

TO PAY FOR CRIME

William Baldwin Sentenced to Two Years.

SON TO SERVE ONLY ONE YEAR

Slayer of Frank Carlson in Fight Receives Lenient Sentence, While His Father, Who Abetted the Deed, Faces Worse.

William Baldwin was sentenced to serve two years in the penitentiary by Judge George yesterday, and his son, George Baldwin, received a sentence of one year. George Baldwin killed Frank Carlson in a fight in the month of August last, with a solar-plexus blow. The father aided and abetted the encounter, which was a brutal affair. He urged the son on, and at times assisted him. The jury considered him the most culpable of the two, and this was shown by the verdict. The son was recommended to the mercy of the court, but no recommendation was made for William Baldwin. Consequently he received the greater sentence.

Mrs. Baldwin, the wife and mother, was present in the courtroom, and broke down completely when she heard the sentence pronounced. She was given time to compose herself before Deputy Sheriff Penumbra Kelly, who was in charge of the prisoners, conveyed them to the county jail. The Baldwin had been now in an appeal to the Supreme Court.

Judge George, in commenting on the case, said he considered the Carlsons, who assisted their relative, Frank Carlson, equally guilty with the others. Judge George, in denying the motion for a new trial, said:

"The ground on which the motion is based is error of the court in denying a new trial and involuntary manslaughter. The instructions of the court were that if this was found to be a prizefight, it was an unlawful act. The real gist of the charge was not based on the fact that they were engaged in a prizefight. The instruction of the court was that if the jury found that these parties had agreed to fight it was unlawful. If during a prizefight a fight should occur between the parties, there is no question in the mind of the court that this indictment is correct. I don't believe these parties contemplated killing Carlson. In that respect it was a fortunate circumstance that the circumstances I must refuse to grant the motion for a new trial."

W. T. Vaughn, attorney for the defendants, asked for time to file a motion in arrest of judgment. District Attorney Chamberlain objected, stating that such a motion should have been included in the motion for a new trial.

Judge George said he would grant time if counsel had new police to bring out but on the questions submitted in the motion for a new trial, the court had decided, and was perfectly satisfied.

The Baldwins were then told to stand up, and were asked if they had anything to say which they should not be sentenced. William Baldwin, the father, arose and said: "I have. I don't think I have been treated fairly. I don't have a square deal. The other side is going to get a 10 year sentence. I hate to go to the penitentiary, and I hate to go myself. The Carlsons were there to push their boy along, and I don't think I have been treated properly. I have been here 28 years, and was never arrested before."

Attorney Vaughn followed, saying: "I think the jury was influenced by passion in this case. The old man was there, but he did not have a criminal heart or mind. I do not think there was anything in the testimony to show that he participated actively in the fight. There was a recommendation by the jury for leniency in behalf of the boy. I am sure that the jury to ascertain why leniency was not granted to the old man. I have learned that there was one of the jurors who stated openly to the others that he was acquainted with Baldwin and had known him for years. I examined that man touching upon his qualifications to serve as a juror, and he said he was not acquainted with Baldwin. I speak now of the juror who said Monday, and I wish the court would take these matters under consideration."

Judge George, before pronouncing sentence, made a few remarks. He said he would take into consideration the fact that the death of Carlson was not intended, and that the jury recommended George Baldwin to the utmost leniency of the court. He also stated that he considered the Carlsons guilty, and that it was merely a question which man was killed in the fight.

"I am not disposed," said Judge George, "to blame the Baldwins more than the Carlsons."

The District Attorney had nothing to say, and George Baldwin was silent. The sentence imposed upon him is the minimum provided by statute.

"Red" Holmes Indicted for Larceny.
"Red" Holmes, alias Walter Edward Clafey, indicted for larceny in the dwelling-house of Cora Caples at 287 Yamhill street, was arraigned before Judge Sears yesterday, and pleaded guilty to the charge. In answer to a question by Judge Sears as to what his real name is, the prisoner answered: "Holmes is my stage name. Holmes stole a watch and chain valued at \$50 at the Caples house. It is understood he will plead guilty if let off with a light sentence. He is a young man of good appearance. L. L. Langley was appointed attorney to defend him."

