

WITNESSES IN PROSECUTION

Francis Mitchell Discharged Through Negligence of Detectives.

MAN WHO SOUGHT ESCAPE

Only One Witness Appeared, Although Detectives Boasted of Strong Case—Accused Considered Desperate.

With the penitentiary staring him in the face, Francis Mitchell was released on a charge of larceny in a dwelling because Detectives Kerrigan and Snow neglected for three consecutive days to produce the witnesses to prove the case. This occurred yesterday morning in the Municipal Court, when the prisoner was up for preliminary hearing before Judge Cameron. Mitchell is regarded as one of the most desperate criminals ever captured in Portland. That he was guilty of breaking into the room of Leroy Berry, in the Ross House, and stealing a watch and \$15 in cash, there would not be the slightest doubt and Deputy District Attorney Haney fully expected, from his knowledge of the case, to convict Mitchell of larceny in a dwelling and send him to the penitentiary. Mitchell broke out of the Tacoma City Jail, where he was serving a term of 60 days on the rockpile. He was arrested here by Kerrigan and Snow, at which time a watch, worth \$15, had been stolen, which Mitchell had hidden in his stocking. The first night he was in jail, he managed somehow to secure a spoon, with which he tunneled from the bottom of his cell, and on the third night, he made his escape. Fortunately, he was discovered just in time by Policeman Wilson, and returned to a more secure cell. Mitchell was identified by Leroy Berry, as the man who stole his watch, and furthermore, the watch was found where it had been thrown by James O'Connor, a pal of Mitchell. O'Connor was held to the penitentiary. When arrested, Mitchell also had \$15 on his person—the exact sum stolen from Berry's room. For the past week Detectives Kerrigan and Snow have been telling every one about the desperate character of Mitchell, and the strong case they had secured against him. Yesterday, however, they were not present with their witnesses. Today, when Deputy District Attorney Haney called the case and found no witnesses present, he stated that unless witnesses were on hand the following day, he would have the case dismissed. When Mitchell was brought out, Attorney Logan appeared to defend him, but he found there was nothing to defend. He stated that the witnesses had utterly failed to make out a case, and he sought to produce the witnesses and that the whole thing, as a prosecution, was a farce. The only witness called was Policeman Anderson, who knew nothing concerning Mitchell except that he had seen him with O'Connor on the morning he and Policeman O'Brien arrested O'Connor. Mitchell took to his heels on that occasion, and never returned. On this lamentable lack of testimony, and no more forthcoming, Judge Cameron quickly discharged Mitchell. Kerrigan and Snow then began complaining about the matter, and Mitchell never returned to the proper witnesses had never requested subpoenas for anyone in the case. Mitchell is a man who is widely acquainted with criminals, and from the actions of Detectives Kerrigan and Snow during the entire proceedings, observers have remarked that there is method in the madness of the high-salaried sleuths who failed to make out a case. With righteous indignation expressed by word and act, the detectives demanded that a charge of vagrancy be filed against Mitchell, after he was discharged on the other count, and that the date for hearing be fixed for today. Charles Bogness and Charles Peterson, young men who have been identified with what is known as the "East Side Gang," were yesterday held to the grand jury under bonds of \$100 each, to await action on charges of burglary. They were arrested by Policemen Start and Judson, after running their night last week. They are accused of entering and robbing the saloon of Captain J. Olson, on East Morrison, between Bridge and Water streets.

have been very sick. The church will remain closed during August. Dr. J. Mark Baldwin, special agent detailed by the Government to report on the educational exhibit at the Exposition, left for Alaska yesterday for a two weeks' trip.

CHICAGO, Aug. 10.—(Special.)—Oregonians registered today as follows: Windsor-Clifton—J. H. Brader, Jr., J. A. Greenler, B. O. Hall, Portland. Great Northern—C. L. Cooke, Oregon. Briggs—W. Fisher, Salem. Palmer House—Mrs. B. Meyers, Portland; C. B. Easton, H. B. Rounds, Oregon. Auditorium—W. M. Bray, C. Hoffman, Portland. Sherman House—C. C. Campbell, Oregon. Morrison—J. J. Farrell, Oregon; R. E. Walker, Salem. Kaiserhof—B. B. Stone, Oregon.

