

LAWYER OUTLINES CASE OF DEFENSE

Says Shaffer Threatened Bloodshed on Night of His Tragic Death.

SUITTER FEARED TROUBLE

Attorney Dan J. Malarkey Makes Opening Statement in Trial of ex-Policeman for Killing Longshoreman.

The jurors who are to try the case of the state against Nathan H. Suttler charged with murder in the second degree in killing Henry Shaffer, were sworn in yesterday morning. Then Deputy District Attorney Adams and Attorney Dan Malarkey, for the prosecution and defense respectively, made their opening statements. These were finished at 2:30 yesterday afternoon, when the jury was taken to view the premises at Mallory avenue and Falling street, on the East Side, where Shaffer was shot by Suttler, who was then a policeman. The first testimony in the case will be taken this morning, beginning at 9:30.

That on the night of the shooting, while the party in honor of Mrs. Shaffer's birthday was in progress, Suttler told Suttler that he intended to kill Jacob Holworth for making a complaint against him, and that when Suttler remonstrated with him he answered, "Well, d—n you, you keep your nose out of my business, you see, you, too," was the assertion made yesterday morning by Mr. Malarkey in his opening statement to the jury. Holworth is the owner of the property which was occupied by Shaffer.

Mr. Adams, for the state, described the scene of the shooting, using for the purpose two maps of the premises, including the adjoining buildings. He said that Suttler went to the Shaffer home at 7:20 P. M. on the night of the killing, and that when he left Mrs. Shaffer supposed the incident closed. He said that as the woman speaks German, and was formerly a resident of Russia, she failed to understand all that the officer said. He then narrated how Suttler returned to the dwelling where the party was in progress, with another officer, entered the place without ceremony, and took his position with his back to the door, opening from the kitchen, while his brother officer went to call for assistance.

Shooting Not Provoked.

While Mrs. Shaffer was attempting to whisper something in German to her husband, after the latter had requested of the officer permission to leave the building, said Mr. Adams, Suttler fired three shots. Mr. Adams said the testimony will show that they penetrated the left side, the second bullet passing through the spine.

Mr. Adams compared the party to a church service, saying that the assemblies were making no more noise than would have been made by a choir and pipe organ. Mr. Malarkey sarcastically referred to this comparison when he retained the floor by saying that the shouting and stamping on the floor, mingled with the occasional tones of a fiddle, could be heard from the street.

"Let me tell you about some of the preparations Mr. Shaffer made for this hilarious gathering, which my friend Adams compares to a church service, to do it to a peaceful church service," continued the lawyer. "Shaffer had an eight-gallon keg of beer in the bath tub. It was on top of the tub in the basement was another one, a 10-gallon keg. It was full. Besides these they had demijohns of wine and whiskey, for this peaceful little church celebration. That night when Officer Suttler appeared on the scene the party had drained the small keg, and had started on the second."

Mr. Malarkey said that the testimony would show that Shaffer was looking for trouble, having informed his next-door neighbor, Chester Shaffer, that he was a relative, that he was "going to show Holworth that he would do as he pleased, even if it was in Holworth's house." Owing to the frequent hilarious gatherings at the Shaffer home, which are said to have disturbed the neighborhood, Holworth had been endeavoring to compel Henry Shaffer to move.

Showed Her His Star.

Suttler lived on Mallory street between Mason and Skidmore streets, about two blocks from the Shaffer home. His beat, however, was in another part of the city, and he was preparing to retire when Holworth called to have him quell the Shaffer disturbance. When he called at the Shaffer home Suttler was not in uniform, but showed his star to Mrs. Malarkey, who came to the door. Mr. Malarkey said that testimony would show that when the officer asked Mrs. Shaffer to have the party be more quiet she replied that it was their house, that they paid the rent for it, and that they intended to do as they pleased. It appears that Shaffer afterward came to the door, and taking the officer by the arm, walked him off down Falling street, at last asking him who it was that made the complaint. The officer declined to tell, asserting counsel, upon which Shaffer said he thought it was Holworth, and that he intended to kill him before morning. Suttler remonstrated and Shaffer threatened the policeman's life also.

