DEFENSE DECIDES TO SUBMIT CASE

Testimony in Booth Conspiracy Trial Comes to Abrupt End.

GO TO JURY THIS WEEK

As Soon as Court Rules on Disputed Evidence, Counsel Will Begin Closing Arguments, Probably This Afternoon.

DEFENSE WILL REST CASE.

Dan J. Malarkey, of counsel for defense, announced just before court adjourned yesterday that the defendants would offer no testimony and would submit the case on the evidence offered by the Government. The not unexpected announcement followed the declaration of Tracy C. Becker, representing the Government, that the prosecution had concluded the introduction of testimony. Important law points affecting evidence in the case will be argued this morning. The closing arguments probably will begin this afternoon, so that the case should go to the jury some time Saturday afternoon.

After reading instructions from the Commissioner of the General Land Office in 1899 and 1900 to the officials of the local Land Offices respecting forest reserve lieu land selections, Tracy C. Becker announced yesterday afternoon that the Government rested its case in the Booth-Singleton conspiracy trial. Judge Wolverton explained to counsel, however, that the case would remain open until this morning, pending a ruling by the court as to the effect of testimony given by W. B. Griffith, Deputy United States Marshal.

Deputy Marshal Griffith testified that in 1900, while residing at Wilbur, Douglas County, at the request of Thomas E. Singleton he secured the loan of $20 for Agee. Witness said that Singleton explained to him that Agee wanted the money badly and that he (Singleton) did not have the funds. Griffith said he expressed some doubts as to the ability of Agee to repay a loan of that amount, but Singleton assured him the money would be repaid; that "the boys" would make it all right. When asked who "the boys" were, Griffith said Singleton told him he referred to the Booths. With this understanding Griffith went to P. S. Hessemer, at Wilbur, and requested him to accommodate Agee.

Tells of $20 Loan.

Mr. Hessemer, who now resides at Arleta, corroborated the testimony of Griffith and said that subsequent to Griffith's visit, Agee and Singleton called and he advanced the $20, receiving a note signed by Agee and indorsed by Singleton. He testified that the note was paid about eight months later, the money being received from W. L. Cobb, to whom Agee had paid it with the request that it be sent to Hessemer.

Cobb, when called further to trace this transaction, had no recollection of receiving the money from Agee and delivering it to Hessemer. Cobb did testify that in 1902 he sold a doubtful claim of $10.50 against Agee to Singleton for $5, and that Singleton realized $10 from the collection, James Henry Booth having deducted $10 from the amount of the final payment to Agee for the land conveyed to the Booth-Kelly Lumber Company.

Vigorous objection was made by counsel for the defense to the admission of Griffith's testimony, for the alleged reasons that it was incompetent and immaterial and for the further reason that the defendants, James Henry Booth and Robert A. Booth, could not be bound by any act committed solely by Singleton. A motion that this testimony be stricken from the records was at first overruled by Judge Wolverton, who later raised a question as to the correctness of the ruling. He requested counsel to present argument on the point this morning, when he will decide the effect of the testimony as to the different defendants.

Declines to Call Witnesses.

Mr. Malarkey then requested the court to require the prosecution to produce as witnesses in the case S. C. Bartrum and A. M. Crawford, who appeared as witnesses before the grand jury by which the indictment was reported, and also several other witnesses that had been subpenaed for the trial. Judge Wolverton overruled the motion, holding that the Government was privileged to call only such witnesses as it elected, regardless of the number testifying before the grand jury or subpenaed for the trial of the case.

When the discussion of these different legal questions had closed and Mr. Becker had announced that the Government rested, Mr. Malarkey asked permission for a five-minute recess, that counsel for the defense might have a conference. Before the requested time had expired, counsel and their clients re-entered the court-room and Mr. Malarkey, as spokesman, announced as follows:

"From the character of the testimony offered by the Government, as viewed by the defense, the great length of time that has been occupied in the trial of this case, the fact that one of the jurors is ill and because of sickness in the family of James Henry Booth, one of the defendants, the defense has decided not to introduce any testimony and will rest its case on the evidence offered by the prosecution."

Letters Cannot Be Found.

Among the other witnesses called by the prosecution during the afternoon were H. A. Dunbar, bookkeeper for the Booth-Kelly Lumber Company, and F. C. Bean, of Eugene, the Notary Public before whom Agee and wife certified to their deed conveying the land to the Booth-Kelly Lumber Company. T. B. Neuhausen was recalled and testified that he had made diligent efforts to procure copies of certain official correspondence between A. M. Crawford and the Commissioner of the General Land Office at Washington, and had been advised that the documents demanded by the defense were not to be found in the General Land Office records.

