DEATH KNELL OF

Mayor Lane Gives Chief of Police Orders to Suppress Them,

MAKES THE LIMIT SHORT

Cigar Stores and Saloons Will Be Notified Today That Devices Must Go-Will Not Resist. Preachers Are Pleased.

Nickle-in-the-slot machines will hear their death knell this morning. Bright and carly a force of officers, acting under instructions of Chief of Police Gritzmacher will set about retiring the moneydevouring contrivances. Every clgar store and saloon where the devices are operated will be visited and the proprietors given a limited time in which to re-

Mayor Lane decided upon these steps yeaterday morning at a conference with Chief Gritzmacher. He instructed the thief to proceed at once and the head of the police department will follow instructions today. Mayor Lane says he has had the elimination of the machines under consideration for some time past and that the agitation begun by the Min-Isterial Association did not prompt him

gambling was already in the hands of the police, various plans for securing such an order were discussed yesterday afternoon by the committee on law enforcement of by the committee on law enforcement of the Ministerial Association. Dr. Clarence True Wilson, chairman of the committee took the subject up with his colleagues at the Y. M. C. A. reception hall and the

situation was gone over in detail. It was decided to have every minister in the city bring up the subject in his evening sermon next Sunday, and to bring the matter to the attention of the various meetings of young people. Dr. various meetings of young people. Dr. Wilson was delegated to prepare a statement of facts, a copy of which to be malled to each clergyman in Portland.

Pastor Pleasantly Surprised.

When informed after the meeting of Mayor Lane's action Dr. Wilson said he was pleasantly surprised.

"If the Mayor does that much it will help the town immeasurably," he said. "Nevertheless the work of the committee has not been wasted. We shall carry out our programme. It is just as well to keep public opinion stirred up on the

Mayor Lane's instructions to Chief Gritzmacher were brief and to the point. The Chief was told to have every slot machine operator informed that the devices must go and go at once. Chief Gritzmacher replied that he would take great pleasure in enforcing the order. He said the machines were nuisances and

that he was opposed to them.

The Mayor said he expected no resistance. "I believe the slot-machine people will quit on notice," he said. "No, the Ministerial Association has not awaite upon me. I have been receiving com

Manning Will Not Talk.

When asked concerning the application of the state law District Attorney Manention; that he would attend to it when

That there will be no fight against the I am ready to take my machines of

the counter the moment an order to that effect is presented," said Sig Sichel, one of the largest cigar dealers in the city. A similar stand was taken by the others That it will work a considerable hardship on the cigar men was the general fact anything in electric or gas appliances

to be derived from it.

Dealers claim that cigars sold through
the machines net them 11 cents each on

BAZAARS IN FULL SWING

Portland Churches Offer Fancy Work and Confections for Sale.

Christmas bazaar season is in full swing, and at nearly all the churches all sorts of useful fancy articles, dolls, aprons, bags, preserves, cake, jellies, mincement, homemade candies and other good things are offered for sale. Women who have not time to make gifts for their friends, but who prefer handmade articles, are finding no trouble in filling their lists and are voting the time-honored and often ma-

ligned church bazaar a blessing.
The ladies of the Taylor Street
Church opened their bazaar yesterday afternon in the church parlors, and ave an excellent programme last ight. Today they will serve a home-ooked dinner from 11:30 until 2. The aznar sale will close this evening at

At the First Congregational Church At the First Congregational Church
the annual sale of Christmas gifts began Tuesday morning and will continue until 6 o'clock this evening. The
fine assortment of beautiful fancy
work and homemade conserves offered
by the ladles of this church has been much commented upon by the many patrons who filled the church parlors yesterday, and everything was finding ready sale.

a ready sale.

St. Matthew's Guild held its sale last night at 299 Caruthers street.

The "pink and green" bazaar of the Third Presbyterian Church, East Thirteenth and Pine streets, opened yesterday and the fine display of articles found ready sale. The refreshment booth was also liberally patronized. The bazaar will be open this afternoon and evening.

AGAINST A WIDE STREET

Villa Avenue Property Owners May Kill the Project.

According to reports submitted at the special meeting of the Center Addition Progressive Club Monday evening the Progressive Club Monday evening the widening of Villa avenue, making it an 80-foot street, has received a death blow from the property owners. At this meeting, held at the home of C. T. Groat, the special committee appointed to interview the property owners between the Wiberg Lane to the end of Villa avenue, reported that four-fifths of the property owners interviewed expressed themselves against making Villa avenue 80 feet wide.

