

HEENEY RESTS HIS CASE NOW

Bennett Introduces Witnesses for Defense in the Trial of Williamson.

MITCHELL BRAVE WITNESS

Efforts of Attorney for Defendants to Shake His Testimony on Cross-Examination Not Fought With Success.

United States District Attorney Heenev has at last rested the case of the Government in the Williamson-Gesner-Higgs case now on trial in the Federal Court and the defense has given view of what can be expected of it before the weary round is again completed and the evidence given into the consideration of the jury.

Yesterday morning Mr. Bennett, for the defense, had another argument with William J. Mitchell, the secret-service man employed by the prosecution. It was the intention, evidently, of the attorney to shake the testimony of the witness by confusing him with a severe cross-examination, but in this he failed. The defense did not bring out anything new, but merely questioned B. McAlpin, a Portland photographer, who had taken pictures for the Government of several of the persons mentioned in the indictment. During this cross-examination, which was long and wearying, Mr. Bennett tried to establish the fact that the pictures did not in reality portray the exact places of land represented by them and that they were not, therefore, reliable as showing the true nature of the lands.

Government Rests Case.
At 4:20 o'clock Mr. Heenev announced that the Government would rest its case and Judge Hunt instructed Mr. Bennett to proceed with his defense. To this the attorney interposed a most strenuous objection, contending that he had motions to prepare for submission to the court which he would not be able to enter were he not given time.

The court held, however, that if there were motions to be made they should be dictated to the stenographer, and after much objection this was done. Mr. Bennett therefore entered several technical objections to the evidence of the prosecution, all of which were overruled. H. S. Wilson sprung a surprise in the court when he called as the first witness for the defense Miss Fleming, the court stenographer. He stated that he wished her to bring with her all of her notes on the first and second trials in order that the variance of testimony as given by different of the witnesses might be noted. Mr. Heenev said that since it had all been read into the record of the pending trial he would concede that the testimony was as read by Mr. Bennett, contradictory in part. This was done to save time, as it would have taken perhaps a day for the defense to have finished with Miss Fleming's reading.

G. W. Barnes Called.

G. W. Barnes, a Prineville attorney, was the first witness of the defense. He testified that he had a conversation with John S. Watkins in Prineville on August 14 in which Watkins had told him that Gesner never had any contract and that the whole case had been instigated by Henry Gray and Dick Rees, two cattlemen. Watkins had further said he was going to come to Portland to meet the grand jury and testify for Gesner.

Watkins had been called by Mr. Heenev at the close of the Government's case at the request of the defense and when questioned denied that he had ever had such a conversation with Barnes.

On cross-examination by Mr. Heenev, Barnes stated that he had been employed by Dr. Gesner soon after his indictment to interview the witnesses and find out what they had testified to before the grand jury.

Saw Them Talk to Witnesses.

At the morning session W. J. Mitchell was recalled at the request of Mr. Bennett, who asked him when he had seen any of the defendants tampering with the witnesses, and which of them Mitchell told of several times when he had seen Higgs and Gesner talking to different Government witnesses. On direct examination by Mr. Heenev, Mitchell told the story of the conversation between Gesner and J. C. Cooper, of Independence, when Gesner is reported to have said, "The witness does not tell all they know, for they know which side their bread is buttered on." This was objected to by Bennett, but Judge Hunt ruled that the defense had opened the door for the examination.

Following Mitchell, Irwin Rittenhouse was called to the stand to identify a map: C. B. R. Wood to verify some leaves to road land; Miss Lang to give a list of claims filed upon at the office at The Dalles; John Watkins to deny the conversation alleged to have been held with Barnes in Prineville. At the conclusion of this testimony the Government rested. There is but little likelihood of the trial being ended and given to the jury before the end of the week.

CIRCUIT COURT OF APPEALS

Important Case Involving Railway Land Claims Up.

The Circuit Court of Appeals for the Ninth Judicial District of the United States met yesterday morning and will hold another session today at 10 o'clock in the chambers of Presiding Judge William S. Gilbert.

