14



Pleads Guilty to the Charge of Murder in the Second Degree.

HE SLEW EDNA HOFFMAN

Cut Her Throat With a Razor, and When Captured Tried to Kill Himself in the Same Manner.

Hoffman two months ago by cutting her throat with a razor, pleaded guilty to murder in the second degree in Judge Bears' court yosterday, and was sen-tenced to life imprisonment, which is the life imprisonment, which is the statutory penalty.

the Midway saloon, and was a coldblooded affair. Coleman followed the woman here within 30 days after an assessment and



Life Imprison ment.

drunken, jealous rage. He was indicted for murder in the first degree, and Judge Sears accepted the plea of guilty to the leaser offense upon the recommendation of District Attorney Manning, Four of the grand jurors who indicted Coleman-Penumbra Kelly, C. E. Potter, Frank Hig-sins and T. S. Townsend-signed a paper stating that they believed a second-degree plen, involving life imprisonment, fitted the case. Mr. Manning was convinced that a trial would not result in a convic-tion for any greater offense than second degree murder or manslaughter. The at-torney based this opinion on the evidence which he had heard

John F. Logan and Roger Sinnott, coun-sel for the defendant, also contended that the evidence would not warrant a verdict the scheme was been worked by the scheme was committed, and did not know what he was doing. There was no premeditation, but considerable provocation. Coleman states that he knew Edna Hoffman in Spokany, and spent H250 upon ber in a short time. He nursed her when

kind two or three times a year, Judge Webster says, is a mere matter of con-venience, is perfectly legal, and the only ones who lose by it are the brokers. APPRAISEMENT TOO LOW.

Says Treasurer Regarding Estate of Henry Weinhard.

The approximement of the estate of the late Henry Weinhard, as reported to the County Court and Secretary of State, is \$200,000 less than its real value, asserts Chafter S. Moore, State Treasurer, in a petition presented to Judge Webster yea-terday, asking for a reappraisemant. The reason the State Treasurer objects to the figures as originally given is that the in-creased valuation which he proposed to catabilish would increase the inheritance tax which the state will receive \$300. The total value of the property, accord-ing to the appraisement filed, is \$1,851,957. State Treasurer Moore's figures will in-crease this sum to about \$1,578,000. In his petition objecting to the appraise-ment, the State Treasurer asys the prop-erty in Multnomah County was under-volued \$253,570; in Yamhill County, \$10,785; Jackson County, \$2000; Baker County, \$900, and Washington County, \$3000, mak-ing a total of \$257,775. The further alle-gation is made that in Clackamas and Clatsop Counties the appraisement is a larkson the state the appraisement is a larkson the state the appraisement is a larkson the state the appraisement is a The appraisement of the estate of the

large amount less than the true value, the exact or reasonable amount; how much less, the petitioner is unable to state

and four in the second degree in Judge sense court yesterday, and was seen-enced to life imprisonment, which is the tatutory penalty. The murder took place in a room over he Midway mioon, and was a coldblooded Mille Wessinger, S0; total, \$12,517.93. The inbertiance in a nover set in a court of the sense of the sens from Spokane, and killed her in a fit of tax on estates, the State Treasurer, or any other person interested, may file obany other person interested, may ne ob-jection, asking for a re-appraising of the estate and redetermination of the tax. The court shall then appoint a time for the hearing of this petition, and the per-sons interested must be notified at least ten days before the hearing is to take place

The inheritance tax law passed by the Oregon Legislature in 190 provides that 6 fax of 1 per cent shall be levied en all estates left to immediate relatives, and of 2 per cent to collateral relatives. On es-tates left to others than relatives, the tax ranges from 2 to 6 per cent, depending upon the amount of the estate.

Escapes Conviction on Technicality.

Jim Candello, an Italian who shot and also stabbed Petro Tozzi at Third and Lincoln streets, two months ago, escaped conviction in Judge Sears' court yesterday on a technicality. The name in the in-formation was Pozzi, and not Tozzi. The proof, therefore, did not conform to the information, and in conformity with the statute the court was bound to instruct the jury to return a verdict in favor of the accused. The case was, however, re-ferred back to District Attorney Manning with instructions to file a second informa-tion against Candello. Tozzi and Candello quarreled in a sa-

loon one Sunday, and continued the alter-cation on their way home.

On Trial for Robberg.

