

#### (Continued From Page 1.)

stitutional right involved, as in the Mitchell case. In his opinion the case would be appealed to the Circuit Court of Appeals though no plans had been cussed.

Representative Williamson and his at. torney, A. S. Bennett, were seen last night at the Imperial Hotel, and an effort was made to get statements from them. "I have nothing to say," said Representative Williamson, "but I thank you just the same for the offer.

Attorney Bennett, who was closeted with Representative Williamson at the time, made the same reply when asked for a statement. "We have no statement to make tonight," said Mr. Bennett, "for we have not made up our minds just how we will proceed."

JUDGE HUNT'S CHARGE FAIR

### Attorneys Conclude Arguments and Case Goes to Jury at 5:20 P. M.

Judge Hunt gave a very strong charge to the jury after the attorneys for the Government and the prosecution had end-ed their verbal war at 3.30° o'clock. The harge was full and fair and was satis-actory to both sides of the controversy though several objections were made at the close of the reading by Mr. Bennett, who stated that he did so in the majority of instances in order to clear the record of the deten

Judge Hunt in his address to the jury wered the case as outlined in the indict-sent from the first to the last. He out-ned the meaning and allegations of the indictment, defined the "statute under the indictment was brought, defined the nature of a contract, the weight that should be given to circumstantial evidence and the effect of the evidence of accomplices, as the defense alleges the witnesses for the Government to be in reat part. Attorneys listening to the harge were unanimous in expressing their appreciation of its fairness and its excellent interpretation of the law.

#### Must Be Proved Guilty.

The Judge in delivering his charge held that the defendants were not to be preju-diced by the more fact that they were under indictment, for the law held that was innocent until he had been A reasonable doubt was defined by the

at length, and it was held that should the testimony leave a settled coniction of guilt in the minds of the jury there could be no reasonable do Judge Hunt next turned to the statute der which the indictment was returned and read it, after which he outlined the allegations of the indictment. He held that a common design was the essence of any conspiracy and this design might be pursued by different men in diverse ways though leading to a common result. The act of one in the consummation of a conspiracy was the act of all,

Positive evidence was not necessary in conspiracy, the court held. It was not cessary for each of the parties to commit the act, for the act of one bound all. The knowledge of the defendants could be established by circumstantial evidence. The circumstances, however, must not only be conclusive of the guilt but inconsintent with any reasonable hypothesis except that of guilt before a verdict of guilty must be returned on the strength of such evidence.

Judge Hunt said that any man who prored another to commit perjury was rullin of subornation of perjury whether the object of the act was accomplished or not. It must be intended, however, by the person inducing the false swearing that the swearing should be fal-e, or he should know that it would be so, before he would

# be gullty of subornation.

# SUMMARY OF THE EVIDENCE OF PROSECUTION AND DEFENSE AND THE JUDGE'S CHARGE

The testimony given in the Williamson-Bigge-Gesner case spread over a long extent of time. The defendants were accused of a conspiracy to suborn perjury by inducing many residents of the vicinity of Prineville to swear falsely in ng upon timber-land claims.

The witnesses for the Government all testified that there had been an understanding between them and Dr. Gesne In regard to their taking timber claims for the benefit of the firm of Williamson & Gesner, which firm wished the land as a protection to their range. The witnesses testified that Gesner had offered them a net profit of \$76 a claim if they would file upon the land, or that he would give them \$500 for each claim. The witnesses, or a large number of them, had met Gesner and talked the matter over, after which they had filed. Blugs had told the claimants that there could be no written contract, but that there could be an understanding about the land, and that they could borrow the money of Genner and could sell the claims to him, provided they made no definite agreement or contract to de so. The winnesses all testified that it had been their intention to sell their claims to Geaner as soon as they had ecured patent,

Dr. Gesner had gone to Biggs to find out what could be done to protect his range, and had been advised by the United States Commissioner that he could lend money on the claims and could intimate to the men that they would be worth \$500 to him as soon as title passed from the Government. Morrow & Keenan, a rival sheep firm, had leased a large part of the range wanted by Williamson & Gesner; and it was to overcome this advantage that the scheme to gain control of the Government and school land was formed. If was shown by the evidence that Williamson & Genner borrowed \$3000 at Prineville and that Williamson afterwards borrowed \$6000 of the banking firm of French & Company, at The Dalles, all of which money was used to pay the expenses of the claimants who filed upon land at the instigation of the defendants in the case.