Prior to the convention of Judge Hunt's court, which is now hearing the Williamson case, the Circuit Court of Appeals held a short session of about ten minutes. Judge William S. Gilbert presided and was accompanied upon the bench by Judges Erskine M. Ross of Los Angeles, and W. W. Morrow, of San Francisco. The session of the court was very short and to the point. Mr. Heenev announced that the case of the Oregon & California Railroad Company against the United States would be presented to the court on a written brief. This is a case in which the United States contends that the title to land rests with the settler when the settler filed upon land in the present Oregon and California grant prior to the time of the law fixing the grant. In the case at point the claimant filed prior to the law, but abandoned the claim before the original survey was made fixing the grant. If the contention of the United States is sustained that the claimant still holds against the claimant, many hundreds of claims throughout the grant will pass into the hands of those who have filed upon them. It is an important case.

The case of George Corp against the United States, a habeas corpus case from Lewiston, Idaho, will be presented to the

court this morning when it meets in chambers.

At the conclusion of the session this morning the court will adjourn to meet in San Francisco.

Cases Before Federal Court.

In the case of Orton Wheeler and Andrew Higgs, the two Indians charged with felonious assault under the Federal statutes, Waldemar Seaton yesterday morning appeared in the Federal Court and filed a demurrer against the indictment, attacking the jurisdiction of the United States Court.

In the case of A. A. Ausplund and Dr. Ernest Haymen, both charged with improper use of the mails, a bench warrant was issued for the men at the morning session, owing to their not having obeyed the summons of the District Attorney to be present to plead. In the afternoon the men appeared before the court and asked to have a week in which to plead to the indictment. The order was made by the court.

Ralph Chrysler, also accused of improper use of the mails, was given a week in which to plead, upon motion of H. H. Northrup, who represented the defendant.

For Tampering With Witnesses.

Yesterday morning C. Sam Smith, the Sheriff of Crook County, and Dr. Van Gesner, who is now a defendant in the Williamson trial, were arraigned before the Federal Court and asked to plead to the indictment charging them with having tampered with government witnesses during the first and second trials of the Williamson-Gesner-Higgs case. The men both waived the reading of the indictment and pleaded not guilty to the charge set forth. No time was set for the trial.

KILLED BY A STREETCAR

WOMAN OF SEVENTY YEARS DIES OF INJURIES.

Mrs. Nancy Caroline Wilson Has Head Crushed and Suffers Fracture of the Skull.

Mrs. Nancy Caroline Wilson, aged 70 years, was knocked down by a Portland Consolidated street-car at Union avenue and Eugene street at about 5 o'clock last evening, and suffered injuries from which she died two hours later.

She had gone to the car line to see her sister-in-law, Mrs. C. C. Richey, of Sellwood, off for her home, and in re-crossing the tracks, the aged woman failed to notice a car approaching from an opposite direction and was thrown violently to the ground. The wheels of the car passed over her right heel crushing that member badly, but the injury that caused her death was the result of a fracture of the skull at the base of the brain, which was sustained either in contact with the car or in striking the pavement. No witnesses could be found who saw the accident as the car struck the woman, although several persons were in the immediate vicinity at the time.

Mrs. Richey alighted from her car after going a block on being informed of the accident, and hastened back to find her relative lying on the sidewalk in an unconscious condition. The injured woman was carried to the residence of Mrs. P. Schultz, which she had made her home since the death of her husband about a year ago, where she died without recovering consciousness.

Her late husband, J. W. Wilson, was an Oregon pioneer and a veteran of the Indian Wars in the early days, and during his life they resided continuously for 17 years at 350 Sacramento street, and were well known on the East Side. The accident is believed to have been unavoidable, for the aged woman, in addition to being partially deaf, was afflicted with a cataract which affected her eyesight, and on account of these defects it is believed that she failed to note the approach of the car.

Mrs. Wilson left three daughters, all of whom are married. The remains were taken in charge by Coroner Finley, who will conduct an investigation today.

WEDS AT SEVENTY YEARS

Kansas Septuagenarian Marries a Woman From Sunflower State.