TROUT FEAST FOR PAUPERS

Seattle Game Warden Has Treat for Poor Farm Inmates.

SEATTLE, Wash., May 19.—(Special.)—The paupers at the King County Poor Farm, feasted today on a cold storage trout, which costs \$1 a plate at the downtown cafe. If one is acquainted with the head waiter, if one isn't, he can't buy it at all. Game Warden Harry Reif, three days ago, seized 60 pounds of trout worth 60 cents a pound. He found the fish on the water front, addressed to a man named Reed, in care of a cold storage company. Where they came from the Game Warden does not know. He sent the contraband fish to the Poor Farm and today the inmates have enjoyed trout for breakfast, luncheon and dinner.

Reif declares that it is no wonder that it is difficult to get a basket of fish out of the streams, when they are illegally sent to market in 600-pound lots.

Amusements Remain as Before.

BALTIMORE, Md., May 19.—By a decisive vote the committee on the state of the church, of the General Conference of the Methodist Episcopal church, to which the matter of amusements was referred today, decided to recommend that the paragraph remain as it now stands, and thus negated the recommendation of the bishops. The vote in committee was nearly three to one against making a change.

EXTEND LINE SOUTH

Harriman Road Will Build From Lakeview.

Harriman interests will build a railroad from Lakeview south to the state line, a distance of 15 miles. Amended articles of incorporation of the Oregon Eastern Railway Company will be filed at Salem today, in which the intention of the company to construct this line will be set forth.

UNDER WAY THIS SEASON

Construction of Oregon Eastern to State Boundary May Be Followed by Connection With Southern or Central Pacific.

The projected road will be a branch of the Oregon Eastern, and will run in a southerly direction from Lakeview, east of Goose Lake, to the California line. The country to be traversed is easy for construction work, it being level for the most part. A reconnaissance has been made by surveyors for the railroad company. It is expected construction of the road will be begun during the coming season.

RECTIFIES ERROR OF CUPID

Rosa J. Husk Refuses to Marry W. H. Webb.

Cupid, in his blindness, made another mistake last week. He didn't find it out until Sunday, when it rained so hard that he was compelled to stay indoors. Being prevented from taking an occasional shot with his bow and arrow, he had time to run over in his mind the conquests of the week. He decided there was one too many. So he hustled out to save the victim, and for once succeeded.

Rosa J. Husk appeared at the Court-house yesterday to have the marriage license taken out Saturday by W. H. Webb, of Hoquiam, Wash., cancelled. She said Webb had the license in his pocket, but that she wanted the world to know she had not married him. Asked for her reason she said that it was simply all off. "Wedding not solemnized" was written across the face of the record.

DENIES WOMAN'S STORY

W. B. Mersereau Will Fight \$50,000 Suit for Damages.

W. B. Mersereau yesterday declined to discuss at length the suit brought against him by Miss Helga Farret to recover \$50,000 damages. He declares that the allegations in the woman's complaint were absolutely false, and says the case will be fought to a finish.

"We will try our case in the courts," replied H. M. Eastery, attorney for Mersereau, when asked yesterday for a statement on behalf of the wealthy lumberman.

Robert H. Ellis, who was charged in the complaint with having induced Miss Farret to write certain letters, emphatically denies that he so influenced the woman. Miss Farret alleges in her complaint that Dr. Ellis, representing Mersereau, persuaded her to write a letter exonerating Mersereau from all improper relations with her. Dr. Ellis said the woman gave him a letter to deliver to Mersereau, which he did, but declares that he did not learn of its contents at that time.



Miss Helga Farret, Plaintiff in \$50,000 Damages Suit Against Wealthy Lumberman.

That the coming of the fleet to Puget Sound will mean increased attendance at the Rose Festival is the belief of A. D. Charlton, assistant general passenger agent for the Northern Pacific. The tickets from all points to Seattle and Tacoma on account of the arrival of the fleet will be extended so that people who go to Puget Sound to enjoy the festival will not be inconvenienced by the departure of the fleet. This will give plenty of opportunity for those coming from the interior to attend the Rose Festival.

