DRAW LINES CLOSE

Rule Excluding Women.

HARD-FOUGHT COURT CASE

Defense in Saloon Case Product Witnesses That Prosecutor Declares Were Not Present as Observers.

Deputy City Attorney Fitzgerald yester day eclipsed all his previous efforts in a denunciatory address delivered to Muicipal Judge Cameron at the close of one of the most remarkable cases ever heard in the courtroom. W. H. Close, Fred Close and Al Close, allied in the operation of the Waldorf and Totem saons, West Park and Morrison streets, were on trial for permitting immodest, women in the Waldorf, and by the prosouter they were characterized as "dive keepers, into whose establishments no respectable woman would go, their re-sorts being worse than any over known in the North Field death. the North End during its palmy days. Councilman W. Y. Masters, of the liquor license committee, was an interested list-

sented Mr. Fitzgerald's remarks regardng the character of his clients and their presented by the city to show that the several times expressed the same opinion, but decided he would think over the matter until this morning before settling the

Acting Detectives Kay and Jones ar-rested W. H. Close and Fred Close, the former being proprietor of the Waldor' and the latter being in charge at the time as bartender. Pearl Berger, of The Dalles, and a woman who escaped during the melec that followed the arrival of Kay. were the women who caused the trouble.

The Berger woman had jerked a card from the hands of Bartenier Close in a private box, and Close was scuffling with her to regain possession when Kay ap-

Kay swore that he placed all three un-der arrest, and that they were the sale occupants of the saloon, but two of the Close defendants and four other witnesses took the stand and swore they were pres-ent. Kay was recalled by Mr. Fitzgerald afterwards, and told Judge Cameron he never in all his experience had heard such lying under oath as "as perpetrated by witnesses for the defense. Kay awore that when the women ron Kay swore that he placed all three un

Kay awore that when the women ron from the saloon, he pursued and captured Pearl Berger, but that her companion got away, as Detective Jones was absent at the time and there was no one to assist. When they recurred to the caloon, W. H. Close and Fred Close were there. One hurled oaths of defiance at the officers. saying he would do as he pleased and that it would "take five of the best cops on the force to take him to headquarters."

He was taken, however, Kay said.

Fred Close swore that he was left in charge of the Waidorf for a short time by his brother, and that he did not know when the women entered but that they when the women entered, but that they rang the bell and he went into the box to serve them. When he entered, he raid, Pearl Berger jerked a card from his hand. He had never previously seen her, and proceeded in an effort to take the card away, in which he falled.

Mr. Fitzgerald declared that it wan the

duty of Close to eject Pourl Berger the moment she jerked the card from his hand, saying that in the mind of any respectable man such an act on the part of a woman he had never seen would stamp her as "immodest," and that a very important part of a salcourkeeper's business is to keep such women out. Fred Close and his several witnesses, when asked what they thought of the card proposition, said they were mable to judge whether it was an immodest act.

of the character of the two women, but thought that, as the testimony showed they did not even have time to order drinks before they left, and as they did not drink, and had been there not to even five minutes. not drink, and had been there not to ex-ceed five minutes, the lines were too closely drawn. At this juncture, Mr. Fitzgeraid launched forth in a most scathing denunciation, in which he warned Judge Cameron that it would not do to accept the statements of "dive-keepers" against the unimpeached testimy of police officers, and saying that "It is about time to teach such men a lesson and close them up."

Tom Rosad, proprietor of the Peerless saloon, First street, near Alder, pleaded guilty to a charge of permitting an immodest woman to enter and remain in his saloon, and he was fined \$25. He was arrested by Acting Detectives 'Kay and

. . . Vigorous prosecution was on when William Lewis, a friendless sailor from one of the ships in the harbor, was before Judge Cameron on a charge of peddling without a license. He was arrested by Detectives Carpenter and Resing, while going about on the outskirts of the town with packages of cheap knives and razors. He said he was headed for California, was going to try and sell enough of the goods to sustain himself and intended walking to San Francisco.

Thinking they had unearthed a despe-rate criminal, who was guilty of untold crimes, the sleuths took Lewis to jall, refusing to investigate his story, to the effect that he had purchased the roods from a man on Third street, to whom he was willing to take them and have the statements verified. Being too busy with other matters, they locked Lewis up with-out giving him any opportunity to clear

Lewis admitted attempting to sell some of the goods and said he did not know any license was required; that he was tired of the sea and was starting to walk to San Francisco. When he started to ask Detective Resing some questions, Judge Cameron commanded silence, and fined the culprit \$10.

fined the culprit \$10.