The committee also reported that property owners generally were favorable to proceeding with the improvement of the avenue 60 feet wide. This ganvass was made after the grade stakes were set along the street showing how much property. erty it would be necessary to condemn to make an 80-foot street.

This seems to settle the fate of the move This seems to settle the fate of the movement for a wide street, and again brings up the question of the right-of-way through the Ladd farm. W. M. Ladd, representing the Ladd estate, gave the clubs his written consent to either an 80 or 100-foot street, but would not consent to a 60-foot street through the farm. No one at the meeting was prepared to say what effect the decision of the property owners east from Wiberg Lane will have on the right-of-way through the Ladd farm.

There will be another meeting of the Center Addition Progressive Club Monday evening next at the home of C. T. Groat.

GABRILOWITSCH TONIGHT

Will Present Magnificent Pro-

Lois Steers-Wynn Coman, will begin at

FIREPLACE NECESSITIES.

Andirons, spark guards, firesets, port-able grates, gas heaters, gas logs, elec-tric sad irons, electric foot warmers, in opinion, especially among the smaller may be obtained at reasonable prices at dealers. They maintain that the slot machine is nothing more than a good sales-

SLOT MACHINE FIENDS REJOICE AT THE PROSPECT OF RELIEF

Hail Mayor's Order Abolishing Gambling Devices With Delight-Chains of Habit Will Be Broken and Their Money Saved.

HERE are some hundreds of indi- | have been shuffled through the agency

WAS IN OREGON

Supreme Court Decides That Jurisdiction of Will Is in This State.

MONEY LEFT TO INSTITUTE

Wish of Old Residents of Portland to Promote Literature, Science and Art Will Be Carried Out, Despite Certain Heirs.

SALEM, Or., Dec. 4 .- (Special.) -- The Amanda W. Reed will case was today decided by the Supreme Court in favor of jurisdiction in Oregon, thus defeating the effort to transfer administration of the Reed estate to California. The court finds, as did the lower court, that neither Reed, ever gave up their permanent legal residence in Oregon, but that they resided in Pasadena, Cal., only temporarily This conclusion is reached after a lengthy review of the evidence and an exhaustive discussion of the law of domicile. The case was decided in the court below after a trial before Judges Frazer, Cleveland and George, of Mulmomah County. The decision on appeal was written by Chief Justice R. S. Bean.

This contest was brought by Emily

This contest was brought by Emily Pickering, Sarah A. Robertson, Abigall Baxter Wood, John H. Wood, W. H. Faxon, Helen Faxon Passmore, Emma Wood Brainard, Harry A. Wood Corinne Wood, Stella H. Wood and Helen B. Wood, who would profit by the defeat of the will of Mrs. Reed. The contestees were Martin Winch, executor of the will, and T. L. Ellot, C. B. Bellinger and C. A. Dolph, trustees of the Reed Institute, for the establishment of which Mrs. Reed left the bulk of her fortune. The facts in the case are thus summed up by Judge Bean: This contest was brought by Emily

Grounds of the Contest.

This is a contest over the probate in an Oregon court of the will of Amanda W. Reed, who died at Pasadens, California, in May,

Mrs. Reed was the widow of S. G. Reed, de ceased, and died without children. Her will was executed September 4, 1901, in this state, and recited that she resided at Portland. It disposes of real and personal property of more than a million and a quarter of dollars in value, almost all of which is in Oregon. Its probate is contested on the ground, as claimed, that the court of primary jurisdiction is the Superior Court of Los Angeles County, Cal., in which state the contestants allege that the testatrix was domiciled at the time of her

Mr. and Mrs. Reed came to Oregon in 1854 and remained here until 1892, during which time they accumulated the fortune now in con-troversy. Mr. Reed's health falled in 1891, and at the instance and upon the advice of his physician, he went to California to spend the Winter, hoping the change would benefit him. His health not improving, he returned to Ore-gen in the Spring of 1892, and then went to Europe to consult a specialist. He returned m Europe in the Fall and shortly thereafter he and his wife went to Pasadena, Cal., where the climate was considered better suited to his health and comfort than that of Oregon. They boarded awhile at a hotel and then pur