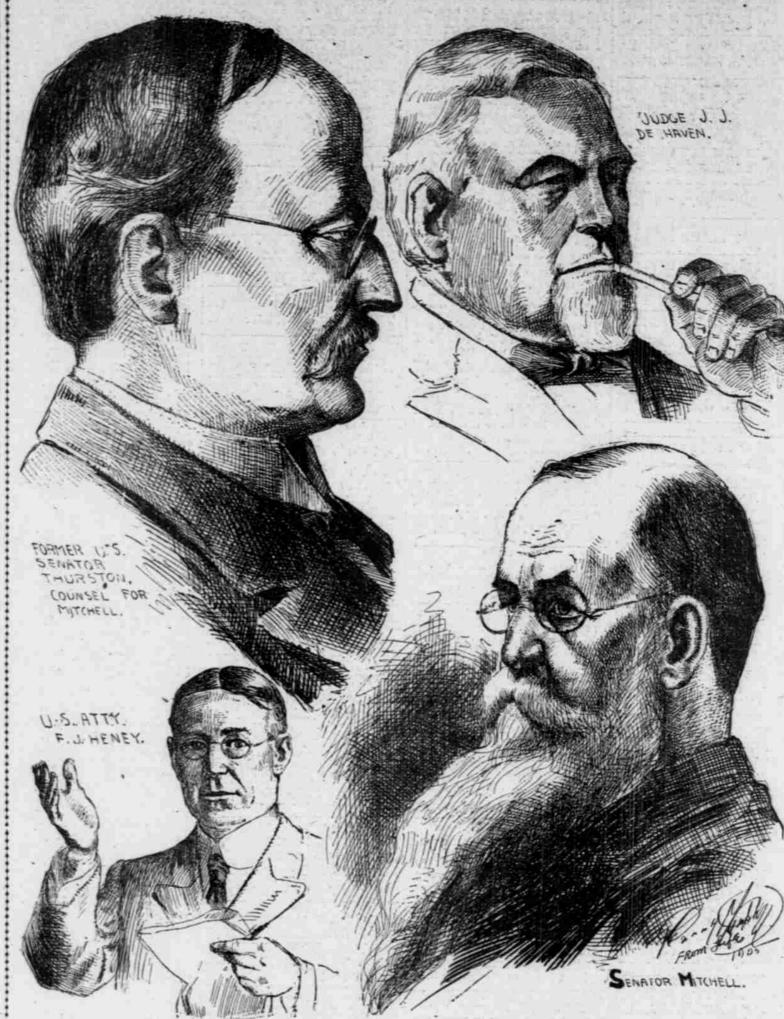
Percy E. Treau, jointly indicted with Charles Marchand for robbing Albert Hoeft, a miloonkeeper on Hood streat, and almo E. J. Finley, a patron of the place, was placed on trial before Judge George and a jury yesterday. The trial will be concluded today. Marchand was convicted last week. Treau was in the convicted last work. Treau was in the convicted last work. Treau was in the saloon when Marchand entered, and told him to take the money from the cash register and also what cash Hoeft and Finley had in their pockets. Marchand and Treau are said to have been in col-lusion. Treau denies his guilt and further asserts that Marchand was not concerned in the crime.

Incorporation Papers Filed.

Articles of incorporation of the Im proved Smeller & Mining Company were filed yestenday in the County Cierk's office, by Carl N. Jones, G. Evart Baker and Arthur Langguth; capital stock, \$1,000,000.

THE MORNING OREGONIAN, TUESDAY, JUNE 13, 1905.

JUDGE, ATTORNEYS AND DEFENDANT PRESENT AT THE ARGUMENTS IN THE FEDERAL COURT YESTERDAY



Contention of Slaughter-House in Municipal Court. IF CLOSED CITY MUST PAY

NUISANCE CASE UP

Private Agreement Hinted at by Attorney Who Declares He Will Tell It in Confidence, but Not for Publication.

Portland must tolerate the slaughter-house of the Pacific States Packing Com-pany, situated on the Macadam road, or compensate the proprietors in case it is closed, if the contention of counsel for the defense is upheld by Municipal Judge Hogue.