Estate of George Lang.
Robert Menefee and Frank C. Nichols, executors of the will of George Lang, deceased, filed an account in the County Court yesterday, showing \$4316 resources and \$103 disbursements. The liabilities amounted to about \$3500, including \$2500 bequests. Dr. A. McKenzie is the principal devisee. He is to receive \$1000.

John Seymore Arraigned.
John Seymore, indicted for larceny of two revolvers from the Reliable Loan Office, was arraigned before Judge Sears yesterday, and allowed until Monday to plead. T. B. McDevitt was appointed as his attorney.

Decision Today.
Judge George will announce a decision today in the case of Alfred Wihlin vs. Myrtle E. Reed; demurrer to complaint (joint session case).

Court Notes.
The trial of the case of the Bentley Construction Company against the Portland Granite & Stone Company, and of Miles C. Moore, an assignee, against the Bentley Construction Company, was continued in the United States Circuit Court yesterday. Some evidence on behalf of the defendant was taken, and then, owing to the illness of a member of the family of a juror, the trial was postponed until this morning.

Fight Against Gates in New Court.
DENVER, Oct. 28.—A. M. Stevenson and D. C. Benman, representing the Osgood faction in the Colorado Fuel & Iron litigation, have left Denver for St. Paul where they will tomorrow petition Judge Sanborn of the United States Circuit Court of Appeals for permission to take an appeal from the judgment entered by

CARE OF INSANE PATIENTS

DR. S. E. JOSEPH FAVORS CHANGING THE LAW.

Bill to Provide Transportation by Skilled Attendants May Be Again Introduced in Legislature.

TRIED TO "FIX" A CASE.

Father of Charles Rogers Attempts to Get Charge Dismissed.

Evidence that efforts had been made to "fix" the case with the police and Municipal Judge Hogue, and had failed, appeared yesterday in the Municipal Court, when a boy named Charles Rogers, about 17 years old, was accused of recently assaulting Young Wing, a Chinaman, at Fifth and East Oak streets. The Chinaman insisted that young Rogers threw a stone at him, and then struck him, knocking him down on the street. "Did you not tell the boy to look out, and that you would kill him?" was asked. "Yes," said Young Wing; "I did not call him bad names."

James V. C. Barry testified that he saw Rogers strike the Chinaman and that the latter fell on his hands and knees. "This took place outside the barn, and I heard Rogers deny that he had thrown a rock at the Chinaman," concluded the witness. "The warrant to arrest young Rogers was placed in my hands," testified Police-man Reising, "but I did not find the boy, although I searched for him. Then Mr. Barry came to the court and asked me to drop the case, stating that the warrant had been withdrawn. He also said that he would make it all right with me. I told him that I would do nothing of the sort. Mr. Rogers said: 'Oh, drop the case! It's only a 6-6 Chinaman, anyway.'"

"The reason the boy kept out of the way was because Special Officer Andrews shot at him about three months ago. He's afraid of the officers—that's why he kept his distance," remarked the defendant's attorney.

"I don't know anything about what you refer to of my own knowledge, about that shooting story," retorted Reising. "The Rogers boy has nothing to fear from me. I only wish to do my duty as an officer."

"I did not throw a rock at the Chinaman," insisted young Rogers, when placed on the witness stand. "The Chinaman rushed into the barn where I was at work and accused me of throwing the stone. He denied it, and he called me a foul name. Then I struck him. I won't allow any one, if I am able to resent it, call me a foul name."

Then the Municipal Judge took a hand. "It is to be regretted that many young men and boys seem to think that any Chinaman is fair game," said he. "There is no possible excuse for this conduct, living in a Christian community, striking a heathen because a heathen called him names. He should not sink to so low a level. I also wish to say that this boy's father has dared to ask this court to fix this courtroom, to have this case 'fixed' or dropped. No cases are to be 'fixed' here, and I am sorry that there is no law by which this boy's father could be punished. This defendant is fined twenty dollars." The money was paid.