The defense contended throughout the trial that Dr. Gener and the other defendants tried at all times to keep within the law. Genner had consulted Biggs and had honestly followed his advice. Biggs had honestly given the advice, and still held it to be the law. Biggs had said Gesner could intimate the value of the claims, and could lend the money to the claimants, but that he could not make a contract in any way.

The defense contended that the whole issue of the case was the intent. The defendants admitted having done a great many things alleged in the indictment, but set up the defense that their motives were pure. They had made no agreement to buy or no arrangement by which the claimants were to sell to them. Each claimant was free to sell to whomsoever he pleased. It was further contended that Representative Williamson had no connection with the case as shown by any direct

evidence. He had consulted with Genner about protecting the range and had agreed with the advice of Biggs. He had known that the firm money was being used and had negotiated the loan at The Dailes, but he had known of no talk made by Gesner or of no implied or real contract with the claimants, and did not believe that there was such a one in existence.

The charge to the jury by Judge Hunt was a very fair and exhaustive document. He said that a reasonable doubt was one that left an abiding conviction in the minds of the juror that the crime had not been fully shown. He said positive evidence was not necessary to convict on the charge, nor was it necessary for each of the defendants

In making a contract the completery: the act of one bound all. In making a contract the court held that the minds of the principals must meet in a definite manner, though no word need be spoken, but unless there was such a meeting of thought, no contract could be proved. An entryman must apply for the claim filed upon by him in good faith, else his oath of application would constitute perjury.

The caurt held that the real issue of the case was the intent of the defendants at the time they decided to pro-tect their range. If they honestly followed the advice of Biggs and thought it was honestly given, then they were not guilty of the crime, even though the law had been misstated.

# ......

fellow feeling with the most of the jury-

men if he so desired. Mr. Heney said he had not accused Mr. Bennett of tampering with the witnesses.

up to 10:30 with the last remarks of his closing address, and then Mr. Heney began his presentation of the case for the Government. Noon found the District Attorney only fairly launched in his argument and an adjournment was taken. At 2 o'clock he began again, and occupied the afternoon sension until midway be-tween 2 and 4 o'clock. Judge Hunt then announced a ten minutes' recess while he and the attorneys discussed the Pharge to the jury. The case was finally given into the hands of the 12 men at 5:20.

The argument of Mr. Heney was ex haustive and covered every point raised by Mr. Wilson and Mr. Bennett in addresses to the jury. He matched Mr. Bennett's self reference with a short his-

but he would not put it beyond Attorney Barnes to do such a thing. If the defense had put a man on the stand to prove Mr. Barnes' character it might have been iscovered what kind of a lawyer he cally was and what kind of a man the defendants had to help them in their case. Mr. Heney's Argument. The speaker contended that if the pres-

ence of the grand jury at the third trial served as a club to force Maggie Glaze ory of himself, when he related that he and Ernest Starr to tell the truth, then it bad hammered the head of a drill in Idaho, had run a cattle ranch, had been thrown off the hurricane deck of many a broncho, had punched cows in Arizona.

# DETAILS OF THE CONSPIRACY

## By Which Williamson and Gesner Sought to Gain Control of Public Range.

The chronology of the Williamson-Gesner-Biggs case, according to the estimony introduced by the prosecution, tells the story of the conspiracy, and shows the details of the scheme formed by Williamson and Gesner to gain control of the range surrounding their sheep camps.

March 27, 1992, the sheep firm of Morrow & Keenan applied to C. E. S. Wood, attorney and agent for the Willamette Valley & Cascade Mountain Wagon Road Company for the lease of eight sections of road land adjoining the Williamson and Gesner range.

