

WHITE TRIAL BEGUN

For Murder of Peter Beauchene in Goose Hollow.

NINE JURORS ARE SECURED

One Man Selected Because He Opposes Death Penalty—Line of Defense Indicated by Questions Put to Jurors by Counsel.

Charged with the murder of Peter Beauchene in Goose Hollow, on the night of August 2, Andrew White was put on trial in the State Circuit Court before Judge Frazer yesterday. Neatly dressed in black, he sat calmly beside his mother and her friend, Mrs. Patrick Holland, during the tedious process of impaneling a jury, which occupied the whole day and was not completed when court adjourned. The widow of Beauchene and her young daughter, in deep mourning, sat behind the state's counsel. Nine jurors have been accepted by both sides, and it is expected that the remaining three will be secured during the first hour of today's session. Then the trial will begin in earnest.

The story of the prosecution, as brought out by the detectives who collected the evidence, is that White, his brother, "Bully" White, John King, John Kiefe and Joseph Deichneider had a drunken orgy with Beauchene on Jefferson street, near the Canyon Garden saloon, and that the rest of the party had a quarrel with Beauchene. It is charged that Andrew White killed Beauchene with a stick and fractured his skull, and that the rest of the party scattered, leaving the wounded man dying on the street, where he was found dead a few minutes later. The coroner's jury next day declared that Beauchene had been murdered. Detectives Kerrigan and Snow obtained evidence to fasten the crime on White, and August 25 he was arrested at Vancouver, and next day brought back to Portland.

White is defended by Dan J. Maloney, George C. Stout and John F. Logan, while District Attorney George C. Chamberlain and John Manning, his assistant, are conducting the prosecution. Their work was delayed by the fact that all the jurors had read and talked of the killing of Beauchene, and several had formed opinions which, they said, could only be changed by evidence. The court excused Owen Carragher and Byron Z. Holmes for this reason, and G. H. Thomas because he is opposed to capital punishment. The state used four of its six peremptory challenges against William M. Cate, Jr., Michael Tierney, William Schmale and Chauncey Ball, while the defense used seven of its twelve against W. W. Terry, John Bled, William M. Taylor, E. B. Madden, Hans Larsen, John Winters and W. O. Orth. This leaves in the box accepted by both sides: George Robertson, W. A. Alcorn, Fletcher Gilbert, D. H. Harnett, Sam Holbrook, F. M. Stifford, Charles Urfer, Phil M. Lacy and D. M. Averill.

THE GOLDEN AGE

Right Here Now, and Principally in the United States.

Letter of G. E. Tarbell, vice-president of the Equitable Life.

This is the best country on earth. It is estimated, for instance, that we are worth \$15,000,000,000 more than Great Britain. Our population is growing faster than that of any other country in the world. We manufacture more than England, France and Germany combined. We have 10,000 more miles of railroad track than all the other countries of Europe put together. Our farmers are in a class by themselves—not at all to be compared with the agrarian population of other nations. We grow one-quarter of the wheat of the world, and four-fifths of the world's cotton. Just now we are harvesting the greatest corn crop ever known. Oats, rye, buckwheat, barley, tobacco and other lesser agricultural products show increases of almost unprecedented size, while only twice in our history has this year's wheat yield ever been exceeded.

Factories of nearly all kinds are far behind their orders, and this is true by many months of the iron and steel industries. In fact, it is well known that we are importing both iron and steel from the other side. Building projects planned recently in New York and other cities are at a standstill for want of material. The business of the railroads was never so good. It is said that one great railroad company alone, to relieve the freight congestion on its main line and various branches, is spending millions on new rolling stock, having just ordered 250 high-class freight locomotives, at a cost of \$3,250,000, to say nothing of some 15,000 new steel freight cars and other smaller improvements. That company's competitors are keeping pace with its aggressiveness, and we have only to read the daily papers to see, if we do not know from actual experience, that these are the days of great things in railroads, which are practically the pulse of the country.

After having reflected on these things, look around you at the smaller industries and affairs of life, and you will see that the individuals, high and low, reflect these conditions. They are prosperous; they have money to spend, and some to lay by for the future; the more in the aggregate than they have ever had before. Talk about the golden age—it is now, it is here. Read your history, and show me any age half so good to live in as the present, from the standpoint of prosperity and progress.

GOOD NEWS TO MOROS.

