

LIFE TERMS GIVEN COLEMAN

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.

John T. Coleman, who murdered Edna Hoffman two months ago by cutting her throat with a razor, pleaded guilty to murder in the second degree in Judge Sears' court yesterday, and was sentenced to life imprisonment, which is the statutory penalty.

The murder took place in a room over the Midway saloon, and was a coldblooded affair. Coleman followed the woman here from Spokane, and killed her in a fit of



John Coleman, Murderer, Sentenced to Life Imprisonment.

drunken, jealous rage. He was indicted for murder in the first degree, and Judge Sears accepted the plea of guilty to the lesser offense of murder in the second degree. District Attorney Manning, four of the grand jurors who indicted Coleman—Pennington, Kelly, C. E. Potter, Frank Higginbotham, and Thomas—stated in a paper stating that they believed a second-degree plea, involving life imprisonment, fitted the case. Mr. Manning was convinced that a trial would not result in a conviction for any greater offense than second degree murder or manslaughter. The attorney based this opinion on the evidence which he had heard.

John F. Logan and Roger Sinnott, counsel for the defendant, also contended that the evidence would not warrant a verdict greater than second degree. Coleman, they alleged, was very drunk when the crime was committed, and did not know what he was doing. There was no premeditation, but Coleman obtained a razor from a barber, and used it to cut Edna Hoffman in Spokane, and spent \$1200 upon her in a short time. He nursed her when she was sick, and was a lodger and a miner, and owned two valuable mines in Ferguson, B. C., in the Swede group, which he transferred to his lawyers. His parents reside in Ontario, Canada.

After killing Edna Hoffman, Coleman boarded a Northern Pacific train and was recognized at Kalama by C. W. Wakefield, who lives at Chehalis. Wakefield told the conductor, who telegraphed to Sheriff Urdahl, at Chehalis, but did not reach him in time, but at Chehalis Marshal Simon was taken aboard the train and returned to Coleman at Centralia. He was returned by the officer to Chehalis, and just as he arrived at the Chehalis station, Coleman drew a razor from his boot and cut his throat in an effort to take his own life. Three physicians—Drs. Dow, Kennard and Dow attended him and prevented the wound proving fatal.

After being returned to Portland Coleman again attempted to commit suicide, but his efforts were frustrated. Careful treatment at the County Jail and County Hospital restored him to health.

Edna Hoffman, before she took to a fast life, was the wife of Harry Hoffman, a Kansas City man, who conducted 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 admirers. She lived for several years in Portland.

COURT SAYS HE MUST PAY

Judge Webster on Treasurer's Refusing to Cash Warrants.

County Treasurer John M. Lewis has refused to pay a county warrant drawn in favor of County Auditor Brandes on March 12, 1905, for charity purposes. Judge Webster says Mr. Lewis is mistaken, and will accept the warrant and give the cash for it when he understands the situation better.

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 wait until the day of settlement arrives. If a person wants his money at once brokers are willing to discount the claims and take the warrants when they are issued. To avoid the discount of charity warrants, Judge Webster decided to place a small fund in the hands of County Auditor Brandes, and to renew it from time to time as necessary. Accordingly, the warrant in favor of the Auditor was issued on March 12. Mr. Brandes cashed it at a local bank, and the Treasurer declined to pay it when it was presented.

Mr. Lewis says it would be taking money out of his custody and placing it in the hands of another county officer for the purpose of paying county bills, a function which belongs exclusively to the Treasurer.

APPRAISEMENT TOO LOW.

So Says Treasurer Regarding Estate of Henry Weinhard.

The appraisal of the estate of the late Henry Weinhard, as reported to the County Court and Secretary of State, is \$20,000 less than its real value, asserts Charles S. Moore, State Treasurer, in a petition presented to Judge Webster yesterday, asking for a reappraisal. The reason the State Treasurer objects to the figures as originally given is that the increased valuation which he proposed to establish would increase the inheritance tax which the state will receive \$3000.

The total value of the property, according to the appraisal filed, is \$133,967. State Treasurer Moore's figures will increase this sum to about \$163,000.

In his petition objecting to the appraisal, the State Treasurer says the property in Multnomah County was under-valued \$27,650; in Yamhill County, \$30,798; Jackson County, \$2000; Baker County, \$7000; and Washington County, \$2000, making a total of \$52,348. The further allegation is made that in Clackamas and Clatsop Counties the appraisal is a large amount less than the true value, the error of reasonable amount, how much less, the petitioner is unable to state at the present time.