J. Barrel, arrested by Policeman E. Burke for jumping aboard a Southern Pacific train on Fourth street, admitted his guilt, when arraigned pefore Judge Cameron. Upon recommendation of Deputy District Attorney Hancy, Judge Cameron suspended sentence, and the self-confessed violator of the law was released, pending good behavior, thereby escaping payment of the customary \$5 fine.

"This is the first time I have ever done this in one of these cases," said Judge

this in one of these cases," said Judge Cameron to Barrel, "and you want to be grandfather."

Convention of Pythians.

It is expected that delegates from every subordinate lodge of Knights of Pythias in the state will attend the fifth annual convention of Abd-Uhi-Atef Temple, No. 117, Dramatic Order, Knights of Khoras, san, which will be hold in the Knights of Pythias Hall, Marquam building, next Thursday evening. A special train will bring the Astoria delegation to Portland:

ness, the most interesting event of the session will be the conferring of the sub-lime rank on about 125 candidates who are now on the eligible list. The convention will conclude with a banquet at the Hotel Portland, at which covers will be laid for 250. Following in the committee an ar-Difficulty in Enforcing the Mine, G. C. Moser and D. J. Gregory.

EXPLOSION OF COAL GAS

S. P. Strang Severely Burned in Kenyon Hotel Basement.

furnace explosion in the basement of the Hotel Kenyon, at Eighteenth and Washington streets, yesterday afternoon, due to coul gas, caused severe injuries to S. P. Strang, proprietor of the hotel. Strang, who acts as his own engineer and fireman, was experimenting with coal fuel in a furnace intended to consume wood. A quantity of coal was thrown in the fur nace by Strang on a wood fire. For some reason, for which Strang is unable to account, gas was formed and combustion

Strang, who was standing near the fur nace door when the explosion occurred, was struck by a sheet of flame and the force of the explosion knocked him to the floor. He was stunned for a few min utes but was able to leave the basement without aid. As a result of the explosion his hands and face were severely burned and his eyebrows and hair scorched. The burns are not of a serious nature, and, although painful, he will not be confined to his room long. Following the explosion firemen frm engine house No. 1 were called to the hotel to prevent a possible

CONDEMN TRACKAGE LOTS

North Bank Railroad Needs More North Portland Realty.

The Portland & Seattle Railway Com-pany, incorporated to construct and oper-ate a line of railroad from Kennewick to Portland and other points, the Northern Pacific's new route down the Columbia, yesterday commenced suit against Mary W. Gillette individually and as executrix of the will of P. W. Gillette, to condemn iots 2 and 3, block 167, Couch Addition. The company says it requires these lots, among others, in North Portland, which it has acquired for depot purposes. The complaint was filed in the State Circuit Court. It recites that they are unable to agree upon a price, and that the property is not worth over \$20,000. A similar suit was filed against L. Boire

The Chief Must Be Asked, First.

Captain of Police Bailey, commanding the day patrol, yesterday began the rigid enforcement of an order regarding the admission of visitors to the City Jull, including attorneys. future, all will have to secure permission of the Chief before admittance will be given by Captain Bailey. The first to run afoul of the order was A. Walter Wolfe, who was compelled to secure an order from Acting Chief Gritzmacher. Captain Bailey also annonuced that Policeman Teevin, who has been Assistant Bailiff in the Municipal Court, will be transferred to the second relief, and Patrolman Pete Anderson will be placed on the day patrol. Other changes may occur soon.

Lauren Pease Gets Bondsmen.

Lauren Pease, held to the grand jury on a charge of larceny by embezzle-ment, succeeded in securing bondsmen yesterday afternoon, and will have his liberty pending the trial in the Circuit Court. B. G. Gage and H. K. Finch are

> who has collided with adversity in irulent forms, try to find out ho

strongly developed is his sense of humor

If that attribute is a noticeable part of his mental make-up, don't disturb your

cies, is not entirely clear. But he has it, and there is every reason to believe it

forms a most excellent substitute to the

Works at Seventy Years.