COVERS BABE WITH GUN

Brutal Burglar Makes Terror-Stricken Mother Give Up Money.

SEATTLE, Wash., May 19.—(Special.)—Pressing the muzzle of a revolver to the head of her infant child as it lay asleep in its cradle and threatening to blow out its brains if she did not comply instantly, a burglar last night forced Mrs. Jack Mauden, to give up all the money she had, about \$15.

COMING ATTRACTIONS.

Comedy Next Week.

"Why Smith Left Home," which the Baker Stock Company are preparing for next week, is one of the best comedies ever written, and is one continuous roar of laughter from beginning to end.

AT THE VAUDEVILLE THEATERS.

Unparalleled Vaudeville Act.

You will enjoy the fine comedy of the celebrated Bell trio, offered by the Pantheon Circuit as a feature at the Marquam Grand this week. Their act is the funniest man you ever saw.

Juggling Harigens.

James Harrigan, the "Tramp Juggler," is the headline act for the week at the Grand and he is one of the few original jugglers in the state. Harrigan originated while others imitate.

East Side Republican Rallyes.

A Republican rally will be held in Strahman's hall tomorrow night, at which time W. M. Calk, chairman of the Republican State Central Committee, will be the principal speaker. Friday night a rally will be held in the engine house on Albina and Killingsworth avenues. R. G. Morrow, R. L. Stevens, George J. Cameron and W. R. McGarry will speak.

CARD OF THANKS.

We desire to express our thanks and appreciation to the many friends who so kindly assisted us in our recent bereavement, and also for the beautiful floral offerings.

MRS. THOMAS BRADY AND FAMILY.

Ten Years— Ten Gains— Ten Millions

The achievement of success is often attributed to luck, but no commercial success can be maintained for a period of ten years, unless back of it there is real strength and merit. Our Company was organized in 1898. Since that time the country has enjoyed an era of great prosperity. In 1903 however, there was a period of unrest; but the money panic of last year was the supreme test. To survive required ability and strength to overcome difficulties and go forward, while others faltered.

We met the emergency and by putting forth the greatest effort, maintained our business record of showing gains every year, regardless of conditions. We take pride in announcing to our customers and friends that shipments for our Tenth Year were \$10,041,385.65, showing a gain of \$15,220.30 over 1907; though small, we are as proud of this gain as if it were the largest we had ever made, because it was accomplished by overcoming many difficulties. The honest construction of STAR BRAND SHOES and the loyalty of our customers and friends have gone far towards enabling us to make this record, and we thank them for their support.

We own no interest in retail stores. The shoes made in our ten big specialty factories are sold on their merit direct to retail merchants. THREE MILLION PEOPLE (or an average of one person in every thirty-two in the United States) wear our shoes all the time. They know that our Star trade-mark stamped on every heel stands for honest shoes—no substitutes for leather. We enter our Eleventh Year feeling that the resources of our great country will sustain a steady demand for honest merchandise. Every manufacturer, jobber, retailer or consumer is responsible for his share in the advancement or decline of commerce. We accept that responsibility and will work harder than ever to make this the best year of all. The man who shirks is not a good citizen. The world does not need the man with his hands in his pockets.

Our Leading Advertised Brands

- "R. J. & R."—\$5.00 and \$6.00 Shoe for Men
- "Patriot"—\$4.00 Shoe for Men
- "Pilgrim"—\$3.50 Shoe for Men
- "Society Star" and "Society"—\$3.50 and \$4.00 Shoes for Women
- "Mayflower" and "Quaker"—\$2.50 and \$3.00 Shoes for Women
- "Our Family" Line of popular-price every day Shoes for all the Family
- "Eternity" School Shoes for Boys and Girls
- "Stronger-than-the-Law" wear-resisting, water-proof, Work Shoes for Men and Boys.

Sold by over fifteen thousand good merchants. If your dealer does not handle Star Brand Shoes write us and we will tell you where you can get them.

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