May 8, 1902. Dr. Van Gesner wrote to Mr. Wood applying for a large number of sections, including those asked for by Morrow and Keenan June 12, 1902, J. N. Williamson called upon Mr. Wood in Portland and found that the eight sections had been leased to Morrow & Keenan June 2, 1902, Marion H. Biggs qualified as United States Commissioner,

June 15, 1902, Mr. Williamson left Portland for Prineville, where he remained until June 25, and, according to the testimony and admissions of the defendants, it was at this time that Williamson and Gesner first discussed what could be done to protect the range from invasion by outside interests.

June 27 or 28, 1902, Dr. Gesner and Charles Graves, the surveyor, went to the shearing plant to locate the claims upon which filings were to be made. About the same time Campbell A. Duncan and a number of the prospective claimants gathered at the shearing plant to listen to the proposition made them by Dr. Gesner relating to the taking of claims. June 30, 1902, eight of the cinimants filed before Biggs on claims selected for them. July 1, 1992, Mrs. Williamson filed at The Dalles upon a piece of land selected for her by Williamson and Gesner. July 1 to August 5, 1902, all of the claimants filed upon land selected for them by Williamson and Gesner, the members of the firm providing the money to pay the filing fees in most instances, November 24, 1902, Williamson and Gesner read an article in The Ore gonian setting out an interview with Secretary Hitchcock, in which that official promised to investigate the timber frauds of the country. Many of the claimants were at once advised to relinquish their claims, as otherwise trouble might come to the firm.

For all of these things he could claim a gon men to do what injustice he asked of them in order to bolster up his ambition and make his reputation. Rasch and Dent carried off the tossing bolster up his personal onors, and these two players scored

"Bennett says I have indicted William-son," said Mr. Heney. "He is again in-sulting you. Is the District Attorney the whole thing? Can he come to 20 Oregon men and say to them, 'I am after big fish. I want to indict Representatives and Sen-ators and to indict Representatives and Senon a half-dozen throws in the second half. tors and to intimidate witnesses so that The lineup: I can convict the big fish'? Would you," he continued to the jury, "assist me in

The continued to the jury, assist me in such a plot to deprive the state of its-public men or to coerce its clitzens?" The reference make to the alleged con-versation between J. S. Cooper and Dr. Gesner in the Imperial Hotel brought out a beated argument between Mr. Bennett and the argument between Mr. Bennett The preliminary game between the M. A. A. C. "Whites" and the Ladysmith team, to decide the third place, was won by the former team in an excluing game, and the speaker. Mr. Heney contended that the defendants had not placed Coop-er upon the stand, though he was pres-ent during the trial, because they were by the score of 17 to 16. The lineup: afraid to allow Heney to get at him on Kerrigan .....

Why didn't you put him on?" asked 

"Why dan't you put Mr. Bennett. "Because." thundered Mr. Heney, "I did not think Jim Cooper would tell the truth. Because I wanted you to put him on, that I could contradict him by four witnesses. Cooper knew that he had admitted the conversation to Burns when he thought he was talking over the 'phone

he introduct he was taiking over the phone to Wilson. Oh, that is a had business. It is detective business, and should not be done. It is had business—for the de-fense. It prevents cases being won on perjured evidence. It prevents Cooper from coming here with a story fitted to the cause of the defendants. If Jim Cooper was an because the actual business. ing in the Atlin country, tested his com-pliation of figures at Atlin and took the bank roll of \$2000. His first step was to buy a ticket for the outside, and he is now Cooper was an honest man he could have been placed upon the stand, but they were afraid to submit him to cross-ex-

In closing, Mr. Heney appealed to the jury to convict the defendants if they thought they were guilty, but not other-wise. He only wanted justice. It was not true, as had been argued, that a conviction would be a disgrace to the state, but it would on the other hand show the world that there was no one in Oregon who by social or political influence public office could escape the law which he had violated.

only a sufficient quantity for ballast was ANGRY WOMEN WIELD AXES taken, the quantity did not half fill the freight capacity of the steamer, a large quantity, more than sufficient to fill the steamer, wus left behind and I did not steamer, was left behind and I did not carry any passengets nor freight in com-pliance with the permission granted by the local inspectors. If my action in taking shingles instead of rock ballast was in violation of law. I respectfully state that it was not willful nor inten-tional and I ask that the penalty exacted by the Collector of Customs of Astoria be remitted." DEMOLISH BLIND PIG IN AN Poker-Players Run in Terror at the be remitted."