H. S. Berry, a citizen of Kansas, who has been visiting the Northwest for several weeks embarked upon his third matrimonial venture yesterday at the age of 70 years. The bride, who bore the name of Clara R. Price, is also a resident of the Sunflower State. She arrived in Portland on an early train yesterday and a few hours later the marriage ceremony was performed. At the County Clerk's office she gave the age of 48.

Mr. Berry, who is said to be wealthy, is a living exponent of the doctrine that marriage is not a failure. Two years passed after the death of his first wife before he led his second bride to the altar. This time, however, only four months elapsed since Mr. Berry became a widower. For him there is no such thing as single blessedness and although many years have whitened his hair and wrinkled his brow they have not hardened his heart to resist the darts of Cupid.

\$15.00

The Second Week of Our Great Suit Sale.

Nearly 300 suits were sold in our store Saturday at \$15. They were \$15 suits, but regular \$16.50, \$17.50, \$18, \$20 and \$22 suits cut to \$15. A sample line of many of them are shown in our Third-story window. You might pay as high as \$20 for the same suits further uptown, but for a short time our price will be \$15.

We invite an early inspection. Brownsville Woolen Mill Store, Third and Stark streets, opposite Chamber of Commerce.

ROUND TRIP TO ASTORIA

Swift excursion steamer Telegraph departs from Alder-street dock daily (except Friday), 7:30 A. M., returning from Astoria, 2 P. M., arriving Portland 8:30 P. M. Sundays from Portland 8 A. M., arriving Portland 9 P. M.

BEACH RATE REDUCED.

Three Dollars for Round Trip Announced by the Oregon & California Railroad Company. The every-day round-trip rate from Portland to North Beach points has been reduced by the O. R. & N. Co. from \$4 to \$3 tickets on sale until October 14, with final return limit October 21.

Particulars and O. R. & N. Summer book by asking at Third and Washington streets, Portland.

EXPERT SEWING-MACHINE REPAIRS. Also sewing-machine oil of absolute purity, and the best needles and parts for all machines at Singer store.

Look for the red B. 624 Washington st. 624 Morrison st. 624 Williams ave. Portland, Oregon. Main st., Oregon City, Or.

Souvenir Tickets for "Portland Day," Saturday September 30th on Sale Here---50c Each

Principal Portland Agents for

Butterick

Patterns and Publications

The Meier & Frank's Store

Portland's Largest and Best Store

Sole Portland Agents for

"Ostermoor"

Elastic Felt Mattresses

Artistic Picture Framing to Your Order—Immense Line of New Mouldings—All Orders are Promptly Executed and at the Very Lowest Prices—Sole Portland Agents for "Peninsular" Stoves and Steel Ranges—The Best Line of Heating and Cooking Stoves on the Market—100 Models—Custom Shade and Drapery Work Our Specialty—Beautiful New Materials, Best Workmanship and Lowest Prices Always Guaranteed—Third Floor

Bargains in Table Linens

Fine Table Damasks, Cloths and Sets at very Special prices for a few days—Styles and qualities that will please the most particular housewife



72-inch Bleached Satin Damask Table Linens; very large variety of new designs; three great special values, at the yard, \$1, \$1.25, \$1.39 and Hemstitched Satin Damask Tea Cloths; 36x36 inch; regular \$1.25 value, for, each... 98c Hemstitched Satin Damask Table Cloths; 2x2 yards, \$1.38 each; 2x2½ yards, \$1.68; 2x3 yards, each... \$1.98 High-grade Hemstitched Satin Damask Table Sets; cloth and 1 doz. Napkins to match; \$10.00 values, \$8.45 set; \$12.50 values, \$9.95 set; \$15.00 values \$11.45 set; \$20.00 values, set... \$14.95

Complete stock of John S. Brown & Sons' "Shamrock" and Wm. Liddell's famous "Gold Medal" Table Linens; the best of the world produces; superior linens; superior values.