might be applied, none more run) serves the title than Gabrillowitsch, whose intellectuality, artistic comprehension and wide knowledge of the world as it is today, would put him in the front rank even without the marvelous gift which has induced many critics to call him "the wizard of the keyboard." There are many noble and beautiful numbers are many noble and beautiful numbers on the programme tonight, and the recital which is under the direction of cital which is under the direction of cital which is under the direction of the programme to the direction of cital which is under the direction of cital which is under the direction of the programme to the direction of cital which is under the direction of cital which is under the direction of cital which is under the direction of the programme to the direction of the programme to the direction of the programme to the direction of the water committee of Portland and his fraternal affiliations. He never voted and obligations of its citizenship. The taxes on his personal property, except perhaps such as he used for his immediate comfort and convenience, were paid in Portland and not in California. Several except his box possible to the world as it is today, would put him in the front archive the water committee of Portland and his fraternal affiliations. He never voted in California, nor assumed any of the duties and obligations of its citizenship. The taxes on his personal property, except perhaps such as he used for his immediate comfort and convenience. in California, nor assumed any of the duties and obligations of its cittaenship. The taxes on his personal property, except perhaps such as he used for his immediate comfort and convenience, were paid in Portland and not in California. Save and except his bare residence in Pasadena. Portland was the center of his affairs, and they remained unchanged as to his business connection and civic obligations and duties. Mr. Reed left a will devising and bequeathing all his property except some real igning the operation of the slaughter bequeathing all his property except some real estate in Massachusetts, to his wife, and sug-gested therein that:

Expressed Wish of Mr. Reed.

"Feeling as I do a deep interest in the future welfare and prosperity of the City of Portland, Or., where I have spent my business If and accumulated the property I possess, I would suggest to my wife that she devote some portion of my estate to benevolent objects or to the cultivation, illustration or development of the fine arts of said City of Portvelopment or the line arts of said city of the land, or to some other suitable purpose, which shall be of permanent value and contribute to the beauty of the city and to the intelligence, prosperity and happiness of its inhabitants."

John by Justice Moore, G. A. Setteriun, appellant, versus H. A. Keene et al., from Marion County, George H. Burnett, Judge; affirmed Opinion by Chief Justice Bean. On November 18, 1895, Mrs. Reed petitioned

the Probate Court of Multnomah County for administration upon the estate of her hus-band, reciting and stating in such petition that she was a resident of Portland. She was THERE are some hundreds of individuals in Portland today who will be forced to begin looking for a new form of physical exercise; likewise a new channel of disbursement to keep their incomes down to a respectable figure. With the disappearance of the ubiquitous slot-machine these two essentials of their daily lives will have been eliminated.

But if any one imagines the putting away of these little emony-swallowing devices is going to worry the chronic victim of the going many of the going the money-swallowing devices is going to worry the chronic distribution for the going drops in a single nickel and gest the construction of a new skyscraper with his probable savings.

According to his version, slot-machine playing is a fever. While not included in the medical calendar, except under the general contraction of a new skyscraper with his probable savings.

According to his version, slot-machine fiend the medical calendar, except under the general contraction of a new skyscraper with his probable savings.

According to his version, slot-machine fiend of the single several head of mental aberration, it is infectious and has no cure, except the amputation of the slot-machine. The up a slot-machine fiend the mental aberration, it is infectious and has no cure, except the amputation of the slot-machine. The up a slot-machine fiend while graw the chain in half and sprint for the nearest cigar store. Not that he can be constituted to the field in the same proposed the construction of a new skyscraper with his probable savings.

According to his version, slot-machine fiend of the slot-m in feeld is a growth. He started in aberration, it is infectious and has no cure, except the amputation of the siot-machine. Tie up a slot-machine fiend with a log chain and he will graw the chain in half and sprint for the nearest cigar store. Not that he will samply that irrestatible American desire to get something for nothing. In this case, however, it is the owner of the machine that does most the "get ting for nothing."

The possibilities of the slot-machine are great. Skilfully arranged withing its metal case are 50 of the 52 cards of an ordinary pack. These are on a spindle which is set in motion by a spring. In order to get this spring to work it is necessary to bring it in suddent that the decision of the same declaration of herself. By the terms of the will, then the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the same declaration of herself. By the terms of the will, the will have a properly and the play is decled that Mrs. They report to some the play is determined by the five cards that romain in sight in a small glass opening, after the cards.

number of the heirs of Mrs. Reed to divert and circumvent her manifest intention and de-sires as to the disposition of her property by sires as to the disposition of her property by availing themselves of the provisions of a statute of California, which makes void any devise or bequest for charitable uses in excess of a certain proportionate share of the estate of the deceased (2 Kerr, Cyc, Code, Page 1313.) To accomplish this purpose the assert that Mrs. Reed was domiciled in California and the dis-position of her property was subject to its laws.