The total inheritance tax which the heirs of Henry Weinhard offered to pay to the state on the appraisal filed, is \$13,396.70. The tax on the reappraisal, as follows: Louisa Weinhard, \$6979.53; Anna Westlinger, Paul Westlinger, Henry Wagner and Louisa Wagner, \$1025.00 each, and Millie Westlinger, \$200.00, total, \$12,319.53.

The inheritance tax law provides that within 30 days after an assessment and determination by the County Court of any tax on estates the State Treasurer, or any other person interested, may file objection, asking for a re-appraisal of the estate and redetermination of the tax. The court should then appoint a time for the hearing of this petition, and the persons interested must be notified at least ten days before the hearing is to take place.

Escapes Conviction on Technicality.

Jim Candelio, an Italian who shot and also stabbed Pietro Tozzi at Third and Lincoln streets, two months ago, escaped conviction in Judge Sears' court yesterday on a technicality. The name in the information was Tozzi, and not Tozz. The error, therefore, did not conform to the statute the court was bound to instruct the jury to return a verdict in favor of the accused. The case was, however, referred back to District Attorney Manning with instructions to file a second information against Candelio.

Tozzi and Candelio quarreled in a saloon one Sunday, and continued the altercation on their way home.

On Trial for Robbery.

Percy R. Treau, jointly indicted with Charles Marchand for robbing Albert Hood, at 1000 1/2 street, and also 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 saloon when Marchand entered, and told him to take the money from the cash register and also what he had on his person. Treau and Marchand were in collusion. Treau denies his guilt and further asserts that Marchand was not concerned in the crime.

Incorporation Papers Filed.

Articles of incorporation of the Improved Smelter & Mining Company were filed yesterday in the County Clerk's office, by Carl N. Jones, G. Ewart Baker and Arthur Langstaff; capital stock, \$1,000,000.

FIRST GRADUATING CLASS

Columbia University Will Close With Exercises Tomorrow.

Columbia College, at University Park, will close the present year with commencement exercises tomorrow morning at 10 o'clock in the college building, when the first classes of three departments will receive diplomas. Following are the graduates: Commercial, Ralph D. Kirk, Joseph A. McInerney, Norman J. Schmitt, Frederick Z. Weber; classical, Ignatius E. McNamee, Charles C. Roe, Henry J. Schell; scientific, Anthony J. Weber, Francis D. Walsh, Leroy Wood.

Archbishop Alexander Christie, D. D., will be present at the graduating exercises. He is 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 then that it is necessary for the work to be done in violation of a statute to constitute a crime in the eyes of the law. "In this indictment it is alleged that in the case of certain claims fees were received. This is incorrect as it excludes some and includes others. It is the same as though the Government had alleged that Kribs had been interested in 300 claims pending, and that Mitchell had received fees for expediting some of them, certain of them. It does not point out whether it 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, is an essential part of the crime.