Mr. Hall has arrived at that age of dis-

cretion when most men retire from bustness and the cares of the world. He will soon celebrate his 79th birthday. Cele-

brate is the proper word, for while no end of mortals would, under the circum-stances, observe the anniversary of birth

stances, observe the anniversary of birth as a day of commiseration, Mr. Hall will nevertheless celebrate. On that day he is going to ask the city for a day's vacation and enjoy the luxury of a good rest. Yes, he has a job with the administration—not a position, but just a job; one that political changes do not affect. He is Third street's chambermaid. His duties consist in removing extraneous matter from the nevernents of that thorough.

ter from the pavements of that thorough-

"Don't you find it a little hard to work

at your age?" I asked him yesterday, as be brushed away at Third and Washing-ton, with the infinite, if painful, care that marks the good workmen. He paused from his work and straightened

paused from his work and straightened up with an effort such as a great athlete might display in heaving a ton. Evidently those 50 years were beavy.

"Man of my age, did ye say? Bure, an' yez doon't think I'm a bye do ye?" he said good-naturedly, and, deliberately middles my meaning. "I'm riting of the said good-naturedly, and, deliberately my meaning."

mistaking my meaning, "I'm plinty old enough to voote."

"Then you like to work?" I ventured.

"Ab, moost surely that I do," he laughed. "Who wouldn't like to woork wid such a lovely job? All-I I have to do

is swape fer tin or a dozen hours the day, en' I kin tell ye, me bye, me ifferts are appreciated by the horses at least they

Chambermaid to the Crossings.

of an attack of very fliogical but very

"Am I able t' save anything? Av coorse I'm able to save—just like a man's able to stay under wather—so long an' no longer. I save until th' rint's due. What I have over I save

until th' docther asks for it. Then I begin savin' agin. Oh, yes, I'm able t' save alright, alright, but if you

aks me if I ever git t' kape what I save I'll have to tell re no.

real laughter

ought o be."
"Then you don't like your job?"

smiles of Dame Fortune.

Initiative for Its Change to Be Offered.

MOVE OF THE LIQUOR MEN

They Would Make the Prohibition of the Sale of Intoxicants Strictly a Precinct Affair in Elections.

Liquor men are invoking the initiative for amendment of the local option law, along the lines of the famous Jayne bill. which failed to pass the Oregon Legisla-ture last February by but one vote. They will be opposed by prohibition forces and the Anti-Salson League, and will seek the aid of the anti-Prohibition elements. The bill which the liquor men offer would change the present law, which was would change the present law, which was enacted by the people at the polls in June, 1904, in the following respects: Raise the number of voters necessary to call a Prohibition election from 10 to 30

Make the law strictly a precinct option act, allowing, just as now, an election to be called in any precinct in the state. Prevent the grouping of precincts to-cether for a Prohibition election.

Pix general elections as the time 'for Take away the advantages held by the Prohibition side under the present law and give "dry" and "wet" the same privi-leges in elections.

What the Law Now Provides.

The law now provides that elections to decide the question whether liquor shall of the Harriman lines in this city, re-be sold as a beverage in any precinct or turned yesterday, after an extended group of precincts may be called in June of any year on petition of 10 per cent of the electors in the voting area. Should the election carry for Prohibition, the voting area is to be "dry" two years, but should the election carry for sale of liquor, another election may be called the

Contention of Liquor Forces.

The liquor and anti-Prohibition forces ntend that the present law is a Prohibition act in the guise of local option, and that it should be made a strict precinct option act, putting the liquor and the Prohibition forces on equal footing for the election contests. As things stand, the Prohibition voters can force Prohibition on a precinct voting "wet by including the precinct in a Prohibition group of precincts, but the liquor men on their side cannot carry a precinct "wet" by including it in a "wet" group, unless it shall vote their way.

How Precincts Are Affected.

Again, a precinct or group of precincts going "dry" under the present law must going 'dry under the present law must remain so for two years before another election can be called, but if the voting area goes "wet" the election can be called the next year.

The petitions for the initiative are be-ing circulated by the Knights of the Royal

Arch and will be filed with County Clerks in broken packages will have to pay a by January 1 or thereabouts, and with the valuation of 65 per cent of their inventory. Secretary of State not later than Feb Owners of large stores requested that a

Refrigerator Through Service.

frigerator-car service for less than car-load shipmenta, and for carload lots be-tween Eastern terminals and intermediate points. The heated cars will carry fruits vegetables, eggs, cheese, liquids and other commodities which would be damaged by excessive cold. The service will begin immediately, and continue until April 1. It is proposed to start the service from Minnesota to the Pacific Coast on Mondays, Wednesdays and Fridays.