> VICTORIA. R. C., Sept. 27.—Further particulars of the finding of a life raft, evidently from some vessel, on the Vancouver Island Coast near Carmanah, are given in a letter from the lightkeeper at Carmanah Lighthouse. He says with the raft, which was small but well constructed and equipped with a triangle, which seemed to have been used as a sea anchor, he found a ship's

liquor, they broke up the poker game, and after smashing the doors and win-dows followed the example of the illustrious Carrie Nation and hacked the counter and beat the slot machine to bits. When the women had finished

WALLA WALLA, Wash., Sept. 27.-(Special.)-A reception was held in the rooms of the Walla Walla Club this evening in honor of United States Sen-ators Ankeny and Piles. A number of business men and prominent diligons WALLA WALLA, Wash. Sept. 27.-(Special.)-A reception was held in the rooms of the Walla Walla Club this weening in honor of United States Sen-tors Ankeny and Piles. A number of business men and prominent citizens from Walla Walla and several from Waltsburg and Dayton were present. The day was spent by the Senators in calling on many of the business frms and establishments and in the lifernoon they took a drive through the residence portion of the city. The Senators will leave the city tomorrow their tour of the eastern part of the state. from Walla Walla and several from Waltsburg and Dayton were present. in calling on many of the business firms and establishments and in the afternoon they took a drive through the residence portion of the city. The Senators will leave the city tomorrow evening for Pasco on a continuation of their tour of the eastern part of the state.

ASTORIA, Or., Sept. 27-(Special.)-Marcus Gilbertson and Alex Mesford were arrested this afternoon by Deputy Fish Warden Webster, on bench warrants isaued from the Circuit Court charging them with operating fishtraps during the closed season. Gilbertson has a trap near Westport Island and Mesford has one in court operation of the search operation of the search operation of the court operation of the search operation of the search operation of the court operation of the search operation of the search operation of the court operation of the search operation of the search operation of the court operation of the search operation of the search operation of the court operation of the search operation operation of the search operation operation of the search operation oper

ing and released on bonds to appear in the Circuit Court tomorrow morning.

VANCOUVER, Wash., Sept. 27.-(Spe-cial.)-The reception held last night in honor of Rev. T. E. Elifet and Mrs. Eliot was well attended by members and friends of the church. The most interesting number of the programme was an address given by Mayor E. G. Crawford, in which he spoke in behalf of the commercial interests and citizens of Vancouver, and expressed a hearty welcome to Mr. Elliot on his return.

#### Fleet Stormbound at Aberdeen.

ABERDEEN, Wash., Sept. 27.-(Spe-BREAKS THE BANK AT ATLIN cial.)-On account of the storm which has been raging here since Sunday ten vessels are at Westport, unable to get over

English Scholar Will Now Try His the bar. Luck at Monte Carlo. Gust Elkum, mate of the schooner forest, was seriously injured today by the SEATTLE, Wash, Sept. 27-(Special)-

slipping of a sling of lumber upon him. He suffers from a compound fracture of M. C. Cameron, the ex-member of the faculty at Cambridge University, Engthe leg and internal hemorrhages. land, who evolved a "system" to break the bank at Monte Carlo, while prospect-

#### Rain Saves the Town.

REDDING, Cal., Sept. 27 .- There was a \$30,000 fire today at Weaverville, the coun-ty seat of Trinity County. It started in the south end of Chinatown, and a strong in the States, with a fair stake to carry out his cherished project of bucking the wheel at Monte Carlo.

day. His age was about 45, and he was per annum. well dressed, with \$180 in his pocket. The linen was marked "P. M. I." He had The Orchestrelle

PIANOLA EXHIBIT HAS COMMENCED

A Wonderfully Complete Expo-sition That Marks an Epoch in Musical Life.

A Most Comprehensive Display of the Pianola and of the Weber, Steck, Wheelock and Stuyvesant Pianola Pianos; of Orchestrelles and of Aeriolas, Which Make Musicians of Everybody. For Two Weeks at Eilers Piano House.