NEW YORK, Aug. 10.—(Special.)—Oregonians registered today at the exposition as follows: From Tacoma—James Morris, Jessie Morris, at the Astor. From Seattle—E. E. Sager, at the Grand. From Spokane—R. R. Slem, at the Glisley.

At the Theaters

What the Press Agents Say.

"LADY BOUNTIFUL" FOR ALL

Present Bill at the Belasco is a Play That Suits Everybody. It is very seldom that a production so lavishly put on as "Lady Bountiful," at the Belasco this week, is the kind of drama that is suited to all tastes. As a

rule, they are spectacles pure and simple, or the thread of dramatic interest is so light that the play itself is lost sight of under the elaborate scenery or costuming given the play. "Lady Bountiful" is elaborately presented, it is no less excellent than the beautiful mountings. It is a play of deep interest, said by many to be "Pinocchio's best, and it is splendidly acted by the Belasco Company. Be sure and see it before it is gone late.

FUN AT THE MARQUAM.

Kohl and Hill Present Two Musical Comedy Burlesques.

The attraction at the Marquam Grand Theater, on Morrison, between Sixth and Seventh streets, tonight at 8:30 o'clock, will be the funny German comedians Kohl and Hill, and their excellent company of 48 people in the two musical-comedy burlesques, "The Skindicate" and "The Kindergarten." Both of these clever comedies are filled with comic situations and timely sayings, which, together with the excellent cast, catchy music and pretty girls, make it a summer evening's entertainment never to be forgotten. This double bill will be the attraction to-night and tomorrow night with a special matinee tomorrow (Saturday) afternoon at 2:30 o'clock. Seats are now selling.

"AUDREY" NEXT WEEK.

Famous Romantic Drama to Be Presented at the Belasco.

Commencing next Monday night, the Belasco Company will appear in a magnificent production of the tremendous popular romantic drama, "Audrey," as dramatized from Mary Johnston's great novel. Remember, this will be the last bill in which Eugene Ormande, the famous Belasco leading man, will appear.

Develo and His Performance.

The performance of Develo, the sensational bicyclist, is an attractive number on the Star's bill, and is drawing packed houses every night. On the interior of a granite case he rides his wheel with sufficient speed to keep his body in a horizontal position for several minutes. The performance is a dangerous one and is watched with the keenest interest. Another good number is Bendin Bond, a contortionist, who is the most graceful man we have ever seen in his line. Massey and Wilson's new talk is refreshing. They draw themselves very tastefully and have a good specialty. Roy McBrinn's voice is sweet, clear and rhythmic. His song is one of the best things on the bill. Gaston and Harvey have an original dance which has caught on wonderfully, and they are caused to repeat it nightly. The remainder of the bill is up to the Star's standard and the show throughout is a very good one.

Would Improve Sellwood Street.

Thad W. Vreeland and nine other property-owners have petitioned the City Council for the improvement of Sellwood street, from the west line of Gantenbein avenue to the east line of Borthwick street, by grading to the established grade, macadamizing the roadway full width according to the specifications of the City Engineer's office, constructing cement sidewalks and curbs where not now existing, together with wooden crosswalks at street intersections.

LOW EXCURSION RATES TO THE EAST.

On sale August 14, 15, 21 and 25, and September 19 and 27, the Rock Island has been granted a vacation by its congregation and is remaining at home taking a rest. Later he will go to the seaside with his daughters both of whom

CHARGES AGAINST DRYDOCK SCALE FOR LARGE VESSELS IS REDUCED.

The British ship Pythomene sailed for Port Natal yesterday with 1,642,755 feet of lumber worth \$17,712. The steamer Roanoke has lost a day on her trip up the Coast and will not be due here until 2 o'clock this afternoon. She leaves for the South at 2 P. M. Sunday, instead of 5 P. M. Saturday.

MAY STIMULATE BUSINESS

Inducement Offered by Port of Portland for Docking of Hamburg-American Liners—Commission Elects Officers.

The Port of Portland Commission took steps yesterday toward securing the docking of the Hamburg-American line steamers operated by the Portland & Astoria Company by amending the drydock charges to offer inducement to large vessels. Fred C. Ballin, representative of German insurance companies, informed the Commission of his regular monthly meeting that if the drydock schedule were reduced, the Hamburg-American Company would probably order its vessels docked here. Accordingly, the board adopted a resolution to the effect that all vessels of 1000 tons should have one extra lay day without charge, with an additional lay day for each 100 tons. This steamer ship

Domestic and Foreign Ports.