DEATH OF SAMUEL J. KERR

Pioneer of 1852 and Veteran of Indian Wars Deceased.

Samuel J. Kerr, an Oregon pioneet of 1852, and Indian War veteran, die. at the home of his sister in Elgin, Mo., on November 7, after an illness of taree weeks. Mr. Kerr had gone to Missouri to see his aged father. Missouri to see his aged father, and it was only a few days after the latter's funeral that the son was stricken with malaria that resulted in his death. Samuel J. Kerr was born in Scot-land in 1831. After migrating to Amer-ica, he spent some time in New York

and Iowa, and they joined an immi-grant train for Oregon. He was then 20 years of age, and was one of the bravest in fighting Indians who made the ox-team journey anything but pleasant. The party arrived at Hub-bard, Marion County, this state, and it was while located there that Mr. Kerr enlisted for the Indian War. In 1864 he was married to Miss Cathreen Coffee, of St. Paul, Oregon, who, with the following children, survives: Thomas Kerr. St. Paul, Or.: John Kerr. Aurora: James, Edward, Samuel and William Kerr, McMinnville, and Charinterred in the St. Paul Cemetery Mon-

TRAFFIC OFFICIAL SILENT

R. B. Miller Returns From East, but Tells Little.

R. B. Miller, general freight agent visit to cities throughout the East and Middle West. He spent two weeks in New York and one month in Chicago, and arrived in Portland just in time to be present at the second day's session

of Pacific Coast traffic officials, "My trip was entirely in connection with business," said Mr. Miller last night. "There are a number of things in connection with it that would be of interest to the public, but I am not at liberty to give them out at present." When asked whether his business in the East was in relation to the pro-posed extension of the Harriman lines Oregon, Mr. Miller was noncommit You will have to ask me later about that," he said.

BOARD MAINTAINS STAND

Retail Merchants Taxed on 65 Per Cent of Invoice.

The Equalization Board has about fin ished its work, and the County Clerk has a force of men at work copying the asument rolls, after which the taxes will be extended. It has been decided by the hoard that retail stores whose goods are Owners of large stores requested that greater difference be made between the per cent valuation on inventory given the wholesalers and the 65 per cent allowed the retailers, but the board concluded to let the 65 per cent basis stand.

Recording the Views of a Portland



Street-Sweeper, Whose Chief Assets Are a Sense of Humor and the Desire for Another Job.



TROMAS HALL, AGED 70, AND STILL A CHEERFUL WORKER.

voiced. "Yer wrong when ye think I mark. "I've got me eye on a bether job dhrink or fool me coin away. I niver which I'm thinkin' will coom my way drink—it's the dam dochiers as gets pritty soon."

money do they git."
"Your health then is improving?"
"I niver had any hith t' improve. It's
a fact, I wouldn't catch cold if I slept
on a cake of ice. It was Margaret as
had the hith. She had it fer 30 years
and it was payin' for it that gives the byes th' laugh on me and me th' laugh on meelif in me old age. But." he add-ed, swallowing hard, "I'd a dam sight rather given all th' rist I make to the doctors than to the parties that did th'

bring the Astoria delegation to Portland: three cars will be required by the Knights from The Dalles, and other cities will be largely represented.

Aside from the routine of general busi
**To the undertakers," he replied.

"To the undertakers," he replied.

"But niver mind," he said, with an already represented the which I was harboring, but had not gloomy pause following his last re-

"A position with the city-something easy as you deserve?" I suggested.
"No, another job swapin' th' cobble-stones," he protested. "I'm thinkin' stones," he protested. "I'm thinkin'
they'll be afther a man bout my size
an' age to do th' swapin' there soon.
It's jist th' job I want if the Mayor'll
only put me an th' payrole."
"And who is the Mayor you refer to?

Maybe I can pen him a good word "I don't think yes could hilp me." interrupted Mr. Hill, and there was a mysterious twinkle in his eye. "Ye see, th' mon has a way of knowin' all about ivery divil wan av us. You may a heard av him—'is name's Peter—they Year's Subscription to The Oregonian

FREE! FREE! FREE!