100 dozen Linen Towels; good sizes; regular 35c and 40c values, on sale at this low price, each... 26c All our 25c grades of Linen Towels for, each... 19c Famous "Rudry" Bath Towels; three grades, 50c, 75c, \$1

Notions and Toilet Article Specials

Gold Enamel, for all kinds of decorative work; special... 16c Okayed Toilet Paper, great special value, dozen rolls... 35c Kresch Toilet Paper, pkg... 4c Turkish Bath Soap, cake... 4c Fancy Decorated Crepe Paper... 13c Wire Picture Hangers, large and small size, each... 12c and 8c Postcard Albums, an unequalled variety... 8c to \$3.98 Whisk Brooms, good quality, double sewed, each... 10c Sapolin Stove Enamel, makes old pipes new, special... 18c "411" triple extract Perfumes, all popular odors; special value at, oz... 23c Eastman's Sachets, special pkg. 8c Gold Purse and Handbags, beautiful variety, 75c up to... \$12.50

Special Values in Wash Goods

Japanese Crepes, in stripes, checks and plain colors; 25c quality, on sale at this low price, yard... 16c Japanese Kimono Cloth, in Oriental colors; blues, red, lavender and green; grand special value at, yard... 12c New Percales in white, with colored dots; pink, black and blue; best percale value ever offered, yard... 10c White Mercerized Waists for Fall wear; very pretty patterns; regular \$1.00 grade, on sale for, yard... 59c

Lace and Spangled Robes

We are showing an unusually large variety of beautiful Spangled and Lace Robes, exclusive styles and every robe

marked at a reasonable price—These values may interest you

Beautiful black and white Spangled Robes, in pleasing variety; values up to \$20 each... \$14.98

Black Spangled Robes; values up to \$30.00, on sale for... \$21.75

White and cream Lace Robes; magnificent designs; values up to \$20... \$12.95

Princess, Marquise, Lierre Robes; lace and spangled robes; gorgeous variety; largest showing we ever made; prices from \$15 to \$125

French Val. Laces and Insertions; dainty designs; big assortment—Values 50c doz. yards... 39c Values up to 75c doz. yards... 45c

Madras Curtains at One-Half Price

Odd pairs of striped Madras Curtains; light and dark grounds; very best colorings and combinations; selling Half-Price regularly from \$2 to \$4.50 a pair... \$1.89

\$2.50 Renaissance Lace Curtains; white or Arabian, in the very best designs; 2½ yards long, 45 inches wide; great special values today at this low price... \$1.89

40c Oriental Striped Tapestry; 50 inches wide; suitable for couch covers and draperies; big variety of patterns and colorings; value extraordinary at this low price, yard... 29c

10,000 yards of dotted, figured and stripe Swiss; 36 inches wide; best 15c quality; on sale for a few days at, yard... 11c

Attention is called to our superb showing of high-grade Portieres, Silk and Velour Tapestries and exclusive Art Draperies; the largest and handsomest display in the city. Custom shade and drapery work is our specialty; experienced artists who will do drapery work that will please you, and our prices very reasonable. Let us submit drawings, samples and prices. Third Floor.

Buy Your Groceries Here

and the saving every month will agreeably surprise you—Pure foods of every kind and description—A complete Grocery Store that will serve with care and promptness

PHONE PRIVATE EXCHANGE 4

Quart Cooper's Olive Oil... \$1.00 2 pkgs. Saratoga Cakes... 25c 2 jars McLaren's Cheese... 25c 1 ctn. Flour, none better... \$1.25 Schilling's Baking Powder... 40c Royal Baking Powder... 40c 1 lb. Libby's Stewed Beef... 25c 1 ctn. Veal or Ham Loaf... 25c 1-lb. can Lunch Tongue... 35c 3 cans Van Camp's Soups... 25c Pint bottle Blueing... 25c 2 cans Libby's Chipped Beef... 25c 2-lb. can K. C. Baking Powder... 20c 1 box No. 1 Macaroni for... 25c 1-lb. can Ground Chocolate... 25c 2-lb. sack Graham Flour... 25c 10-lb. sack Blueing... 25c 10-lb. sack Steel-Cut Oatmeal... 45c 13 lbs. Wheat Flour... 40c 10 lbs. Rolled Oats... 40c 10 lbs. Pastry Flour... 30c —Phone Private Exchange 4—

\$3.00 Axminster

Rugs at \$1.98 Ea.