Hogue. Such was the argument of S. B. Linthi-cum, counsel for James M. Neal, T. W. Bigger and J. H. Cook, charged with maintaing a slaughter-house in the city limits and with conducting a public nui-sance. Special Prosecutor Smith, while having little to say, appeared to hold opposite views. Deputy City Attorney Fitzgerald was outspoken. He declared that the slaughter-house has been shown to be a great menace to public health and to be a great menace to public health and an annoyance to residents, and as such should be immediately abated. It is believed that the defendants, who, with the Ladd & Tilton people, own the

objectionable slaughter-house, wish to ar-range for a settlement out of court. Al-though neither Attorney Linthicum, for the defense, nor Mr. Smith, who has the defense, nor air omith, who has apparently represented the public inter-ests, will talk for publication, it is be-lieved the scheme is to permit the concern to run until the present lease expires. That will be many months yet.

That will be many months yet. At the conclusion of a long discus-sion of the cases, Attorney Linthicum drew up to Judge Hogue with a very confidential 'air and said in a low tone of voice that there had been some talks between himself and Mr. Smith. "I would be perfectly willing to tell Tour Honor what was said, but not for publication," stated Mr. Linthicum. Broad smiles passed over the counter-

Broad smiles passed over the counten-ance of Mr. Smith. "Yes, as I just said, I would not mind

"Yee, as I just said. I would not mind giving to the court the gist of the private conversatio a between Mr. Smith and my-self, but no for publication," continued Attorney Linuicum. The defense bases its case upon the vested right claim; that the City Council, after once granting to L. Zimmerman, one of its members, a franchise to operate a slaughter-house, cannot revoke such franchise without compensation. "The Legislature, the highest authority

The Legislature, the highest authority "The Legislature, the highest suthority we have, has given the City Council the right to revoke such an ordinance when it deems it necessary for the benefit of the public health, and the law upon the sub-ject is perfectly plain," said Deputy City Attornely Fitzgerald. "The city has power to suppress any public nulsance. Fol-lowing out the argument of counsel for the defense the city about it desire the defense the city, should it desire to revoke the licenses of the saloons here, could not do so until it paid the proprietors for the fixtures."

Judge Hogue took the matter under ad-visement. If he finds against the staugh-ter-house the case will be appealed to the Circuit Court.

Alumni Elect Officers.

Members of the Portland Academy Alumni Association met at the academy last night, and elected the following officers: President, Robert H. Strong; vice-presidents, L. T. Hazen and Miss Vida Nichols; treasurer, John C. Failing: secretary. Miss Stella Frohman. A committee was appointed to make ar-rangements for the annual promenade, to be held on Friday evening June 30

"Parsifal" Programme at Fair. Exposition authorities have

she was sick, and when he came to Portland at her request and asked for \$5 to return to Spokane, she refused to give it to him. Coleman is 20 years old, and is an Englishman. He has been a logger and a miner, and owned two valuable mines in Perguson, B. C. in the Swede group, which he transferred to his law-yers. His parents reside in Ontario, Can-

After killing Bina Hoffman, Coleman boarded a Northern Pacific train and was recognized at Kalama by C. W. Wakefield, who lives at Cheballs. Wakefield told the onductor, who telegraphed to Sheriff Urguhart, at Cheballs, but did not reach him in time, but at Cheballs Marshal Simons was taken abourd the train and arrested Coleman at Centralia. He was returned by the officer to Chehally, and just as he arrived at the Courthouse Coleman drew a razer from his boot and cut his threat effort to take his own life. Three physiciane-Drs. Dow, Kennicut and Dow - attended him and prevented the wound

oving fatal. After being returned to Portland Coleman again attempted to commit suicide. man again attempted to commit suicide, but his effort was fristrated. Carcful treatment at the County Jall and County Hospital restored birn to health. Edina Hoffman, before she took to a fast life, was the wife of Harry Hoff-

man, a Kansas City man, who once con-ducted a flouring mill at Sprague, Wash. Her name before marriage was Littlepage, and she is said to have been born in Nevada. She was a handsome woman in her youth, and had numerous admire She lived for several years in Portland.

COURT SAYS HE MUST PAY

Judge Webster on Treasurer's Re-

fusing to Cash Warrants.