A few years ago an instrument made for appearance at Ellers Plano House which has done more toward the develop-ment of musical taste, musical education and musical appreciation than has been accomplished by any other agency. It is needless to say that this is the won-derful Planola, which, with its several kindred instruments of more recent date, make possible the rendition of the choicest of music to any and every member of the household, the unskilled and untutored music lover being as much at home with the Planola, a Planola Plano, or an Or-chestrelle, as the most accomplished musi-cage.

Nearly 1000 of these instruments are now to be found in the homes of refinement, culture and wealth of the Pacific North-west, all of them supplied by the house of Ellers

### A Few Prices

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#### The Metrostyle Pianola

The Pianola is a cabinet containing a mechanism by means of which it is pos-sible for anyone to play upon the piano, whether or not he knows one note from

on the music roll used in playing the Planola are markings, indicating whether the different passages of the music should be played loud or soft, or fast or slow, and also when the pedal should be used. The Metrostyle is the name given to a device for indicating the phrasing or the time for each individual note upon the music roll.

A nevice for indicating the phrasing of the time for each individual note upon the music roll. In form the Metrostyle is a pointer, at-tached to the time (or Tempo) lever of the Planola, with which the operator fol-lows a red line which has been marked upon the roll by an authoritative planist, a Hoffman, a Paderewski, and even the great composars themselves. With these devices music of the highest order, expressive and acceptable to saver-est critics, may be produced by the merest novice.

the south end of Chinatown, and a strong south wind carried the flames, licking up is Chinese houses and six other buildings. The only thing that saved the entire town was a heavy rain, which began during the progress of the fire. Money in Floater's Pocket. NEW WESTMINSTER, B. C., Sept. 27. --(Special.)—The body of an unknown man was found in the Fraser River to-day. His age was about 45, and he was

The story of Cameron's fuscination for roulette and the compliation of a set of statistics from the record of 50 years' play at Monte Carlo was told in The Orego several days ago. Cameron declared his passion for gambling cost him his place in England. He is a student of dead lan-

guages, but gaming holds him faster. John L. Dean, who has just come out from Atlin, says he stood by Cameron at

seki to secure bunker coal under orders

to proceed to Australia, but after reach-ing the latter port, she received orders to come to the Columbia River. The differ-

ence between this case and those of the two steamships recently filed is that the

Knight Errant came originally from an

Oriental port, where a clean bill of health could have been secured, while the

others came from Shanghai, which is an

infected port. The steamship was 22 days making the trip across the Pacific and

Capialn Kendall reports that two days before reaching the Columbia, he ran into a gale that almost equaled a typhoon in

Captain of Newport Protests. ASTORIA, Or., Sept. 27.-(Special.)-A

this afternoon from Captain L. Snyder.

of San Francisco, master of the steamer Newport, protesting against the fine of

\$200 recently imposed on that vessel by Collector Robb. The fine was imposed on September 10 and was because after the

cate of inspection of the steamer expired on September 3, 1905, while the steamer was away from her home port. The

steamer, while at Portland, Or., was ex-amined by the United States local in-spectors of steam vessels for the district

of Willamette, when it was found that the steamer required repairs to the hull. The inspectors granted a permit to pro-ceed to San Francisco without passen-gers or freight for the purpose of making the said repairs. The voyage could not be made unless ballast was taken on board

made unless ballast was taken on board to safely navigate the steamer to her destination, and, considering the condi-

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and a second and

IDAHO TOWN.

Invasion and the Havoc

Is Complete.

sociation Players.

tion. Y. M. C. A. F. Thornton ( F. Stokes ( C. Freeman (

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Multnomah, Position,

Whites.

en's work.

Life Raft Comes Ashore.