A CLOSED DISCUSSION.

Reopened Solely for Its More Effectual Closure.

PORTLAND, Oct. 28.—(To the Editor.)—On October 24 you introduced among the items of your editorial page (as editor, I presume), a clipping from another paper which contained a virulent and bitter attack upon the Church of England and the American Episcopal Church. The article not only reviled the whole Anglican communion, but attempted to pour opprobrium upon Bishop Potter.

Wondering why the Oregonian should select such matter for the selection of its readers, and relying on its sense of justice and fair play, I undertook, in as courteous a manner as possible, to refute some of the statements made. My letter, a very brief one, was inserted on October 25. Two days later a courteous but inconclusive reply, occupying over a column and half, appeared. A good priest of the Roman Catholic Church was given the space he wanted, and he, claiming to have demolished my arguments and substantiated his position, arbitrarily closed the discussion. I assert that I have not been fairly treated, and I protest that you have no right wantonly to publish matter which defames a church, a society or an individual I refer to the original clipping, without giving the defendant a full and free opportunity of defense. It is a case of slapping a man in the face and then trying his hands so that he cannot retaliate.

I demand this much justice at your hands: that you insert this protest.

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St. Mark's Church.

The first appearance in the case was an article from the Northwestern Churchman, sent to The Oregonian apparently from the Churchman office with an implied request for its publication. Then room was made for a brief rejoinder from the Catholic Sentinel. Then came the Simpson and O'Reilly letters.)

FUNERAL OF MRS. J. C. CARD

Clubwomen of the City Will Honor Memory of the Departed.

The funeral services of Mrs. J. C. Card, who died last Tuesday evening, will take place this afternoon at 2 o'clock at the Chitilian Church, and will be followed by private services at the Crematorium. The service will be conducted by Dr. T. R. L. Ellis. All clubwomen of the city are requested to attend.

For many years past Mrs. Card had been intimately associated with the Woman's Club, of Portland, and with the Multnomah Chapter of the Daughters of the American Revolution. She was a charter member of the Woman's Club, its first president, and was the first Oregon delegate to a biennial meeting of the General Federation of Women's Clubs.

Speaking of Mrs. Card, Mrs. Abigail Scott Dunway recently said: "How much her mastery power had to do for a number of years in molding into shape and cementing into a harmonious whole the different factors, factions and dispositions of undisciplined womanly will, brought together for the first time in a homogeneous body, some of us may never know."

Mrs. Card was the first Oregon delegate to a biennial meeting of the General Federation of Women's Clubs, where she acquitted herself in a masterly manner. Although some of her views on fundamental questions have not been shared by the majority of her constituents, as has been proved by subsequent developments, all of us may profit by the spirit of toleration she has always shown to other people's opinions when her own have been set aside within our ranks by a popular vote."

THROUGH THE COLUMBIA RIVER

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 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 Baby Is Cutting Teeth.
Be sure and use that old and well-tried remedy, Mrs. Winslow's Syrup, for children's teething. It soothes the child, softens the gums, allays all pain, cures wind colic and diarrhoea.

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PEOPLE FLEE FOR LIVES.

Activity of Volcano in Guatemala Causes Reign of Terror.

NEW YORK, Oct. 28.—There have been serious earthquakes throughout Guatemala, and the volcano of Santa Maria is still in great eruption, cables the correspondent of the Herald at Guatemala City. There were tremendous detonations heavily rattling at 3 o'clock Thursday morning. The Santa Maria volcano has thrown a deep mantle of ashes upon the town of Quetzaltenango, which has been partly rebuilt since the earthquakes last April, and upon the town of Momantango. The volcano is near both of these

places. All towns, villages and plantations near the volcano have been abandoned, and the residents are fleeing to places of safety. The entire republic is in a disturbed condition owing to the seismic waves. Guatemala City, although more than 100 miles from Santa Maria, hears this continuous thundering.