County Treasurer John M. Lewis has tounty ireasurer soon M. Lewis has refused to pay a county warrant drawn in favor of County Auditor Brandes, on March 13, 1965, for charity purposes, Judge Websiter says Mr. Lewis h mistaken, and will accept the warrant and give the cash for U when he understands the direction will accept the warrant and give the cash for it when he understands the situation Detter

Judge Webster and the charity department of the county have been much bothered with the payment of small charity claims amounting to a few dollars each. Warrants are issued only on the first of each month, and claims incurred between times have to walt until the day of set-tlement arrives. If a person wants his tlement arrives. If a person wants his money at once brokers are willing to diswhen they are issued. An count of charity warrants, Judge Wenn-decided to place a small fund in the hands of County Auditor Brandes, and to renew it from time to, time as necessary. Ac-cordingly, the warrant in favor of the Auditor was issued on March 13 Mr. Brandes caahed it at a local bank, and the Treasurer declined to pay it when it manded is a sould be taking it would be taking it been issued by Ellers Plane House, and is the asking. The plot of "Parsifal" has been sketched carefully, and, full explana-tion is made of the wonderful tone pletures. Apply at Department "M." washington street. Requests by companied by 2 cent count the claims and take the warrants when they are issued. To avoid the dis-count of charity warrants. Judge Webster

and better anys it would be taking tion is made of the wonderful tone money out of his custody and placing it in the hands of another county officer 251 Washington street. Requests by for the purpose of paying county bills, a function which belongs exclusively to the postage to cover cost of mailing.

Judge Webster asserts that the County Treasurer is not supposed to know what becomes of the money which he pays on county warrant. If the warrant is genuine, it is the duty of the Treasurer to pay it, and it makes no difference to him what becomes of the money. The

FIRST GRADUATING CLASS **Columbia University Will Close With**

Exercises Tomorrow.

Columbia College, at University Park, will close the present year with com mencement exercises tomorrow more ing at 10 o'clock in the college building, when the first classes of three de partments will receive diplomas. Fol-lowing are the graduates: Commer-cial, Raiph D. Kirk, Joseph A. McInerny, Norman J. Schmitt, Frederick Z. Weber: classical, Ignatius E. McNamce, Charles C. Ros. Henry J. Schell; scien-tific, Anthony J. Weber, Francis Waish, J. LeRoy Wood. Archbishop Alexander Christie, D. D., will be present at the graduating exer-

cises. There will be the usual programme. Attorney Kavanaugh is ex-pected to talk to the graduates. These are the first graduates of the college. The year has been a prosperous for the institution.

Within about a week Rev. Father M. A. Quinlan, president, will leave for Notre Dame, Ind., to attend a meeting of the representatives of the Colleges of the Holy Cross throughout the United States to consider improvements for the various institutions. It is considered possible that plans may adopted for another building, a do tory, for Columbia College, at ilding, a dormithis meeting, although there is no anuncement to this effect. This building has been under consideration for

"PARSIFAL." The Swan Song of the Greatest of All Music-Dramatists, Richard Wagner, Is Finally to Be Heard in Its Entirety in Portland.

some

The Portland world of music-lovers is eager with expectancy. This won-derful opera was heard for the first time outside of Beyreuth but a little over a year ago, and now Portland is to have this intensely graphic music by one of the country's fluest musical organizations. Doublies thousands of people from out of town will take ad-vantage of this opportunity and come to the city for the express purpose of barries the same placed by loss

BUSINESS ITEMS.

If Baby is Cutting Teeth. So sure and use that out and well-tried remain. Mrs. Winslow's Southing Strug, for children teething. It southen the child. solutes the guma. allays all pain, curve wind colls and diarrhows.

issue of a small charity warrant of this _ Harris Trunk Co. for trunks and bags.

BRISK SKIRMISH **BEFORE DE HAVEN**

(Continued From First Page.) before the General Land Office in which we are charged with taking compensation.

One of the essential allogations of the Government is that Mitchell took a fee from Kribs. That was not a crime, for. he had a right to do it. Such an act only became a crime if it was done in violation of a Federal statute. Alone, the taking ney as a fee is not a crime unless it is taken for services performed before a department, while a Senator, in a case in which the Government is interested. Bince it is necessary for the work to done in vielation of a statute to constitute a crime in the eyes of the law. then it is a part of the Government's duty point out the particular instance in-

alleged that Kribs had been interested in 100 claims pending, and that Mitchell had received fees for expediting some of them, certain of them. It does not point out whether if was three or 20 cases. It gives the defense no chance to find the Government in any one case. It gives no opportunity to show that the Government was not interested in a particular case or that the defense was not. It seems to us that they have not pointed out the particular transaction, which, in a trial,