The case, therefore, depends upon the single act whether Mrs. Reed's domicil at the time of her death was in Oregon or in California.
To make out their case, the contestants are To make out their case, the contestants are bound to establish, either (1) that Mr. Reed changed his domicil, and by virtue of the marital relation, the domicil of Mrs. Reed, from Portland to Pasadens; or (2) that, if his domicil remained at Portland unchanged, Mrs. Reed, after his death, and when she became computent to choose and acquire a new domicil, changed her domicil from Portland to Pasadena. Domicil is difficult of accurate definition and the opinion has been expressed by many Judges and writers that the term cannot be successand writers that the term cannot be successfully defined so as to embrace all its phases.

Mr. Justice Shaw says: "No exact definition can be given of definiti; it depends upon no one fact or combination of circumstances, but from the whole taken together it must be de-

rmined in each particular case." After quoting the authorities, the opin-

Ion says:

Domicil, therefore, is made up of residence and intention. Neither, standing alone, is sufficient for the purpose. Residence is not enough, except as it is conjoined with intent which determines whether its character is permanent or temporary; and clearly a mere intent cannot create a domicil. Mr. Dicey says: "The domicil of any person is, in general, the place or country which is in fact his permanent bone, but it is in some cases the place or country, which whether in fact his home or not, is determined to be his home as a rule of law." This is considered by Mr. Jacobs, with perhaps one change, to be as nearly accurate a definition as has to be as nearly accurate a definition as har been given.

Lived in Oregon Nearly 40 Years But we need not pursue this branch of the guestion further. We are not so much con-cerned at this time with the correct technical definition of domicil as we are with the law regulating a change of domicil when once ac-quired. It is shown by the evidence, and admitted by the contestants, that Mr. and Mrs. Reed were domiciled in Oregon from 1854 to 1892-a period of nearly 40 years—and this domicil is presumed to have continued until it is shown that a new one was established, intent and fact, by indicating and carrying into effect an intention to abandon the Oregon domicil and to establish another in California. Every person is assumed by the law to have one domicil and one baly. And when this is shown to exist, it is presumed to continue until not only another residence and place of abode are acquired, but until there is an inention manifested and carried into execution of abandoning the original domicil a quiring another by actual residence; burden of proof is upon the party who

on says:

The acts of Mr. and Mrs. Reed, and the un lisputed facts surrounding and characterizing heir removal from Portland to California, and heir subsequent residence in Passadena, show be our minds quite clearly that they at all mes deemed and considered their residence here as temporary rather than permanent, and that Portland was their legal domicil. The decided weight of the testimony as to their purposes as declared by them is to the same

NODINE CASE IS AFFIRMED

Oregon Supreme Court Makes Modi-

fication in Decree. SALEM, Or., Dec. 4.—The Supreme the Nodine case in an opinion by Justice Halley, Fred Nodine was formerly a wealthy farmer in Union County. During the hard times he became seriously embarrassed, and in the hope of saving something he executed a trust deed to F. L. Richmond and W. T. Wright, who were to manage the property and sell so much a necessary to pay off the heavy much as necessary to pay off the heavy

will Present Magnificent Proplaints about the slot machines for a long time. Complaints have come to me from many sources, by letter and verbally. While I expect no resistance, we are prepared to enforce the order if necessary. There is no ordinance against slot machines, but they come under the general head of gambling and if nothing else will hold the state gambling law will cover the case. The slot machines must go. The doa a great deal of harm; in some instances embezzlements have been traced to them."

Will Present Magnificent Programme to Admirers This Evening.

Will Present Magnificent Programme to Admirers This Evening.

Will Present Magnificent Programme to Admirers This Evening.

Boarded awhile at a hotel and then purchased residence property and removed their household effects and personal belongings from the will for an accounting and for \$150,000 damages against the trustees for permitting the sale of certain lands upon execution, and to recover such lands and to pay be the local patrons of music, as might well be expected when an artist head of gambling and if nothing else will hold the state gambling law will cover the case. The slot machines must go. The formation as a direction in the state is the property and a visit.

Of the few planists to whom, without fear of contradiction, the term great might be applied, none more fully deserved to them."

Manning Will Not Talk. Connell, Marshall and the Ainsworth bank, against whom, also, costs were allowed. The Supreme Court modifies the

that the subsequent ordinance authorizing the operation of the slaughter house did not relieve defendants from liability for the former violation. Opinion is by Justice Moore.