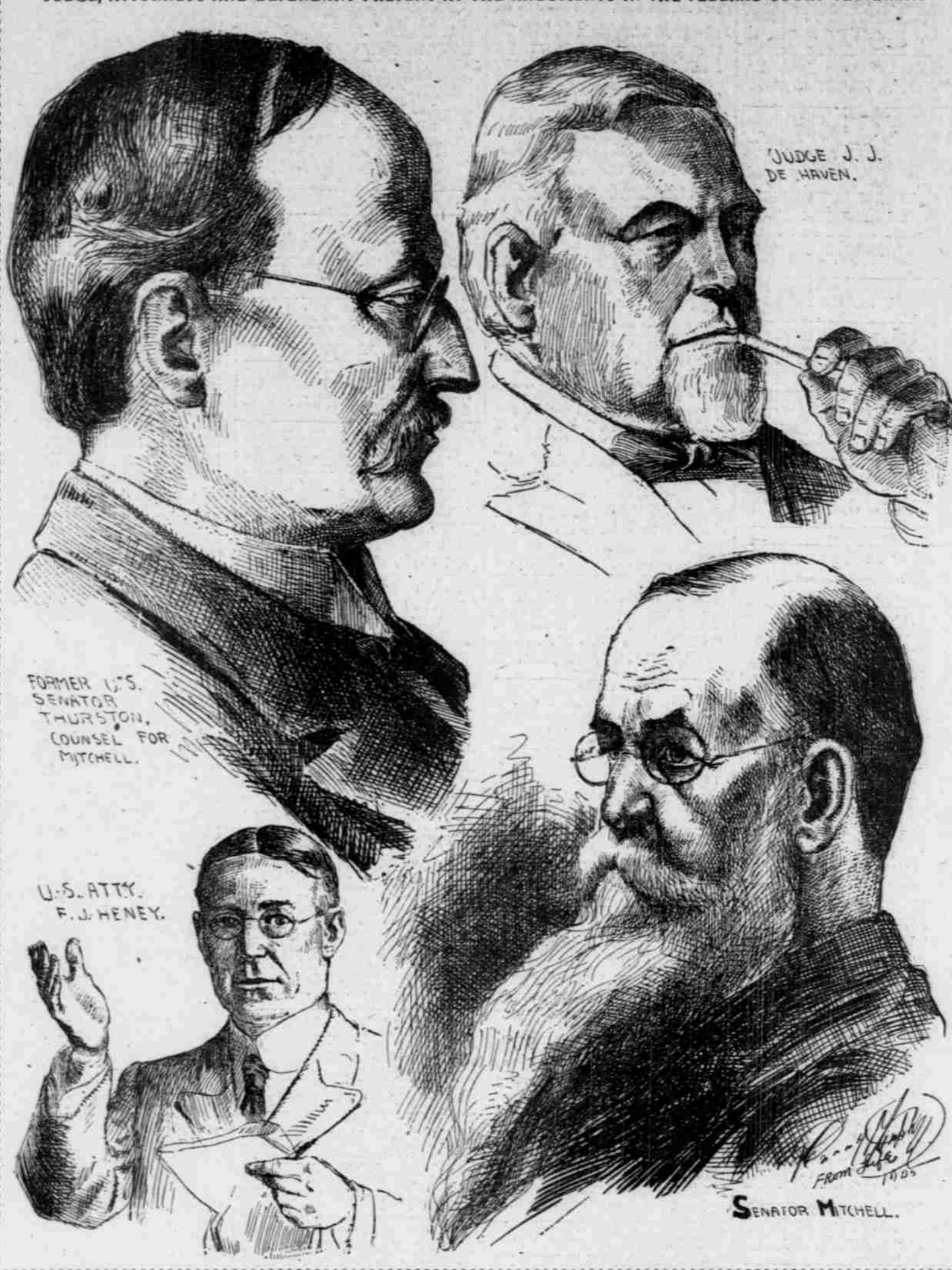
Objects to Abbreviations.

"It is the intention of the law that the indictment shall be sufficiently plain and comprehensive so that a man, if he were to be unable to secure counsel, could read it and understand it. Therefore, we further contend that the use of the abbreviations descriptive of the land as submitted in the indictment is not sufficient. They could be understood in the Land Office but not by an ordinary individual. This argument is supported by a decision of the United States of government held that uncommon abbreviations should not be used in an indictment to the confusion of the mind of an ordinary individual.

BUSINESS ITEMS.

If Baby Is Cutting Teeth. He cuts a mark that cut the waist-trim, for children. Mrs. Winslow's Soothing Syrup, for children teething. It soothes the child, softens the gums, cures all pain, cures wind colic and diarrhoea. Haggis Drunk Co. for trunks and bags.

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



Former U.S. Senator Thurston, Counsel for Mitchell. U.S. Atty. F. J. Heney. Judge J. J. De Haven.

BRISK SKIRMISH BEFORE DE HAVEN

able for two opinions to be formed from reading it.

The court interrupted Judge Bennett here to ask if there was no allegation in the indictment that Senator Mitchell knew of the fraud. Mitchell knew of the fraud of the firm or knew of the "work done."

Denies Mitchell's Knowledge.

"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 indication that Senator Mitchell knew of the action of the firm or knew of the 'work done.'"

Did Work While Senator, Says Heney

"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 indictment. It is alleged 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 it while he was a Senator. It may also be argued and supported by law that the court could take judicial knowledge of the fact that the defendant was a Senator.

Identify of Claims Fixed.

The allegation of the indictment is that Senator Mitchell agreed to perform the services for Kribs, knowing that the United States was interested; that he did it while he was United States Senator, and that he received money for what he did. It is not necessary to bring Tanner into it at all. It is alleged that the money was received by Mitchell and Tanner. As to the description, it is the claim that is up for consideration, not the land. So if the claims, the original entries, were brought up, it would not be argued that they could not be admitted because the description was in abbreviations. It is alleged that the lands were timber lands, that they were in the Oregon land district. It is 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. Pater, or of any one else, was set out, it would not need further description. If the name of the man taking the claim, and the date of entry, is given, it fixes the identity of the claim and makes it certain. It seems to me that there can be no question that the indictment is certain when all these statements are set out.

Ex-Senator Thurston's Argument.