The court interrupted Judge Benneit given. here to ask if there was no allegation in

"No," answered Mr. Bennett. "There is no allegation except that there was a partnership agreement between Mitchell and Tanner, where Mitchell got a share of the firm business. He got the proceeds of his share in the firm. There is no in-dication that Senator Mitchell knew of the action of the firm or knew of the work done."

work done Upon the conclusion of Mr. Bennett's

drament, District Attorney Heney ad-drament biatrict Attorney Heney ad-drament. In opening his argument he said he agreed with the counsel for the point. He agreed that the contention was point. He agreed that the contention was largely upon elementary promus and he admitted that the elementary principles as stated were correct, but he did not concede that they applied to the partic-ular document before the court. "The law and the courts," said Mr. Heney, "have always been, and are now, very tender of the rights of accused per-sons. It is now held both by the ardici-

"It is said that the indictment is not definite and certain, that it does not set out that John H. Mitchell was a United States Senator at the time of the alleged unlawful practices mentioned in the in-dictment. It is not stated that he was a Senator but it is alleged that he was by unlawful practices mentioned in dictment. It is not stated that he was a Senator, but it is alleged that he was, by his agreement with Kribs, to do the work after he was elected Senator, and that he did do it while he was a Senator. It may also be argued and supported by law that if he court could take judicial knowt-edge of the fact that the defendant was a Senator." Interposed here. "The interposed here. The

sible for two opinions to be formed from service rendered by them to Kribs before committed. An indictment not charg ing the election and the taking of his seat by Senator Mitchell would not

"The indictment does not give the stand the indictment that Senator Mitchell name of Judge Tanner for the purpose knew of the fraud. Denies Mitchell's Knowledge. "I believe it is not merely a techni-cality, but a defect in the indictment, which would make it impossible to

ner did service for Mitchell, though not as a partner, the crime is complete. Identity of Ciaims Fixed. "No," answered Mr. Bennett. "There as a partner, the crime is complete

Identity of Ciaims Fixed.

The allegation of the indictment is that Senator Mitchell agreed to per-form the services for Kribs, knowing lenge the counsel to show that one of these claims set out were pending be-fore the Land Office at the time alleged. that the United States was interested: that he did it while he was United It is a very remarkable indictment, as the counsel for the Government admits. The opening chapter deals with thing not relating to the case. All the care-ful work done on the indictment is that States Senator, and that he received money for what he did. It is not necessary to bring Tanner into it at all. It is alloged that the money was re-ceived by Mitchell and Tanner. As to not know what it was put in for, then, if not to throw suspicion upon Sena-tor Mitchell as having perhaps been indefense in many of his statements as to the facts involved, and the principles cited, but he differed very widely-as to the application of them to the case in point. He agreed that the context of the claims, the orginal entries, were brought up, it would not be argued that they could not be admit-ted because the description was in ab-breviations. It is alleged that the lands were timber lands, that they offense. were in the Oregon land district. It is

"I challenge the court and the gen-tiemen to show that out of these many any of the claims ware on file before Hermann in the General Land Office against the law for any one to have more than one timber claim in his possession. So, if in the indictment the claim of S. A. D. Puter, or of any to point out the particular instance in-which the fee was taken. In this indictment it is alloged that in the case of certain claims fees were received. This is uncertain as it excludes some and includes others. It is the same as though the Government had the date in the case of certain claims fees were "It is said that the indictment is not the claim of S. A. D. Futer, or of any the status of the spirit the the spirit the claim of S. A. D. Futer, or of any the spirit the claim of S. A. D. Futer, or of any the spirit the claim of S. A. D. Futer, or of any the spirit the the spirit the the spirit the spirit the spirit the claim of S. A. D. Futer, or of any the spirit t to be charitable, but it appears to me

all these statements are set out. In the first count it is specifically stated that the money. \$500, was re-ceived for services rendered in perman. stands throws the defendant into great danger, as it proves no bar to further proceedings. If he were acquitted, it

would give no surety that he could not be indicted for the same offense by an-other jury. It is not an indictment charging in any way the commission

<text><text><text><text><text><text><text><text>

New England Society.

mitted.