On sale in the carpet store, 3d floor—A great special purchase of fine Indian Axminster Rugs; magnificent colorings and designs for hall, library, den, etc., size 27x60 inches—A quality of Axminster Rug that always sells at \$3.00—Choice for 2 days only at \$1.98

Silk Gloves 59c Pr.

Women's two-clasp double-tipped Silk Gloves; all colors; broken sizes; unusual value tomorrow at this low price, pair... 59c Special lot of shirred Girdle Belts, with or without buckles; all the latest shapes and colors; black, white, navy, tan brown; great value... 98c

Boys' School Clothing

Can be supplied to best advantage here—

The largest stock for your choosing—

Most serviceable styles and materials as well as very lowest prices—2d Floor

Boys' School Suits, in dark tweeds, chevots and cassimeres; double-breasted coat; pants double seat and knee; ages 8 to 16 years; extra good value at \$6 and \$6.50

Boys' Corduroy Knickerbocker Trousers; ages 7 to 16 years; extra good quality at, pair... \$1.50

The "Hercules" Rainproof Suits for boys, 8 to 15 years; gray and brown plaids and mixtures; full lined; greatest school suit value on the market at... \$5.00

Corduroy Pants for school wear; 8 to 16 years; special values at, pair, 65c, 75c

Boys' all-wool 2-piece double-breasted Suits; brown and gray mixed tweeds and cassimeres; extra well made; ages 8 to 16 years; best \$5.00 suits on sale for... \$3.85

Boys' all-wool School Suits; tweeds, chevots and cassimeres; good, serviceable mixtures; ages 8 to 16 years; regular \$4.00 values, for... \$3.15

Boys' all-wool School Suits; dark, brown or gray, plaids and mixtures; ages 8 to 16 years; great value... \$3.00



Our Complete Men's Clothing Store

Suits, Overcoats, Raincoats and Trousers for men and young men—Our showing of Men's Ready-to-Wear Apparel is second to none in the city and there's a saving of 25 per cent on what you are asked to pay at the exclusive clothing store if you buy here—No trouble to convince you

Great line of Men's Fancy Tweed, Cheviot and Worsted Suits; all this season's newest fashion, patterns and materials; suits the exclusive clothier asks you \$20 and \$25 for, you can buy here at, suits, \$18 and... \$20

Immense display of new Overcoats, in medium and long lengths; newest materials and styles; \$10 to... \$35

Headquarters for "Priestley's" Raincoats; silk mixtures and fancy materials; big variety, at \$12.50 up to... \$25

All-wool Oregon Cassimere Suits, in neat brown and gray mixtures, in round cut and double-breasted sack styles; splendid business suits and great value at this low price... \$10

"Priestley's" Shower and Rainproof Coats, in tweeds and fancy worsteds; the ideal garment for cold, wet weather; all sizes; for men and young men; prices range from \$20 to... \$27.50

Men's Fall Golf Shirts for 69c Each

200 dozen of men's new Oxford and Madras Golf Shirts in light and dark patterns, stripes, dots and figures, separate or attached cuffs, all new patterns and colorings; the greatest values we ever offered at... 69c

Men's Fall weight natural wool Underwear, soft and well made throughout, all sizes shirts and drawers; the quality sold all over town at \$1.25 garment, our price is... \$1

Men's extra quality Flannellette Nightshirts, made full size and extra long, all new patterns; best value of the season at... 69c

New line of Boys' Golf Shirts in light and dark patterns, two collars to match; 50c values... 39c

Kitchen Goods

Blue and white Enamel Ware at very special prices.
10-qt. Dishpan, 75c value... 62c
14-qt. Dishpan, 90c value... 74c
1½-qt. Saucepan, 50c value... 24c
2-qt. Lipped Pan, 35c value... 28c
3-qt. Lipped Pan, 40c value... 32c
4-qt. Lipped Pan, 45c value... 36c
6-qt. Lipped Pan, 50c value... 40c
7-qt. Lipped Pan, 63c value... 47c
No. 8 Teakettle, 1.40 value... \$1.12
No. 9 Teakettle, 1.60 value... \$1.28
1½-qt. Coffee Pots, 45c value... 32c
2-qt. Coffee Pots, 70c value... 54c
1-qt. Tea Pots, 60c value... 48c
1½-qt. Tea Pots, 65c value... 52c

Wanted: 25 Experienced Sewers Cloak Alteration Dept.