Following, Mr. Heney, ex-Senator Thurston closed the argument on the part of the defense. In presenting his contentions, he said:

"It is a regret to the defendant and his counsel to meet an indictment so loosely drawn. We cannot permit our client to go to trial on such an indictment and yet carry out our duties as counsel. We do not seek to interpose technicalities in this case. The common law is so wise that it provides a man shall not be tried either for his liberty or his life unless on a specific charge, whereby the defendant is fully advised of the accusation against him. Not only that, but the purpose of the defendant's acquittal or conviction on this charge ought to stand as a record in the case and guard against further indictments, such as may follow if the steps of the case are not carefully taken and the law fully complied with. What we urge against this indictment is not a matter of form, but of substance. The first thing necessary to prove a crime has been committed is to show that he was an official of the Government. The fact of John H. Mitchell being a Senator from this state appears not as an allegation in this indictment, but in a merely recitative way. Not only must the indictment assert it, but it must be proved that Senator Mitchell was duly elected and that he qualified for that position, and was occupying that office when the offense is said to have been

Lists Thurston in Haphazard.

"I challenge the court and the gentlemen to show that out of these many, any of the claims were on file before Herrmann in the General Land Office at the time charged. And how much better does it make the indictment when this list is interposed? I wish to be charitable, but it appears to me that the list has been thrown into the document haphazard and without regard 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 layman.

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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 biggest sign in New York? It's at the corner of Twenty-third Street and Fourth Avenue, and is 175 feet long. It is the sign of J. Walter Thompson Advertising Agency.

On inquiry, it turned out that the sign is on the corner of Twenty-third Street and Fourth Avenue, and is 175 feet long. It is the sign of J. Walter Thompson Advertising Agency.

FEED YOU MONEY

Feed Your Brain and It Will Feed You Money and Fame. Ever since boyhood I have been especially fond of meats, and I am convinced I ate too rapidly, and failed to masticate my food properly.

New England Society.

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

NUISANCE CASE UP

Contention of Slaughter-House in Municipal Court.

IF CLOSED CITY MUST PAY

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

Portland must tolerate the slaughterhouse of the Pacific States Packing Company, 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.

Such was the argument of S. R. Lintin, counsel for James M. Neal, T. W. Bigger and J. H. Cook, charged with maintaining a slaughterhouse in the city limits and with conducting a public nuisance. Special Prosecutor Smith, who has having little to say, appeared to hold opposite views. Deputy City Attorney Fitzgerald was outspoken. He declared that the slaughterhouse has been shown to be a great menace to public health and an annoyance to residents, and as such should be immediately abated.

It is believed the contention of counsel for the defense is upheld by Municipal Judge Hogue. At the conclusion of a long discussion of the cases, Attorney Lintin 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 and myself, but I would be perfectly willing to tell Your Honor what was said, but not for publication," stated Mr. Lintin.

Broad Smith, counsel for the defendant, said: "Yes, as I just said, I would not mind giving to the court the gist of the private conversation between Mr. Smith and myself, but I would be perfectly willing to tell Your Honor what was said, but not for publication," stated Mr. Lintin.

The defense bases its case upon the vested right claim, that the City Council, after once granting to the Lintin one of its members, a franchise to operate a slaughterhouse, cannot revoke such franchise without compensation.

"The Legislature, the highest authority 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 subject is perfectly plain," said Deputy City Attorney Fitzgerald. "The city has power to suppress any public nuisance. Following out the argument of counsel for the defense the city, should it desire to revoke the license of the saloons here, could not do so until it paid the proprietors for the fixtures."

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-president, T. S. Smith; and Mrs. Viola Nichols; treasurer, John Fallink; secretary, Miss Stella Frohman. A committee was appointed to make arrangements for the annual promenade, to be held on Friday evening June 23.

"Parsifal" Programme at Fair.

Exposition authorities have announced that the "Parsifal" programme, which was to have been played on Sunday afternoon, June 13, will be given on the evening of the same day instead.

Feed Your Money

Feed Your Brain and It Will Feed You Money and Fame. Ever since boyhood I have been especially fond of meats, and I am convinced I ate too rapidly, and failed to masticate my food properly.

"The result was that I found myself, a few years ago, afflicted with ailments of the stomach, and kidneys, which interfered seriously with my business. At last I took the advice of friends and began to eat slowly, and to masticate the heavy meats, etc., that had constituted my former diet.

"I found that I was at once benefited from a heavy diet, that 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 affection had ceased, showing that the bowels or glands had been healed, and that my nerves, which used to be unsteady, and my brain, which was slow and lethargic from a heavy diet, was soon restored to normal efficiency. Now every nerve is ready and my brain and thinking faculties are quicker and more acute than for years past.