More than 125 members of the New England Society held an entitusiastic meeting in the Chamber of Commerce Hall last night, with Judge H. H. Northrup as presiding officer. The society voted to entertain the New Eng-land teachers who will arrive on July 12, and also secured handsome badges of membership.

want simply to have justice done.

consider both the arguments made and the written briefs that had been sub-

"I challenge the court and I chal

Lists Thrown in Haphazard.

"I insist that the indictment as it

of membership. Commissioner W. H. Fairbanks, of the Massachusetts building at the Exposi-tion, was present and explained the programme for Massachusetts day, Saturday, June 17.



HORSFORD'S ACID PHOSPHATE, atury's remedy for obstinate indiges yous dyspepsia, headache and depres

unced the "Parsifal' gramme, which was to have been played on Sunday afternoon, June 18, will be given on the evening of the same day instead.

THE BIGGEST SIGN IN NEW YORK

Is at Twenty-third Street and Fourth Avenue.

(From the New York Evening Sun.)

Does anybody know the size of the hig-gest sign in New York? It's at the cor-ner of Twenty-third street and Fourth avenue, and is 175 feet long. It is the sign of the J. Waiter Thompson Adver-tising Agency.

sign of the J. Waiter Thompson Adver-tising Agency. On inquiry, it turned out that the size of the sign was practically an accident. Moving from the old Times building to new offices at the corner of Twenty-third street and Fourth avenue, an order was given for a sign. "How big a sign do you went?" was the signmaker's query. "Big enough," he was told, "to run the full length of the office front." "You'll have the biggest sign in New York," he replied; "a sign 175 feet long." Even this measurement of frontage can convey no adequate idea of the office space behind it, 13,000 square feet upon one floor, and every foot of space a business necessity. which shows the fraud of Kribs. I do

volved in the fraud and in collusion with Kribs to defraud the Government and thus make him face that cloud when he is tried for a simple statutory

necessity. It has taken 40 years of sleady growth for the business of the J. Walter Thomp-son Company to reach its present prestige and prominence, when it counts over 500 active customers as its clients, and among them many whose names are known to

active customers as its clients, and among them many whose names are known to every reader in the land-the representa-tive advertisers of the country. There may be some yet who doubt if advertising pays, but there can be no doubt that advertising pays if Thompson, does it. The best proof of this is that every step of the growth of the J. Walter Thompson Agency has depended on the profit made for customers by the Thomp-non plan of publicity. So that the big ad-vertising sign of the big advertising sum-ness points a moral to advertisers; Ad-vertising pays when Thompson does it. at the time charged. And how much better does it make the indictment when this list is interposed? I wish that the list has been thrown into the document haphanard and without re-gard to connection. It may be that the descriptions in the indictment could be understood by the experts of the Land Office, but they could not by the lay-

FEED YOU MONEY

Your Brain and It Will Feed You Money and Fame,

"Ever since boyhood I have been espe cially fond of meats, and I am convinced I ate too rapidly, and failed to masti

"The result was that I found myself, a of acts necessary to constitute the crime alleged. I do not ask more than I would for the humblest citizen of the land, but I few years ago, afflicted with ailments of the stomach, and kidneys, which inter-fered seriously with my business.

"At last I took the advice of friends At the conclusion of Senator Thurs-ton's arguments, Judge De Haven ad-journed the court until 18 o'clock this morning, after stating that he would and began to eat Grape-Nuts instead of the heavy meats, etc., that had constitut-ed my former dist. "I found that I was at once benefited

by the change, that I was soon relieved from the heart-burn and the indigestion that used to follow my meals, that the pains in my back from my kidney affec-

pains in my back from my kidney affec-tion had ceased, showing that those or-gams had been healed, and that my nerves, which used to be unsteady, and my brain, which was slow and ichtargic from a heavy diet of meats and greasy foods, had, not in a moment, but gradual-ly, and none the less surely, been restored to normal efficiency. Now every nerve is steady and my brain and thinking facul-ties are quicker and more acute than for ties are quicker and more scute than for

ties are quicker and more acute than for years past. "After my old style breakfasts I used to suffer during the forenoon from a feel-ing of weakness which hindered me seri-ously in my work, but since I have be-gun to use Grape-Nuts food I can work till dinner time with all ease and com-fort." Name given by Postum Co., Battle Creek Mich. Creek, Mich.

There's a reason. Read the little book, "The Road to Weilville," in each package.