RUSSELL, Idaho, Sept. 17 .-- (Special.) -Enraged because boys were allowed to play poker in the place, Mrs. Sam Riggs and Mrs. Abe Hudson armed themselves with axes and demolished Sig Green's soft-drink emporium, generally re-garded as a "blind pig." Though the women falled to find

water beaker full of water, a quantity of lumber, evidently washed from a lumber vessel, cans of salmon, empty cases, one marked "Chief Steward," and some empty rocket boxes. A whisky flask was washed ashore west of Coxyman's with a such that

their work the interior presented a scene that might follow the invasion by a bull of a china shop. The men occupants of the place fied while the A whisky hask was washed ashore west of Carmanah with a card inside bearing the names of "E. M. Baker, Seattle, Wash., and C. H. Chatfield, Olympia, Wash." destruction proceeded. Green has since reopened the place. With boards nsiled over the shattered

# Reception Given to Senators.

windows, the door propped up on crutches and with many other repairs, place still shows signs of the wom-"REDS" DEFEAT Y. M. C. A. Multnomalı Team Outclasses the As-The "Reds" basketball team of the Multnomah Amateur Athletic Club won the Lewis and Clark trophy and cham-pionship last evening by defeating the crack Y. M. C. A. team by the decisive

### Arrests by Fish Warden.

Captain Barton and his Multnomah team outclassed the Association players in all departments, and easily maintained the almost all the points registered by the clubmen. Rasch scored on almost all the foul throws accorded his club, while Thornton for the Y. M. C. A. failed in 10 out of 11 trials in the first half, and

midriver opposite Brookfield. The men were brought here this even-

# Welcomed Back to Vancouver.

### What Constitutes Contract.

vating of what constituted a cor tract the Judge hold that there must be a meeting of minds expressed in some tangible way. One party might intend to sell the land he had acquired and the other to huy, but unless there had been some understanding of that fact it could nel be construed into a contract.

An entryman must apply for a claim in good faith and he cannot be a tool of anther to take land with the definite intention of selling it to the second party. On the other hand a claimant has a right to take a claim even though he intends at the time to convey it to some unknown third party when he is given patent to his filing. In other words, it is not the ention of the law that a man cannot I his claim once he has secured it in good faith, but he cannot work under the ction or suggestion of another or a prior agreement.

Judge Hunt held that although there had been cestimony introduced to show that Dr. Gesner was in the market to buy timber land, yet such a fact did not nee sarily prove him guilty of violation of the

An applicant would have a right to make a temporary disposal of the graz-ing privileges of his claim, and this did prove conspiracy in itself. If a man had gone honorably and in good faith to seek the advice of a lawyer, the court held, and in good faith and honestly had followed the advice given the could not be convicted of crime committed as a result of such action, even if the advice was a misstalement of the law.

#### Real Question at Issue.

The real question involved in the case, the court said, was whether or not Will-famson. Genner and Biggs had entered into an agreement to procure the lands after having first known that it would necessary to procure men to swear ely to the papers sent to the Land mecessar

The counsel for the defense had asked for instructions regarding the testimony of accomplices, the court stated, and it was held that while the Government wit-nesses might be classed as accomplices in some instances, still such testimony was some instances, still such testimony was of weight and often of great importance. The court held that if, in the minds of the jury, the witnesses for the Govern-ment, at the time they filed upon the claims, had with knowledge sworn false-by, then they became accomplices with the completions in the compliance of compirators in the commission of

The fact that all of the defendants had taken the witness stand was commented upon by the court. Such a course was a privilege, and in determining the weight providege, and in constraining the working of the testimody given, the court held that the solf-interest of the witness should be taken into consideration, to-gether with his previous character and general bearing while upon the stand. Judge Hunt also held that while the es-tablishment of previous good character tablishment of previous good character had weight, yet if the evidence showed guilt, the character would stand as no har to conviction. The court stated that the evidence concerning Williamson's dea-ing in state land had been admitted in order to show a prearranged scheme to secure control of the range near his home

Judge Hunt instructed the jury that three verdicts could be rendered, one of guilty as to all the defendants, one of uilty as to two, not guilty as to all, or, i case mone of these agreements could a reached, the court could discharge the ody when it was evident that they could and agree.

Case Goes to Jury at 5:20 P. M.

It was 2.30 o'clock in the afternoon be-fore Judge Hunt was able to deliver his charge. Mr. Bennett filled the forenoon

December 15, 1900, Williamson signed a note at the bank of French & Co., of The Dalles, for \$6000, with which many of the final proof fees were paid.