Details of the eruption are not obtainable owing to the Guatemalan government taking possession of the telegraph lines in the interior.

TAKE CLARK'S NAME.

R. W. Mitchell Makes Suggestion in the Prize-Money Case.

PORTLAND, Oct. 28.—(To the Editor.)—I see by the dispatches to The Oregonian that the controversy between Sampson and Schley has broken out afresh, both through friends and counsel claiming the right to the prize money.

The second bill, Senate bill No. 48, contained among other provisions, the following: "The County Judge, where the county seat is within 50 miles of any railroad, if the patient is adjudged insane and is to be sent to the asylum, shall designate, by the quickest method, communicate with the superintendent of the asylum, notifying him that an insane person is to be sent to the asylum, and shall keep said person in safe custody, in as comfortable a manner as the circumstances will permit, until he is received over to the care and custody of the person or persons sent by the superintendent of the asylum for conveyance thereto."

The expenses of sending for and transporting nurses and patients to the asylum shall be paid by the State Treasurer, on the warrant of the Secretary of State, out of the fund appropriated for the transportation of insane persons, and shall include actual, reasonable and necessary expenses, together with such monthly salary for the transportation of patients shall be employed at the asylum as superintending nurses.

Both of the asylum bills passed the Senate, but like their predecessors of 1889, they never came into the House, and the patients are still transported to the asylum by Deputy Sheriffs, who receive extra pay therefor.

Speaking of the matter, Dr. Joseph said: "These bills got through the Senate, but as soon as they got into the House, the Sheriffs had such a pull, that they were shelved, and never were passed. Political chicanery is responsible for the defeat of these measures, which arose in the House and not in the Senate."

"The cry was raised that the new method would be very expensive, but on the contrary, it would be far more economical than the present system, where the Deputy Sheriffs all have great influence, having, as it does, only two attendants to care for women and men alike."

WAR DON'T SCARE FAIR MAN

St. Louis Commissioner Leaves for Morocco to Secure Exhibit.

GIBRALTAR, Oct. 28.—In view of the disturbed conditions of the interior of Morocco, considerable interest was manifested today in the departure from here of Commissioner Landerman, of the St. Louis Exposition. He started for Tangier and Fez to enlist the interest of the Sultan of Morocco and secure an important Moroccan exhibit at the fair. The General at Tangier, and that he is familiar with Morocco, and the friend of influential officials, enhances his chance of success.

The latest reports from the interior

BUTCHERS MAKE TERMS

EMPLOYERS DECIDE TO GRANT DEMANDS OF UNION.

Exception Is Taken, However, to Fixed Hours for Closing of the Shops.

At a meeting of the Retail Butchers' Association last evening it was decided to grant the terms offered by the Amalgamated Butchers' and Butcher Workmen's Union, except the clause concerning the closing of the shops at 6:30 on week days or 8 o'clock Saturday night. The men will not be required to work more than 10 hours, but the boss butchers reserve the right to remain in the shops themselves after the hour of closing and sell meat as long as there is any demand for it. The conditions of the proposed contract upon which both sides have agreed give the butcher a 10-hour day, allow him the regular wages asked for, grant an entire day for all legal holidays, do not ask him to work on Sunday, and allow him to board and room where he pleases.

The Retailers' Association, however, does not wish to force a man under their employ into the union against his wishes, as they consider this step an infringement upon his personal liberties. The union wishes the boss either to order a man to join their organization or to discharge him within 10 days, but the retailers will not agree to this condition; but it is expected that this will be amicably settled.

The contract has been under consideration for the past 10 days, as the Butchers' Union wishes a contract with certain articles which the retailers cannot allow. A committee has been appointed to wait upon the union at its meeting this evening, and it is hoped that the slight disagreement will soon be smoothed over, as the six months' contract between the union and the association has expired. The new contract will hold good for a year, and all the meat markets and practically all the butchers of the city are parties to it.