\$25 Talking Machine With One

It is not often that a metropolitan newspaper offers a premium but when they do it is always something worth having. The Talking Machine that The Oregonian is giving away to yearly subscribers is perfect in every detail. It is equal to any \$45 machine in the market. In fact, you cannot get any better results from a \$100 machine. If it was not the best, The Oregonian would not handle it on any terms. It is given on conditions so easy to comply with that everyone can get one. The proposition, in a nutshell, is: Sign a contract to take the paper one year at the regular price, 20 cents a week, pay \$2 for two records when you get the machine, and buy one record a week for 33 weeks thereafter at one dollar a record. Outside subscribers can get the machines by paying \$2.55 every three months in advance for the paper and by paying for the records every week. It is cheaper to buy the records by the dozen-\$10.00 a dozen. You gain two records with every dozen purchased-50,000 records to select from. Catalogues sent free on application to Eilers Piano House, Portland, Oregon.

Merchants Want Railroad to Vacate Fourth Street.

FAVOR COUNCIL MEASURE

Demand That Southern Pacific Pay for Franchise or Abandon Line Occupied on Portland Street Receives Approval.

Numerous merchants of Portland are desirous of having the Southern Pa-cific trains excluded from Fourth street, or at least of forcing the company to pay a license to the city for the use of the street.

About two weeks ago an ordinance was introduced in the City Council and is now pending, which provides for the revocation of the franchise along Pourth street, which is now being used by the Southern Pacific Company. It is held that the original franchise granted in 1868 was indefinite in time and provided that the trains to be run on the line should be under such restrictions and requirements as should from time to time be made by the

nunicipal government. In support of the draft for an ordinance presented to the Council, a petition is being circulated among the bus-iness men interested. It is the intention to ultimately deprive the Southern Pacific of Fourth street. In the meantime, however, and until a belt line road is constructed, or provision made on some other street, it is the plan of those supporting the ordinance and signing the petition to compel the company to pay a license or rental for the use of the street.

Among those who had signed the petition yesterday afternoon were: P. J. Mann, Samuel Rosenblatt & Company, John Wilson Estate, A. B. Steinbach & Co., Lipman, Wolfe & Co., Ben Selling, Olds, Wortman & King, H. Miller & Son, R. F. Prael, Silverfield & Co., Mc-Allen & McDonnell, J. W. & V. Cook, Roberts Bros. Famous Clothing Com-pany. Frederick W. Mulkey, Honeyman Hardware Company, Tull & Gibbs, Blumauer & Hoch, Anderson Bros., J. K. Gill Company, S. G. Skidmore & Co. L. Shananan and L. S. Mayer.

The petition will be given a genera circulation today, and will be presented to the street committee of the Council about December 4, the time it is supposed the ordinance asking for the va-cation of the street will come up.

Children Contribute to Fund.

Many of the contributions for Miss Loubet, the unfortunate French girl who was crippled for life in the fire at the Stateroom lan, have come from chil-dren of Portland and other places. Yesterday The Oregonian received \$1, inclosed with a letter explaining that it was a Thanksgiving offering from the pupils of the primary grade of the Philomath public school. Other contributions to the Loubet fund resterday were J. F. D., \$1,

Says Tacoma Has a Boom.

W. B. Lockwood, traveling freight and passenger agent of the Wisconsin Cen-tral, with headquarters in Tacoma, is in Portland for a brief visit. Mr. Lockwood call his Saint Peter fer short."

JNO. D. Portland for a brief visit. Mr. Lockwood reports that there is at present a great

beam in Tacoma real estate. The news he said last night: "there have been more that another transcontinental road is to sales during the past week than for a be built into that city has created a big month previous. Men who bought a few iemand for property and sent prices sear-ng. "It is just like the old boom days," large amount of money."

The Flying Machine, of course, the jolliest,

liveliest, welcomest toy that ever charmed a child. No wonder the youngsters who have them look so well-they have to drink Ghirardelli's Cocos to get the machine.

And they don't know which they like best, the whirring, spinning Flying Machine or the rich, creamy, delicious flavor of Ghirardelli's Cocoa.

If you want to get in the popular game, get your mother to buy a can of Ghirardelli's Cocoa. Then you take the cover of the tin to the

KELLEY-CLARKE CO.

No. 4 Vine St., Portland, Ore. And get a brand new Flying Machine.

"Some Styles are particularly appropriate for stout men, other styles "the Clatter desjut for slender men - we are equally interested in both."

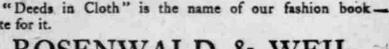
Not only have we created apt designs for stout and slender men, but we have made one along lines that will fit you - absolutely.

You can't know the range of measurements our garments are made in until you ask your dealer for our mark.



WAISTCOATS -"MACKINETTES" OVERCOATS - - 15 to 35

2 to



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