December, 1908, and January, 1904, the money paid by applicants was returned by the Land Office at The Dalles, pending investigation as to the bona fides of the claims.

April and May, 1904, T. B. Neuhausen was sent to Prineville to investigate the bona fides of the claims, at which time he secured affidavits from many of the claimants establishing the fact that the law had been violated. Upon these affidavits the investigation was based, resulting in the returning of the indictment.

Policemen Climb a Pole

Mary Bartano and William Walker, n complaint of Mrs. William Walker, were arrested last night on the roof of a building at 45 Front street by Sergeant Hogeboom and Patrolman Anderson. Walker and the woman covered a series of numbers, and his win-nings were gradual but consistent. When he left the table he had the entire bank were hiding behind a chimney. They were arrested on a charge of commitroll of \$3000. Dean claims to have seen Cameron in Seattle since he came out, ting a misdemanor.

#### Captain Schneider Appeals.

Ed and A. R. Mendenhall, attorneys for Captain Herman Schneider, who was con-victed of violating the prohibition law, thave appealed the case to the Supreme Court, and vesterday filed a bill of excep us in the State Circuit Court. Captain Schneider, since his conviction, has closed his place of business at Montavilla.

#### Charged With Larceny.

August Mueller, charged with the lar-

Camron telling him he was on his way to Europe to test his system. KNIGHT ERRANT ON WAY UP

was held in quarantine over night on account of having no consular bill of health from Shimonoseki, Japan, was re-

a gambling game in the mining town when he put his system to the first test. Dean says Cameron had \$500 with him Zionite papers from Seattle in his when he put his system to the first test. Luck began running against him, and he dropped \$560 before he began to win. He

pocket.

### Lane Republicans to Meet.

EUGENE, Or., Sept. 17 .- (Special.)-A meeting of the delegates from Lane County to the last Republican State Convention has been called for tomorrow for the purpose of electing a state committeeman to succeed Hon. L. T. Harris, resigned.

CELESTIAL LOSES QUEUE Released From Quarantine on In-

structions From Washington. In Hot Fight Police Catch Haw She, ASTORIA, Or., Sept. 27.-(Special.)-The British steamahlp Knight Errant, which

of San Francisco.

Haw She, a Chinese woman, after a wild fight in a Chinese den at Pine street near Third, between Chinamea and Detectives Day and Vaughn, in which a stove was overturned, the lights put out and the door broken. was arrested on a charge of being a fugitive from justice. Haw She is wanted in San Francisco on a charge of robbing Lew Gew, a Chinese hairdresser at 4471/ Dupont street, of \$340. She made her escape from San Francis-

co in the night and headed for Port-Her picture and a full description was sent to the Portland department by the San Francisco police, and Day and Vaughn succeeded in finding the woman last right. Chinamen in the district have succeeded in keeping her under cover for several days. With a warrant in their possession Day and Vaughn entered the den last night and after the fight with the inmates of the

house, during which one Celestial lost his queue, the woman was taken. Her bond was fixed at \$2500. The Chinese are now trying to raise the money to ball the woman out.

## FOOD FACTS

What an M. D. Learned.

A prominent physician of Rome, Geor-gia, went through a food experience which he makes public: "It was my own experience that first led me to advocate Grape-Nuts food, and I

September 10 and was because after the vessel had been examined by the Govern-ment inspectors at Portland and her hull found in a dangerous condition, the New-port loaded shingles at this port, although the inspectors in granting her permission to proceed to San Francisco, her home port, for repairs, had specified that she should carry no passengers or freight. The protest filed today will be forwarded to the Department in Washington. It also know from having prescribed it to convalescents and other weak patients that the food is a wonderful rebuilder and restorer of nerve and brain tinsue, as well as muscle. It improves the digestion, and to the Department in Washington. It says: 'The facts are as follows: 'The certifisick patients always gain just as I did in