The retailers point out that their stand concerning the closing of the shops at the specific hour does not in any way affect the butchers, as only the proprietors themselves will remain to sell meat, and that as meat is a very perishable article during the summer they have suffered heavy losses under the former contract which arbitrarily fixed the latest hour at which meat could be sold. They believe that when the union men fully realize the facts of the case they will not attempt to determine the hour at which the proprietor must leave his shop.

PERSONAL MENTION.

Paul R. Kelly left last evening for a 10 days' trip to California.

Rev. Dr. George C. Cressey, pastor of the First Unitarian Church, is ill, and must undergo a severe surgical operation.

County School Superintendent Robinson has left for Pendleton to attend the session of the teachers' institute of Umatilla County.

Home D. Angell, '00, University of Oregon, passed through Portland today on his way to New York, where he goes to complete his law course at Columbia University. Mr. Angell has just completed an extensive survey contract in Jackson County.

Dr. Arthur E. Gue, of Detroit, Mich., eldest son of the late Rev. G. W. Gue, has been visiting relatives in Portland for a few weeks. He left for his home last Wednesday, accompanied by his sister, Mrs. E. P. Northrup, who will spend the winter in Detroit.

Chris Henry, of Pullar Rock, who has earned the title of champion swimmer of the Columbia by maintaining his position as "high man" for 10 consecutive years, is spending a vacation in the city. He is recuperating after the labors of last season, which was the busiest he has ever known, and hopes to surpass all previous records next season.

NEW YORK, Oct. 28.—(Special.)—The following Northwestern people registered at New York hotels today:

From Portland—A. Bernstein, at the Bartholdi.

From Tacoma—C. W. Stewart, at the St. Dennis; C. M. Huilen and wife, at the Alhambra.

From Salem—Miss G. Potter, at the Herald Square.

From Seattle—C. L. Parker and wife, at the St. Dennis.

From Spokane—J. H. Shaw, Miss L. A. Shaw, at the Victoria; J. H. Smith and

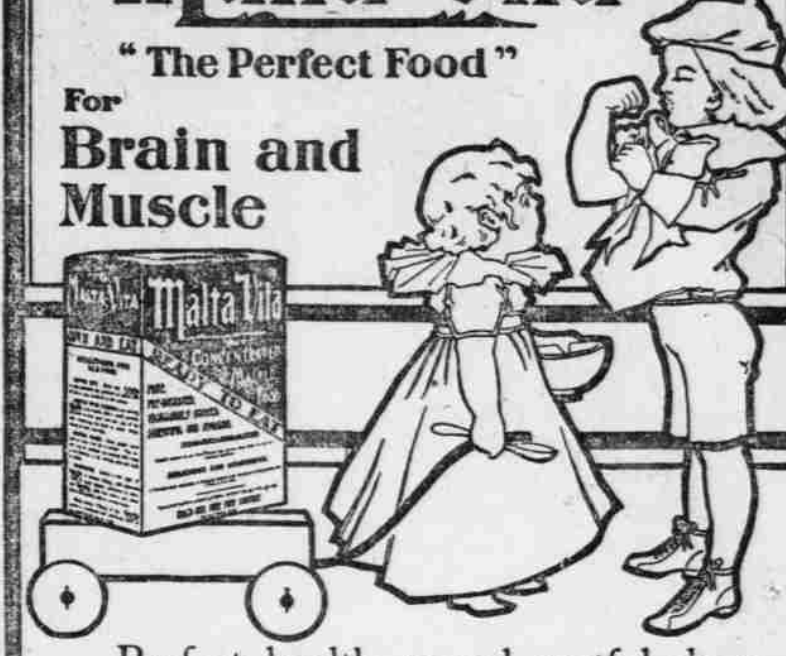
We eat

Malta-Vita

"The Perfect Food"

For

Brain and Muscle



Perfect health, sound, restful sleep, clear complexion, bright eyes, clean white teeth, sweet breath; these are the blessings that follow a diet of Malta-Vita.