ASTORIA, Aug. 10.—Condition of the bar at 5 P. M., smooth, wind northwest, weather clear. Arrived down at 3 and sailed at 8:30 A. M.—Steamer St. Paul, for San Francisco. Arrived at 6:30 A. M. and left up at 11:15 A. M.—British steamer Totemham, from Victoria, arrived at 7 P. M. Saturday. A. M.—Steamer Alliance, for Coos Bay and Eureka. Arrived at 8:15 and left up at 8:30 P. M.—Steamer Aurelia, from San Francisco, arrived down at 8 P. M.—British steamer Pythomene. San Francisco, Aug. 10.—Sailed at 11:30 A. M.—Steamer Columbia, for Portland. Sailed at 7 P. M. for Astoria, for Portland. Arrived Steamer F. Plant, from Coos Bay. Sailed—Schroeder Annie Larsen, for Gray's Harbor; steamer Sonoma, for Sydney. Harford, Aug. 10.—Arrived—Steamer Wuttler and barge Santa Paula, from Portland. Hongkong, Aug. 10.—Arrived—Teutonic, from New York. Yokohama, Aug. 10.—Arrived—Empress of India, from Vancouver; for Hongkong; Korea, from San Francisco; via Honolulu, for Hongkong. Sailed—Henry, for Puget Sound.

FAMOUS READER TO BE HEARD AT THE EXPOSITION

SEATTLE, Wash., Aug. 10.—(Special.)—Miss Beatrice McClure, famous reader and exponent of the art of expression, will be heard at the exposition monthly meeting that if the drydock schedule were reduced, the Hamburg-American Company would probably order its vessels docked here. Accordingly, the board adopted a resolution to the effect that all vessels of 1000 tons should have one extra lay day without charge, with an additional lay day for each 100 tons. This steamer ship

WATER FOR MOUNT TABOR

Fifty Thousand Gallons Daily Allowed Suburb by Water Board.

Mount Tabor will get Bull Run water to the amount of 50,000 gallons per day until the rainy season sets in. J. M. Arthur, owner of the plant, according to his intention, announced yesterday morning, interviewed members of the Water Committee, with the result that the superintendent was instructed to allow that amount of water to be turned into the Mount Tabor mains. This will relieve the situation at Mount Tabor. The supply of Paradise Springs, on Hawthorne street, has been steadily decreasing. A connection will be made at once with Reservoir No. 1, the higher reservoir, by means of a pipe that is already laid almost to the reservoir. It will take several days to make the connection, and the arrangement will be pleasing to residents.

DAILY CITY STATISTICS

Marriage Licenses. R. L. Whitcomb, 29, Elizabeth B. Morrow, 21. James L. Shute, 41, Seattle; Ida M. Klopff, 21. W. L. Smith, 21; Cora M. Jett, 21. D. H. Dark, 23; Alice E. Giampan, 21. C. C. Herron, 42; Lydia Hesse, 40. Lester Klina, 25; Anna Gertrude Segel, 22.

Deaths. At St. Vincent's Hospital, August 7, George A. Brady, a native of Oregon, aged 45 years, after a long illness. August 9, Dorothy Jane, infant daughter, aged 2 years and 2 days. E. Davis, a native of Oregon, aged 11 months and 13 days. Remains removed to Clackamas county, 20 days.

At 80 Second street, August 6, Lee Yok-Nau, a native of China, aged 23 years. In the Matignon building, August 9, Lester, infant son of Mr. and Mrs. Jesse Bradford, aged 9 months and 2 days. At Good Samaritan Hospital, August 9, Jacob Hallwiler, a native of Switzerland, aged 20 years, 1 month and 17 days.

Births. At 763 William street, August 7, to the wife of William Walter Hays, a daughter. At 272 Clackamas street, August 5, to the wife of Frederick Ryan, a daughter.

Building Permits. H. Vies, dwelling, East Twenty-first street, near Howell, \$460. Mrs. Amelia Search, dwelling, Belmont avenue, between Third and East Thirty-seventh streets, \$1000. H. L. Miller, dwelling, Halght avenue, between Shaw and Falling streets, \$1800. Mrs. J. M. Moore, dwelling, East 11th street, between Mill and Montgomery, \$7000. Mrs. Frances Beley, addition to store and rooms, First and Montgomery streets, \$1800. J. M. Pittinger, dwelling, Gantenbein avenue, between Cook avenue and Ivy street, \$1800.