strength and weight very rapidly. "I was in such a low state that I had to give up my work entirely and go to the mountains of this state, but two months mountains of this state, but two months there did not improve me; in fact, I was not quite as well as when I left homs. My food absolutely refused to sustain me and it became plain that I must change; then I began to use Grape-Nuts food, and then I began to use Grape-Nuts food, and in two weeks I could walk a mile with-out the least fatigue, and in five weeks returned to my home and practice, taking up hard work again. Since that time I have felt as well and strong as I ever did in my life. "As a physician who seeks to help all information I couldness I a duris to make

destination, and, considering the condi-tion of the vessel's hull, it was not deemed safe to carry rock for ballast, and, when the steamer reached Astoria, a quantity of shingles was taken on board at the expense of the steamer and brought to San Francisco without hire-no charge being made for carrying the shingles be-tween Astoria and Ban Francisco. The shingles were not shipped as freight and

The Orchestrelle There is, after all, no music comparable to that of the modern orchestra. The Orchestrelle embodies in one instru-ment, playable and controllable by one person, all the beauty and wonderful va-riety of tone found heretofore only in the complete orchestra. The repertoirs of the Orchestrelle is practically a catalogue of the orchestral music of the world, and all this music may be played by the owner of an Or-chestrelle, even though he be entirely lacking in musical education or knowledge. The masker rolls for the Orchestrelle are marked similar to those for the Planola so that the proper interpretation may be imparted to a composition. Interesting descriptions of these orchestral numbers are published and supplied to Orchestrelles will or the the sensition Orchestrelles will and the sensition or the sensition or the set of the othestrelle are the proper interpretation may be of the sensition or the sensiting descriptions of these orchestral numbers or the sensition or

are publishes and support owners. During this exposition Orchestrelles will be shown from the simplest forms, cost-ing \$150, through a vast array of choices instruments in oak, mahogany and fancy wainut casings, at \$300, \$500, \$550, \$550, \$1200, \$1500 and up to \$3500.

## The Pianola's Sister

The Pianola's Sister Another recent addition to the Pianola, family is the sister of the Pianola, the Aeriola. This little instrument will be found 'most desirable where considera-tions of price must be taken into account. No other piano-playing device, not made by the Aeolian Company, is superior to the Aeriola, and it costs \$155, \$259 or \$155, according to case, using regular Pianola rolls, with library privileges same as the others.

rois, with interry privileges same as the others. Do not fail to see this interesting ex-hibit. Recitais of a more or less im-promptu and informal character will be given daily at Ellers Plano House, en-trance 251 Washington street, "Portland's quarter-block of fine planos," where every musical want is supplied. Ellers Plano House has other stores at Spokane, Seattle, Walls Walla, Wash.; Bolse and Lewiston, Idaho; San Francisco, Stocktor and Oakland, Cal.; Pendleton, The Dalles, Salem, Eugene, Grant's Pass and Astoria, Or.

ATHLETES TO KEEP IN GOOD TRIM MUST LOOK WELL TO THE CONDITION OF THE SKIN. TO THIS END THE BATH

SHOULD BE TAKEN WITH HAND SAPOLIO

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Baja California Damiana Bitters is a great res disiac and special unic for the struch h sexes. The Mexican remedy for di-Addreys and bladder. Sells on its NABER, ALFS & BRUNE, 23 Market St., San Francisco. Send fo For sale by all druggists or liquor

Gleet, Spermatorrhon, White, unnutural dis a 1 to 5 days charges, or any inflamps tion of mucous men a branes. Non-astringes

THE PHOTOGRAPH SHOWS HOW SPARSELY COVERED WITH TIMBER THE CLAIMS ARE. THE PHO-TOGRAPH WAS INTRODUCED IN EVIDENCE.

\*

The steamer was not fined by the customs authorities for having no health bill, be-Caldwell while he was in an intoxicated cause there is no American Consular agent at Shimonoseki. The Knight Br-rant went from Yokohoma to Shimono-

A. B. M'ALPIN'S PHOTO OF ONE OF THE CLAIMS TAKEN UP AT THE INSTIGATION OF THE DEFENDANTS

# leased by Dr. Earle this morning under instructions from Washington and she cleared shortly afterwards for Portland. ceny of \$5 from J. F. Caldwell, of Ta-coma, was arrested last night. The money is said to have been taken from

