Star, Cincinnati: The President has requested his pastor here in Oyster Bay to hold a special memorial service next Sunday morning, it being the anni-versary of President McKinley's death. "GEORGE B. CORTELYOU."

that the company was more than will-ing that there should be delay. The Williamette Iron & Steel Works now steeved, the price being \$12,000.

Roosevelt Requests Memorial Ser-CINCINNATI, Sept. II .- Additional tei-