Real Estate Transfers. F. Wheeler and wife to H. M. Lomberg, lot 26, Fulton Park, \$1000. E. A. Alliman to Thomas Hodson, lot 2, East 11th street, \$1000. Carter's Addition, lot 200, \$2000. Parcel land beginning in center of Foster Road 14.30 chains east from center of Foster Road, \$1000. J. E. Conway to same, 2.47 acres beginning 2188 chains east from west line of Foster Road, \$1000. E. C. Clark et al to M. Conway, 3.47 acres beginning in center of Foster Road, \$1000. C. H. Clark et al to E. J. Sharkey, parcel land beginning in East Block 4, North of Foster Road, \$1000. W. E. Thomas, trustee, and wife to L. H. Bennett et al, part block 149, \$1000. W. H. Carson to J. L. Miller, part lots 18 and 19, block 17, Lincoln Park, \$1000. M. Conway to A. G. Henderson, 19 acres beginning on west line of Foster Road, \$1000. C. H. Clark et al to E. J. Sharkey, parcel land beginning in East Block 4, North of Foster Road, \$1000. W. E. Thomas, trustee, and wife to L. H. Bennett et al, part block 149, \$1000. W. H. Carson to J. L. Miller, part lots 18 and 19, block 17, Lincoln Park, \$1000. M. Conway to A. G. Henderson, 19 acres beginning on west line of Foster Road, \$1000.

Tottenham Sights the Aurora.

ASTORIA, Or., Aug. 10.—(Special.)—The British steamer Tottenham arrived in this morning from Moji to load lumber at Portland for China. Captain Mann reports an exceptionally pleasant trip across the Pacific, arriving off the lights at 8 o'clock last evening. On July 29, he sighted the American barkentine Aurora of San Francisco, now out 33 days from Shanghai for Port Townsend. She was in latitude 32° north, longitude 164° east. The Tottenham ran 45 miles out of her course to speak the barkentine and passed close enough to read her name, but the Aurora made no attempt to communicate with the steamer.

Art Riggs Takes Telegraph's Wheel.

Captain Arthur Riggs, who has been pilot on the Steamer Chas. R. Spencer, has been appointed captain of the steamer Telegraph. Captain Scott's fast boat will be taken off the ways at the Portland Shipbuilding Company's yards Monday afternoon and will proceed to Astoria, bringing up the Elk's excursion Tuesday. Measurements have been made for an oil-burning plant, which will be installed in the Telegraph later in the season.

Largest Passenger List From Harbor

ABERDEEN, Wash., Aug. 10.—(Special.)—The steamer Norwood, placed permanently on the Gray's Harbor-San Francisco run, left tonight with a large

cargo of lumber and 30 passengers. This is the largest passenger list which ever left the harbor for California.

MARINE NOTES.

The British ship Pythomene sailed for Port Natal yesterday with 1,642,755 feet of lumber worth \$17,712. The steamer Roanoke has lost a day on her trip up the Coast and will not be due here until 2 o'clock this afternoon. She leaves for the South at 2 P. M. Sunday, instead of 5 P. M. Saturday.

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AFTER FORTY-TWO YEARS

BROTHER AND SISTER MEET HERE IN PORTLAND.

Barrest Chance Brings Them Together, Following Separation Dating Back to Ireland.

After a separation of more than 42 years, Miss Mary Ellen Hartnett, who keeps a lodging-house at the corner of Fourth and Commercial streets, has met her brother, M. Hartnett, a well-to-do machinist, whose home is in Couer d'Alene. Brother and sister last saw each other in Ireland, where they were born at different times, but knew nothing of each other's whereabouts until a couple of weeks ago.

It seems that a guest from Mr. Hartnett's home on visiting Portland took rooms with Miss Hartnett and when it came to settling up he was given a receipt. When this receipt saw the name Hartnett, he asked Miss Hartnett if she had a brother in the Couer d'Alene. Miss Hartnett knew she once had a brother and hoping that this might be he, she wrote him a note and handed her lodger hand it to him on his return. Mr. Hartnett could not believe that the Mary Ellen Hartnett of Portland was his sister and it took a second letter to get him dithered. He did not respond by letter, but wishing to visit the Exposition he came. He at once hunted up Miss Hartnett and found her at her home on Sunday and since then he and his long-lost sister have been taking in the Fair.