Davis Reports on Success of Pershing in Mindanao.

WASHINGTON, Oct. 6.—The following account of Captain Pershing's expedition against the Moros has reached the War Department by cable from General Davis at Manila:

General Sumner, from Vicars, reports as follows upon events up to September 28:

"Captain Pershing and Captain Eli Holmick's columns directed into every cotta (small native fort) in Macin. The places were captured and destroyed. Some were very strong, but our bursting shells demoralized and put the hostiles to flight. It is evident they do not intend to be cooped up as they were at Bavan, the place where Pershing first defeated the Moros in their forte. One of the Sultans

of Macin and 40 or 50 Moros were killed or wounded. No property or goods were destroyed, except such as were found in captured forts. I am hoping that this has been a lesson that will be of benefit to the Moros. I will try to communicate with Bacolod and others, who have defied us. No opportunity will be missed to impress them that we can live with perfect peace with them if they desist from hostilities and recognize our sovereignty. The date of Rio Grande and others of the friendly Moros say that our booting of the Macin Moros will be good news to all of the Lake Moros."

FUNDS FOR CLARK SWORD

Amount Is Growing, but Much Remains to Be Raised.

Nearly \$1000 has been raised for the Admiral Clark testimonial fund, and the committee in charge is confident that the entire amount required will soon be subscribed. The design has not been selected, but it is desired to present Admiral Clark with a sword at least equal to that presented to General Funston. The latter

STATUTES NEED MENDING

Judge Sears Expresses Opinion

ON U. S. EXTRADITION LAWS.

Gives Decision Releasing Earl Hanson, Who Is Re-Arrested by Washington County Deputy.

Judge Sears says section 527, United States revised statutes, regarding the extradition of fugitives from justice from one state into another, should be amended, and that he will write some letters to members of Congress upon the subject.

The statute now provides that an application to a Governor for a warrant authorizing the removal of a person from one state to another must contain a copy of the indictment against the accused, or an affidavit before a committing magis-

trate of the County Clerk's office yesterday by E. J. Finnican, D. R. Ladd and W. C. Mengher. The capital stock is \$1,000,000. The objects announced are to operate the Bohemian mine and other mines in Douglas County.

MAY RESUME BUSINESS.

Injunction on Pacific Mercantile Company Dissolved.

The restraining order in the case of W. E. Kaiser against the Pacific Mercantile Company and John F. Olson was set aside yesterday by Judge Sears, conditionally on the defendants filing a sufficient bond. This was what the defendants offered to do, and the decision consequently meets their wishes.

Kaiser held contracts on which he alleged he paid \$50, and he seeks to recover and sets forth in his complaint that others are similarly situated. The defendant denies Kaiser's charges, and avers that it is a scheme of the Devore Diamond Company, an opposition company, to interfere with the business of the Pacific Mercantile Company.

The court, in passing upon the case,

of the Federal officers in eight months has, Mr. Wilkins said, helped to clear the country of the rum-sellers, and he hopes that it will be continued. Mr. Hall says he will continue to issue warrants until all the principal offenders are brought into court, or the trade wiped out.

SUES TO COLLECT \$150 RENT.

J. J. Jennings Sues Amount Is Due on Rothschild Bros' Rent.

J. J. Jennings yesterday filed suit in the State Circuit Court against Rothschild Bros. to recover \$150 rent for the premises at the northeast corner of Second and Everett streets, described as Nos. 29, 31, 33, 35 and 37 Second street, and 223 and 221 Everett street. Jennings, in his complaint, alleges that he leased the building 16 Rothschild Bros. on March 17, 1902, for five years, at \$100 per month, for the first three years, and \$125 per month for the last two years. It is stated that \$150 is due on the rent for the months of September and October. Jennings further avers that he is the trustee of an express trust, and that S. C. Bunting, John F. Caples, Fred W. Mulkey and Frank M. Mulkey are the parties for whom the action is prosecuted.

TO HAVE SECOND TRIAL.

Alken Transferred to Hillsboro, Accused of Killing Chinaman.

James Alken, convicted of the murder of a Chinese in Washington County about a year ago, and recently granted a new trial by the Supreme Court, was brought to Portland yesterday morning by Superintendent Lee, of the Oregon Penitentiary. Alken was placed in the County Jail for safekeeping, and was taken by Superintendent Lee on the afternoon train to Hillsboro, where the second trial will be held.