Malta-Vita is justly entitled to be styled "The Perfect Food" for old and young, sick or well.

Being perfectly cooked, pleasant to taste, easily digested and assimilated, Malta-Vita is an ideal food. Leading grocers everywhere.

MALTA-VITA PURE FOOD CO.
BATTLE CREEK, MICH., AND TORONTO, CANADA.

wife, F. John and wife, at the Metropolitan.

ROME, Oct. 28.—The pope today received Archbishop Bruchini, of Modena, in private audience. The pontiff showed great interest in Canada, and spoke in flattering terms of Premier Laurier.

WASHINGTON, Oct. 28.—Secretary Root left here this afternoon for New York, where he will deliver a political address in support of the Republican gubernatorial ticket at Cooper Union tomorrow evening.

NEW YORK, Oct. 28.—(Special.)—The following gentlemen called at the Eastern headquarters of The Oregonian today: Dr. A. Tilzer and Dr. D. H. Rand.

Business Man Sentenced to Prison.
MINNEAPOLIS, Oct. 28.—Edward Blew, senior member of the commission firm of Blew & Armstrong, pleaded guilty today to forging a bill of lading on which he secured an advance at a local bank. He was sentenced to 7½ years in the penitentiary in spite of his attorney's plea for leniency. His partner, Thomas F. Armstrong, who answered to a similar charge tomorrow.

Wealthy Man Denies Larceny Charge.
NEW YORK, Oct. 28.—Louis Richman, wealthy manufacturer of New York, and his wife have been indicted by the grand jury of this county, says a Times despatch from Watertown, N. Y., on a charge of grand larceny in the first degree in having stolen a diamond necklace valued at \$25,000 and \$427 in money, the property of Mrs. Delaharpe, also of New York, at Alexandria Bay, on July 1.

Mr. Richman was arraigned and pleaded not guilty. He was released under bonds of \$5000, and the trial was set for the December term. Mrs. Richman recently was adjudged insane and committed to a sanitarium.

EYE DISEASE ALARMS CITY

New York Doctors Will Plan for Eradication of Trachoma.

NEW YORK, Oct. 28.—Dr. Ernest Lederle, president of the Health Department, has called a meeting of house physicians in all hospitals and dispensaries, to formulate plans for the eradication of trachoma, disease of the eye commonly known as granulated eyelids. Dr. Lederle states that 18 per cent of the school children in all the boroughs have trachoma, and that 10 per cent have been immediately operated upon to save their sight.

RECREATION.

If you wish to enjoy a day of rest and pleasure, take the O. R. & N. train from Union depot at 9 A. M. for a short trip up the Columbia, returning, if desired, by boat from Cascade Locks. Tickets and particulars at O. R. & N. ticket office, Third and Washington.