RAILWAY MAGNATES HERE

L. W. Hill, of Great Northern, and C. M. Levy, of Northern Pacific.

Louis W. Hill, president of the Spokane Falls & Northern Railway, vice president of the Great Northern Railway, was elected to the presidency of the Great Northern Steamship Company, arrived in Portland at 1:30 o'clock yesterday afternoon, accompanied by several prominent railroad officials of the Great Northern Company. The handsome private train occupied by the official party was placed on a siding at the station by one of the streets early in the afternoon and the day was devoted to a visit to the Exposition. Accompanying Mr. Hill are Darius Millier, vice-president of the Burlington system; Benjamin Campbell, traffic manager, and Harry M. Adams, assistant traffic manager of the Great Northern, and the private car was attached to James G. Wentworth, traffic manager of the Northern Pacific. Charles M. Levy, vice-president of the Northern Pacific, accompanied Mr. Hill and the party met at the Union Depot. Members of families of the officials accompany the train and as the visit has previously been announced as being made for the purpose of discussing the proposed merger of the two systems, the party left the Exposition, no time was lost in carrying out its object. So thoroughly did the party enjoy the beauties of the Fair that they did not return to their cars until a very late hour.

In Defense of Emerson.

PORTLAND, Aug. 9.—(To the Editor.)—It appears that it is not a question of becoming an Emersonophile or an Emersonophobe. There are some of each kind, but the many will remain free from either, and will be able to see an authority, to be followed, blindly or otherwise? Some try to defame him because he was not a great poet, and that he was not a philosopher. He left defile where he found it, indelible and unchangeable. So did other great men. He was not a philosopher, but he was a man of letters, and he was a man of letters. He was not a philosopher, but he was a man of letters, and he was a man of letters. He was not a philosopher, but he was a man of letters, and he was a man of letters.

Juvenile Court Protocols.

At the invitation of the Oaks management, H. H. Hawley and Marion R. Johnson, of the Juvenile Court, yesterday afternoon escorted 112 boys to the popular resort, where they were given the freedom of the place until five o'clock. The boys enjoyed themselves to the fullest extent, and as a climax were taken to the Tavern Cafe in a body and regaled with soft cream. The boys were escorted by a large force of police, and the crowd of jollyurchins.

Portland's Low Death Rate.

The report of the Municipal Board of Health for July indicates that 143 births were registered during the month as against 103 deaths. Of the latter, 13 were caused by external violence, while eight were of persons brought here for treatment. As usual, this low rate is a remarkable showing under any circumstances, and especially so when it is considered that at present there is a floating population of several thousand to be added to the 110,500 or more known to be permanent residents here. Of the causes of death, 17 were from diseases of the circulatory system, 16 of the digestive system, 16 of the nervous system, eight of the respiratory system, 11 of the genito-urinary system. Upon the basis of nativity, 23 were natives of Oregon, 49 from other states and 31 foreign-born.

CASTORIA

For Infants and Children. The Kind You Have Always Bought Bears the Signature of

Signature of J. C. H. Hatcher

No Benefit No Cost.

If you are weak and worn-out—if you are nervous, irritable, have headache, backache, neuralgia, or periodical pains, it is because you have exhausted your nerve force. If you cannot sleep, and are thus robbed of the rest which nature demands for the restoration of mental and physical vigor, your system will continue to run down. Dr. Miles' Nerve restores vitality by soothing and strengthening the nervous system, thus inducing refreshing sleep, and imparting strength and vigor to all the organs of the body. There are very few instances where Nerve will not benefit; if not, your druggist will refund the money.

"When I began taking Dr. Miles' Nerve I had a very stiff stomach with pain extending far around on my left side—attended with extreme nervousness. I began to have sleepless nights, as it was impossible for me to sleep. Everything I ate distressed me. Before I had finished one bottle of Nerve there was such a change that my husband bought six more, which has restored me to health."

MRS. JENNIE SIMMS, Rushville, Ind.