Henry Bacon, an ex-convict, is said to have killed the Chinese, and Alken is supposed to have been with him at the time the crime was committed. The purpose was robbery. Bacon succeeded in evading the officers, and is reported to have gone to Manila.

Federal Grand Jury at Work.

The United States grand jury was impaneled yesterday with 22 members. The jurors summoned and excused were: W. J. Townley, J. E. Calderwood, J. A. Payton, A. H. Breyman, David McNair, J. D. McFarlane, W. W. Brown and C. J. Denning. The 22 others responded to their names when the roll was called, and then retired to consider the business which the Federal attorney had to present to them. The grand jury will probably be in session four or five days.

Wilson, of Baker City, a Bankrupt.

A petition in bankruptcy was filed in the United States District Court yesterday by J. A. Wilson, of Baker City. The petition states that the liabilities of the bankrupt amount to \$700, of which there are secured claims to the amount of \$250. The remainder are unsecured. The assets



cost \$150, and the committee desires to raise not less than the sum.

This is the substance of the report made to the Admiral Clark testimonial committee at a meeting at the Alinsworth National Bank yesterday afternoon by Secretary Mitchell. The committee approved the course pursued by Colonel Mitchell, and instructed him to continue work along the same lines.

It was agreed that designs be asked from four well-known designing and manufacturing firms, and Mr. Alinsworth declared that the sword must be nothing if not artistic. Secretary Mitchell read a number of letters from prominent men in outside cities to whom he had written asking for a canvass of their towns.

"We feel certain," said Colonel Mitchell, "that Admiral Clark is entitled to greater recognition than any other naval captain who served during the Spanish War, and as he commanded the battle-ship Oregon this recognition should come from the people of this state. Subscriptions are coming in regularly, but there is still much work for the committee to do, for the necessary amount has not yet been subscribed nor the design selected."

"The enterprising little town of Union followed the example of Eugene by doubling the subscription asked. Oregon City is doing the same, and Senator Fulton says that Astoria will not be behind. There is a question if such a warrant can be issued after the District Attorney has filed an information, while it could have been done before. To issue a warrant now would be like the issuance of a warrant by a magistrate after a grand jury had returned an indictment. The warrant is one of the preliminary steps before the case has been investigated by a grand jury, and not an after proceeding."

It was after a full hearing and his decision that Judge Sears remarked that Congress ought to amend the fugitive-from-justice act and provide that warrant may be issued on the information of a District Attorney as well as on an indictment by a grand jury.

Hanson was set at liberty as soon as Judge Sears had announced his decision, but he enjoyed his freedom but a few minutes. Sheriff Storey was around with a warrant from Washington County issued at Hillsboro, charging Hanson with larceny, and an officer was here from that place ready to take the young man back with him. The Oregon statute provides that if stolen property is brought into any county in the state, the person in possession of the property may be arrested and tried for larceny in any place where he is found with it. Hanson was arrested at West Cedar precinct, Washington County, a week ago, with the horses, and Constable Hagey took the horses from him, and still has them in his custody. When the Hillsboro warrant was shown, counsel for Hanson proposed that it be injustice and he proposed that the law requires, and they called on Judge Webster and inquired when he would be prepared to take the matter up. Judge Webster replied that he would hear the case in half an hour. The principal object of counsel was to offer bail for the defendant, but they were disappointed in that plan because Deputy Sheriff Herman Schneider was waiting for Hanson with a buggy, and placed him in it and hurried off with him before the attorneys had a chance to object. The father and sister of Hanson brought the money in action, but to no avail.

Charles A. Petrain of counsel for Earl Hanson states that the young man owns horses of his own and a half a section of land near Prosser, and has money in the bank. He asserts that Hanson never stole any horses from Henry Oldenstadt, although he might have had some of the horses of his in his possession which he obtained from others. That attorney asserts that Hanson was born at Salem, and that his relatives are respectable, well-to-do people. He states further that Hanson brought the horses here in the most public manner possible, on a railroad train. The attorney from North Yakima, on the other hand, expressed doubt as to whether Hanson was one of an organized band of horse thieves.

INDIANS IN GREAT NEED.

Miss Mattie Brokaw Tells of Conditions in Arizona.