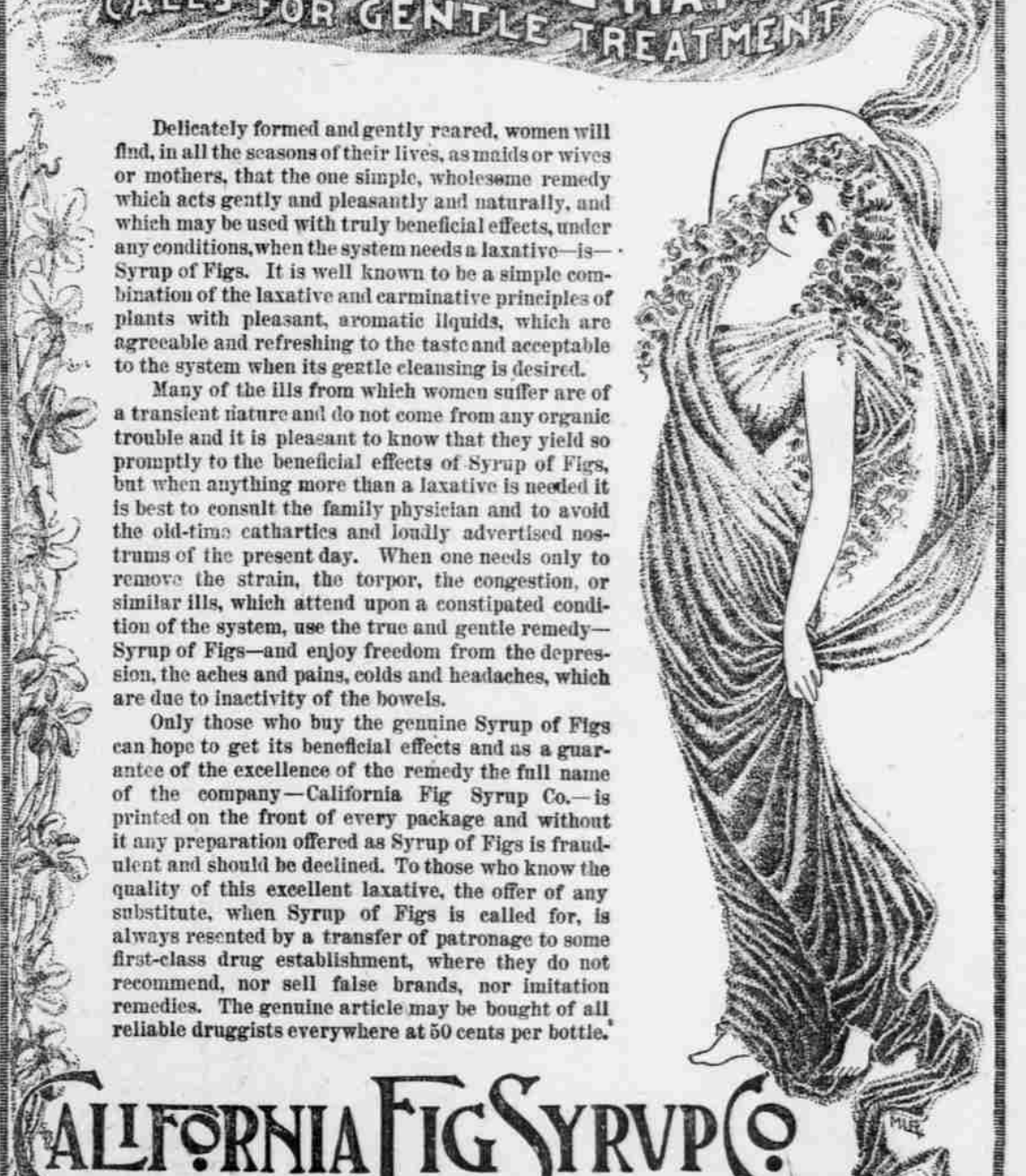
POPULAR POTTER IN SERVICE.

Queen of River Boats Is Now Making the Astoria Run.

The travel agent will be delighted to know that the popular steamer, The T. J. Potter, is now making the Astoria run. See O. R. & N. time card.

WOMAN'S GENTLE NATURE

CALLS FOR GENTLE TREATMENT



Delicately formed and gently reared, women will find, in all the seasons of their lives, as maids or wives or mothers, that the one simple, wholesome remedy which acts gently and pleasantly and naturally, and which may be used with truly beneficial effects, under any conditions, when the system needs a laxative—is Syrup of Figs. It is well known to be a simple combination of the laxative and carminative principles of plants with pleasant, aromatic liquids, which are agreeable and refreshing to the taste and acceptable to the system when its gentle cleansing is desired.

Many of the ills from which women suffer are of a transient nature and do not come from any organic trouble and it is pleasant to know that they yield so promptly to the beneficial effects of Syrup of Figs, but when anything more than a laxative is needed it is best to consult the family physician and to avoid the old-time cathartics and loudly advertised nostrums of the present day. When one needs only to remove the strain, the torpor, the congestion, or similar ills, which attend upon a