H. E. Noble, respondent, versus M. E. Watkins et al., appellants, from Columbia County, T. A. McBride, Judge; affirmed. Opinion by Chief Justice Bean.

S. S. Brownell, respondent, versus Salem Flouring Mills, appellants, from Marion County George H. Burnett, Judge;

rion County, George H. Burnett, Judge; motion to dismiss appeal allowed. Opin-ion by Justice Moore.

John Amort, respondent, versus School District No. 8, et al., appellants, from Marion County, William Galloway Judge; reversed. Opinion by Chief Justice Bean.

Mr. Dooley on

The Christmas Spirit By F. P. DUNNE

Other Features

Letitia, Nursery Corps, U. S. A. Another of the charming child stories of George Madden Martin, the creator of "Emmy Lou." Tells what happened to a lone, neglected army child whose mother played bridge and left her to the tender mercies of hig Corporal Leg're. The first of the series.

Adventures in Contentment Have you ever been seized with the passion for ownership, or filled with the joy of possession? You might like to do rself what David Grayson did; at any rate you'll like to read about it. Ida M. Tarbell

begins her new serial, "The Tariff in Our Times." Greater even than "The

Standard Oil," which so stirred up the Clara Morris tells about her first speech and the black

home at three-thirty in the morning to the scandal of the neighbors.

grenadine she wore to "The Daly Ban-quet," and how Mrs. Gilbert took her

A Song of a Shirt One of Mary Stewart Cutting's little nic stories of married life Other titles are, The Fountain of Youth-The Gardendale Burglar Cure-Out of the Heart, by a Southern Woman -The Great Refusal - Mile-a-Minute Madness - and Poems, Pictures, An-

In the Interpreter's House Christmas Editorials full of gentle humor and sound sense-the choice and staff on current events.

Straight from Mr. Dooley's heart "The Christmas Spirit" flows into the pages of the December Number of The American Magazine. Hennessey has caught it. Read it; you'll laugh and chuckle and catch it too. It'll catch you hard and leaven you up till you glow all over.

Science, St. Skinflint and Santa Claus

William Allen White's Christmas Talk. refreshes the heart and delights the mind. With whimsical pictures, Mr. White paints Science-"pale and blue-nosed, with skimmed-milk eyes, pointer in hand and chalk dust in her hair"-St. Skinflint-"straight-laced, weazen-faced god of Business"-Santa Claus-"forty-two in girth, thirty-eight chest measure-may be Uncle Jimmy who clerks in the store on Main Street." It makes rich reading in

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For December

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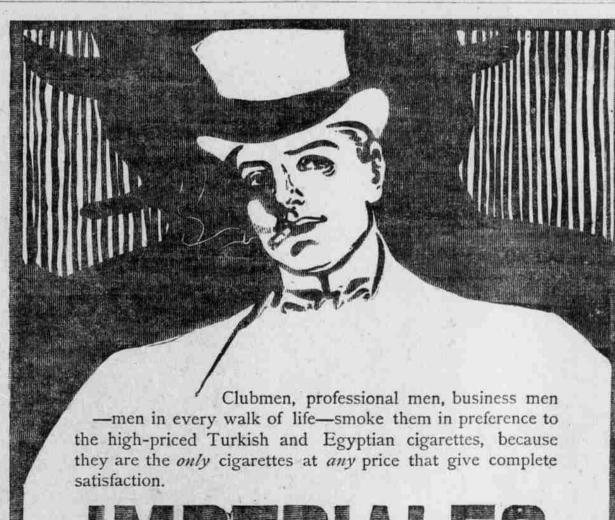
to California on account of Mr. Reed's the letter.

Tam advised that this decision of the time in the open air, had been held sufficient to take the bulk of Mrs. Reed's domicile, and is at estate, intended to help the people of

forms. Oregon never had two more loyal citizens than Mr. and Mrs. Reed.

"In Mr. Reed's will be called the attention of his wife to the fact that Oregon had been good to them and that be wished that the principal part of his fortune, which should be left when she was through with it, should go to aid the people of the city and state where they had lived and acquired what they had. This

will and the testimony to leave any serious question as to her domicile. It was well known that Mr. and Mrs. Reed went nor expense to carry out her wishes to of their health, and possibly because Mrs.



The mouth-piece insures a cool, mild and clean smoke. The tobacco is of the very finest blend; and a fine, thin mais paper is used -crimped together without a drop of paste, giving the smoker the full fragrance of the perfect Imperiales blend.

80,000,000 Imperiales Cigarettes smoked by the Men of the West in 1905.

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