Miss Mattie Brokaw, formerly of the Indian Training School in Albuquerque, N. M., made a statement yesterday confirming a published dispatch from Phoenix, Ariz., telling of the destitution of the Indians, and that in desperation they were raiding the farms of the white settlers. A Washington dispatch was printed below saying that the officers of the Interior Department were little concerned over the matter.

"Along the Rio Grande the Indians raise a little fruit," said Miss Brokaw yesterday. "This is in addition to their other crops, but when the main harvests fail they have little to fall back on. The Indians farther out on the desert, however, are much worse off, for their grain crops represent nearly their entire living. I am well acquainted with the conditions throughout that entire region, and I know that in many places the price of canned goods is almost prohibitive. These Indians are the Apaches, the Zunis and the Navajos, and cannot go off their reservations for relief."

She read a letter from Mrs. Emily Vieta, of Poreya, Ariz., in which the writer said: "It is true that these people are very near to starvation already, and help they must have soon. We are personally caring for three families, but do not seem to allow us to help more. The Government is so slow that the whole tribe might starve before the red tape is untangled and help sent. There will be starvation as it was long ago in the case of the Pinos and the Papagos."

The continued drought of the past three years is responsible for the repeated failure of the all-sustaining grain crops.

CHEAP TO SPOKANE FAIR.

O. R. & N. Gives All an Opportunity to Go by Making Low Rate.

Many will no doubt take advantage of the low rate to the Interstate Fair at Spokane, October 9 to 14. The O. R. & N. makes a rate of \$5.00 for round trip from Portland, including an admission coupon to the fair, valid until October 15. City Ticket Office Third and Washington.

Articles of Incorporation.

Articles of Incorporation of the Knott Mining & Milling Company were filed in

aid: "The chief ground of the defense was the hardship that would be worked by an order prohibiting the company from disbursing funds. The Pacific Mercantile Company says that every object may be protected by depositing money in the court. I think the court can keep up with the plaintiffs, as they may come in, and increase the bond. I have reached the conclusion that the injunction may be dissolved on the filing of a bond to be approved by the court."

It is stated that about 30 Chinese desire to enter as plaintiffs.

FEDERAL COURT OPENS.

Peter Rickmers Case Up Today—Civil Suits Set for Trial.

The Fall term of the United States District Court was opened yesterday morning, and the first matter on the docket was the motion to dissolve the injunction in the case of A. Wilson against Richard McCarron, Lawrence M. Sullivan, Paddy Lynch and others. Wilson is master of the ship Peter Rickmers, and he seeks to have the defendants, who are engaged in the sailor boarding-house business, issued from creating seamen from his ship. Hearing on the motion was set for today.

Trials of cases were set as follows:

October 23, Harvey Smith vs. J. G. and I. N. Day.

October 27, Bentley Construction Company vs. Portland Granite & Stone Company.

October 18, Wilhelm Wilhelmson et al. vs. the North Pacific Railroad Company.

October 23, R. N. White, administrator, vs. the Southern Pacific Railroad Company.

October 24, M. H. Fish vs. the Southern Pacific Railroad Company.

October 17, John Lamont, president of the Order of Eagles, vs. the Fidelity & Deposit Company of Maryland.

November 2, Ella Hanush by G. O. Hanush, guardian ad litem.

By agreement, the case of David Keith against J. H. Parker will be tried before the court without the intervention of a jury.

The case of Max Moses against the Denver & Rio Grande Railroad went over for the term. In the matter of the United States against the Oregon & California Railroad Company, an order was made to file stipulations of the parties for judgment nunc pro tunc, the same as of September 27, 1902.

An order was made permitting the filing of an appeal bond in the case of James Wilson and the Simmons Hardware Company, of St. Louis, against John Montag and Henry Cleave, of Portland. The suit was for an order restraining the defendants from infringing upon patents granted to the plaintiffs. The plaintiffs' bond on appeal was fixed at \$50, and proceedings were ordered stopped during the appeal.

The hearing of exceptions to the statement of J. P. Betts, a bankrupt, was set for October 9, and an order was made approving the accounts of United States Commissioners Sladen and McKee.

EXAMPLE MADE OF CRAUL.

Saloon Waiter's Punishment for Selling Liquor to Indians.

In the United States District Court yesterday W. Craul, a waiter in a saloon in Pendleton, pleaded guilty to a charge of having sold whisky to Indians in that city, and was sentenced to two months' imprisonment in the County Jail in that city and to pay a fine of \$100.