Dr. Miles' Nerve is sold by your druggist, who will guarantee that the first bottle will benefit. If it fails, he will refund the money. MILES MEDICAL CO., ELKHART, IND.

ANTAL-MIDY

These tiny Capsules are superior to Balsam of Capoba, Cuboreinjections, MIDY, CURE IN 48 HOURS, of the diseases without inconvenience. Sold by all druggists.

TRAVELER'S GUIDE

TIME CARD OF TRAINS

PORTLAND

Table with columns: Leave, Union Depot, Arrive. Includes entries for Yellowstone Park-Kanana, North Coast Limited, Puget Sound Limited, etc.

THE GREAT NORTHERN

2 OVERLAND TRAINS DAILY 2 SPLENDID SERVICE—UP-TO-DATE EQUIPMENT—COURTEOUS EMPLOYEES—JAPAN-AMERICAN LINE S. S. KANAGAWA MARU.

North Pacific S. S. Co.'s

STEAMSHIP ROANOKE, 2400 TONS. Sells from Columbia Dock No. 1 for San Francisco and Los Angeles, calling at Essex on Saturday, July 29, 8 P. M. Saturday, August 12, 8 P. M. Saturday, August 26, 8 P. M. Ticket Office, 251 Wash. St. H. Young, Agt.

Astoria & Columbia River Railroad Co.

Leave: UNION DEPOT, Arrive. Daily. For Astoria, Rainier, Franklinton, Westport, Clifton, Port Stevens, Astoria, Seattle, Tacoma, etc. 8:30 P. M. Express Daily. Astoria Express, 9:30 P. M. Ex. Sat. C. A. STEWART, J. C. MATO, Comm'rs. Phone Main 506.

ALASKA

FAST AND POPULAR STEAMSHIPS. "Dolphin" Aug. 14, 25. "Ketchikan" Aug. 29. CALLING AT KETCHIKAN, JUNEAU, DOUGLAS, HAINES, SKAGWAY. Connects with W. P. & Y. route for Astoria, Dawson, Tacoma, etc. CHEAP EXCURSION RATES. On excursion trip steamer calls at Sitka, Metlakatla, Glacier, Wrangell, etc. In addition to freight ports of call. Call or send for Trip to Portland or Seattle. "Steam Battery." "Steam Poles."

For South-Eastern Alaska

Steamers leave Seattle 9 P. M. S. S. Humboldt, S. S. City of Portland, S. S. Vancouver, S. S. Columbia, S. S. Puget Sound, S. S. Alaska. August 11 and 18, first-class transportation, meals and berths included. For full information apply Pacific Coast Steamship Co., 249 Washington St., South Portland Building, Ferry Grounds, Puget Sound & Alaska Excursion Bureau, Goodough Bldg., 5th and Yamhill sts., Portland, Or.

S. F. & Portland Steamship Co.

Operating the Only Passenger Steamers for San Francisco Direct. "Columbia" (2000 tons), August 4, 14, 24. "St. Paul" (2500 tons), August 9, 19, 29. From Astoria Dock at 5 P. M. CHARTERED ROUND-TRIP RATES, \$25.00. Berth and Meals included. JAS. H. DRAYTON, Agent. Phone Main 253. 249 Washington St.

Oregon City Boats

Leave Portland (week days), 8 A. M. 11:30 A. M., 3:30 P. M. 5:30 P. M. Specials leave Portland, 8:30, 9:30 and 11:30 A. M.; 1:30, 3:30 and 5 P. M. daily. FRANK W. WOOLSEY, Agt. Phone Main 253. 249 Washington St.

Excursions to Alaska

Seattle to Nome and St. Michaels, Steamship "Ohio" leaves Seattle about August 15, 1905. Steamship "Oregon" leaves Seattle about August 15, 1905. ADOLPH FRANK WOLSEY, 250 Oak St., Portland. White Star Steamship Company, 907 First avenue, Seattle.

TRAVELER'S GUIDE

O. R. & N. OREGON SHORT LINE AND UNION PACIFIC 3 TRAINS TO THE EAST DAILY.

Table with columns: UNION DEPOT, Leave, Arrive. Includes entries for Chicago-Portland, Spokane Flyer, etc.

TRAVELER'S GUIDE

FOR ASTORIA AND NORTH Coast points as follows: August 16, 9 A. M.; August 16, 9:40 A. M