Women's Suits \$18.00 Ea.

The greatest value in the city—All are new, attractive garments

made up to our special order by a well-known New York manufacturer that we might be able to offer something out of the

ordinary in style and value at a popular price and incidentally

make another hundred friends for the cloak store—Jacket suits,

medium length, self-strapped, satin-lined throughout; skirts are

plaited effect, medium gray and dark gray tweeds, black and

blue chevots, every suit is right up to date,

patterns and shade most serviceable for Fall and

Winter wear, all sizes—By far the grandest suit

value in the city for the exceptionally low price of

\$18

Immense shipments of new Tailored Suits arriving daily; Eton, jacket, blouse and Redingote styles; loose box effects, tight-fitting, medium and 34-length coats, circular and pleated skirts, in green, plum, wine, grays, brown, black, navy, etc.; largest and handsomest showing we ever made; \$15 to... \$100

New three-quarter Coats, new Raincoats, new Walking Skirts. Beautiful new Evening Coats at \$25 to \$200. Second Floor.

Plaid Silks at 69c Yard

Special sale of new Plaid Silks for waists and shirtwaist suits; very large variety of pretty colorings and combinations; a quality of silk you are asked to pay \$1.00 a yard for all around town; our price for, this sale is, yard... 69c

Handsome new Plaid Wool Dress Goods for waists and shirtwaist suits; the handsomest colorings and styles; largest and best line in the city at, yard... \$1.00

New Velvet Corduroy for suitings; brown, tan, green, black, castor, red, Alice blue, etc.; special good value at, yard... \$1.00

New high-grade Dress Materials, in plum, purple, tan, gray and evening shades; broadcloths, chevots, prunellae, New black goods in the newest weaves and all grades.

New Shirtwaist Suitings, in medium-weight mixtures; big variety.

\$3.50 Oxfords for \$2.12 Pr.

The last Oxford sale of the season is planned for today and Wednesday; 1000 pairs of women's Low Shoes; patent colt, vict kid, patent tip and tan Russia calf; all this season's very best \$3.50 and \$3.50 values, in all sizes and widths; your choice at an exceptionally low price of \$2.12 \$2.12 pair; mail orders promptly filled.

Full line of women's Felt Juliettes and Low Slippers; all new up-to-date styles.

Ribbon Sale

Best quality Satin Taffetas Ribbons, in all widths and leading shades. Every piece in stock at a reduced price. Buy Satin Taffetas at clearance prices—

3c Satin Taffetas for, yard... 2½c
5c Satin Taffetas for, yard... 4c
6c Satin Taffetas for, yard... 5c
8c Satin Taffetas for, yard... 7c
10c Satin Taffetas for, yard... 9c
14c Satin Taffetas for, yard... 12c
16c Satin Taffetas for, yard... 14c
20c Satin Taffetas for, yard... 18c
22c Satin Taffetas for, yard... 20c
24c Satin Taffetas for, yard... 22c
26c Satin Taffetas for, yard... 24c
28c Satin Taffetas for, yard... 26c
30c Satin Taffetas for, yard... 28c
32c Satin Taffetas for, yard... 30c
34c Satin Taffetas for, yard... 32c
36c Satin Taffetas for, yard... 34c
38c Satin Taffetas for, yard... 36c
40c Satin Taffetas for, yard... 38c
42c Satin Taffetas for, yard... 40c
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58c Satin Taffetas for, yard... 56c
60c Satin Taffetas for, yard... 58c
62c Satin Taffetas for, yard... 60c
64c Satin Taffetas for, yard... 62c
66c Satin Taffetas for, yard... 64c
68c Satin Taffetas for, yard... 66c
70c