The saloon in which Craul was employed appears to have made the trade of the Indians a specialty, and there were a number of complaints against it. The officers of the Umatilla Indian reservation had complained against it, but the Government was not able to secure sufficient evidence to warrant an arrest until a short time ago. Indian Agent Charles E. Wilkins, who came down from the reservation yesterday, says that the sentence will have a good effect on the men who are selling the liquor to the redmen. One year ago, he said, the Indians had no trouble in securing the whisky, but the strenuous work of United States Attorney Hall and the sentences imposed by Judge Bellinger reduced the traffic. The work

Pabst beer

is always pure

Brewed in a plant as clean as the cleanest home kitchen—always open to your inspection—58,971 visitors last year.

CHAS. KOHN & CO., Distributors, Portland.

amount to \$350, and consist of exempt property.

Court Notes.

Gus Lange, charged with burglary, was arraigned before Judge Sears yesterday, and was granted time until Wednesday to plead.

Two attachment suits filed recently against the Pacific Electric Company, in the State Circuit Court, have been dismissed.

The inventory and appraisement of the estate of Elizabeth Beiser, deceased, was filed in the County Court yesterday. The property is valued at \$1150.

Daisy Goss has sued J. B. Goss for a divorce on the ground of desertion. They were married in March, 1901, and she alleges that he deserted her in June following.

Maria Wagnitz was appointed administratrix of the estate of her husband, Henry Wagnitz, deceased, valued at \$3000, and consisting mostly of cash. The heirs, besides Mrs. Wagnitz, are August J. and Paul C. Wagnitz, and Emma F. Cox.

William Marsh, charged with attempted assault upon Mamie Brown, a girl 11 years old, a ward of the Boys' and Girls' Aid Society, was arraigned before Judge Sears yesterday and allowed until Friday to plead. Marsh is a married man, and was once State Land Agent at Olympia. He is now a lumber cruiser. His wife arrived in Portland several days ago to assist him and she expresses confidence in his innocence.

Oregon Descriptive Pamphlets.

Douglas County's descriptive pamphlet for the use of the immigration department of the Harriman lines came from the printer yesterday, and 20,000 copies are to be forwarded at once by the traffic department of the Southern Pacific to Immigration Agent McKinney, in Chicago. This pamphlet consists of 24 pages besides the cover. It is an illuminated cover and is well illustrated throughout. A double-page map of the county is a valuable feature.

Towns of Western Oregon outside of

Portland have already raised and largely expended about \$500 for advertising their special advantages through the immigration bureau of the Harriman lines. These are McMinnville, Salem, Ashland, Roseburg, Eugene and Albany. Cottage Grove, Corvallis and Hillsboro have the matter under way, and pamphlets are expected from them soon. At last Oregon is in a fair way to become known among the homeseekers.

OFFICERS FOR PRESBYTERY

Rev. Jerome R. McGlade, of Missah Church, Is Elected Moderator.

The opening session of the semiannual convention of the Portland Presbytery was held last night. The following officers were elected for the ensuing term: Moderator—Rev. Jerome R. McGlade, of Missah Church.

Stated clerk for three years—Rev. W. S. Holt, D. D., of Portland.

Permanent clerk for three years—Rev. A. J. Montgomery, of the Third Church.

Temporary clerk—Rev. J. V. Milligan, of Portland.

A sermon by Rev. H. S. Templeton, retiring moderator, on "A Study of Nehemiah and His Workers," completed the programme of the first meeting. An all-day session will be held today, when it is thought that the business of the convention can be completed.

THROUGH THE COLUMBIA RIVER

GORGE.

A delightful trip of a few hours will take you through the famous "Columbia River Gorge," the greatest combination of river and mountain scenery on earth. O. R. & N. train leaves Portland daily at 1 P. 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.

HOOD RIVER FRUIT FAIR.

On account of the Hood River Fruit Fair, October 8, 9, 10, the O. R. & N., on above dates, will sell round-trip ticket from Portland for \$2.50; final limit October 11.



Dr. Price's Cream Baking Powder is so perfect in its make, so simple in use, that beginners in cooking may work with it successfully. It really "makes home baking easy," and gives nicer, better food than the baker's. There is no baking powder or preparation like it or equalling it for quickly and perfectly making the delicate hot biscuit, hot bread, muffin, cake and pastry.

PRICE BAKING POWDER, CHICAGO, U. S. A.