Mrs. I. Thomas Agee caused some surprise yesterday when called as a witness for the Government. While admitting that she attended to all of her husband's correspondence and identified several of the letters purporting to have been written by Agee to J. H. Shupe, his attorney, during 1902 and 1903, she denied positively having written two material letters, one of which was to Shupe and the other to Binger Hermann, Commissioner of the General Land Office.

In these letters was discussed the subject of the proposed exchange by Agee of his land in the forest reserve for the lieu land in Lane County which was subsequently sold to the Booth-Kelly Lumber Company. On cross-examination, she insisted that she had conducted much of this correspondence without the knowledge of her husband. Mrs. Agee also disproved the standing accusation that woman is curious. She said she had been in Portland from Sunday morning until late Tuesday afternoon, in the continuous company of her husband, and had not discussed the case on trial with him or anybody else.

Identifies Father's Letters.

Miss Minnie Shupe, daughter of the late J. H. Shupe, identified certain letters that passed between her father and Agee, but swore positively that the deed from Agee and his wife to the Booth-Kelly Lumber Company, transferring Agee's lieu land, was not prepared in her father's office. On cross-examination, she testified that her father's books showed that Agee had paid Shupe $15 for legal services in connection with the transactions relating to the exchange of land by Agee.

Miss Edna Schloeman, aged 15 years, daughter of August Schloeman, merchant at Oak Creek, was called to corroborate the testimony of her father regarding his accounts, which showed that Agee was a regular patron of the store from March, 1895, until September, 1898. The purpose of this testimony was to show that it was impossible for Agee to have maintained a residence on his squatter's claim at Cap's Illihee during that time, as represented in his final proof.

Miss Schloeman, on cross-examination, admitted that the account was not correct in one respect, since it showed that purchases made in 1897 had been charged under date of the following year. She was positive, however, that that account was opened in 1895, and that the purchases charged during that year were made under the dates indicated in the record. Mr. Schloeman followed his daughter in further corroboration of his former testimony.

Illness of Juror James McKinnon threatened yesterday to necessitate a postponement in the trial. Mr. McKinnon had not been feeling well for two or three days, his condition, resulting from an attack of malaria, yesterday making it necessary to call his physician, Dr. James C. Zan. During the morning session court took a 15-minutes' recess while Dr. Zan prescribed for the juror, who had recuperated sufficiently during the noon intermission that the case was resumed at 2 o'clock.

MEET IN JOINT SESSION

EVANGELICAL CHURCHES CONVENE AT ARBOR LODGE.

More Than 60 Tents Are Pitched to Accommodate Delegates and Attendance Is Increasing.

The union conventions of the two conferences of the Evangelical Church—Evangelical Association and the United Evangelical—opened Tuesday night at Arbor Lodge in the big pavilion tent with a union service. Addresses were delivered by Dr. C. C. Poling and Rev. M. J. Ballentyne, of the United Evangelical Church, and Rev. Theodore Schauer, Rev. H. E. Hornschuch and others of the Evangelical Association. All the talks were in favor of union.

Yesterday the convention of the Sunday School League was held. Papers and addresses on subjects of interest to Sunday-school workers were given. Last night the convention was held in the tent. The grounds are well illuminated at night by gasoline lights placed among the trees. At the entrance to the ground is a large welcome arch, which is also lighted at night. Near the arch is a banner with the words, "The Keystone League of Christian Endeavor" and "Young People's Alliance." Representatives of the two branches are present from all over Oregon and from Washington. On the ground are over 60 tents, all of which are occupied. Attendance is already three times as large as it has ever been before. Grace Church, of Lents, has 14 tents in a group, one-half the congregation being present. Milwaukie has two tents and 28 young men and young women from the local church in charge of Rev. N. Shupp.

When the ministerial institutes convene next week resolutions indorsing the Dalles College will be adopted. Today the convention of the Keystone League of Christian Endeavor and Young People's Alliance will be opened, to continue through tomorrow.

Time is apparently of more importance in New York than in any other city, for the city displays more public clocks than London and Paris combined.

THOS. M. STEVENS IS SUED BY WIFE

She Alleges Coarse, Cruel and Improper Treatment at His Hands.

DOES NOT WANT DIVORCE

Demands That He Pay Her $300 Per Month, According to Terms of Separation Settlement—Defendant Is Wealthy Broker.

Thomas M. Stevens, a well-known and wealthy exporter and broker, is being sued in the State Circuit Court by his wife, Louise J. Stevens. She does not ask a divorce, but insists that he keep a contract for the payment to her of $300 a month during her lifetime. A copy of the contract, attached to the complaint, also shows the payment by Stevens to his wife of $8000 in cash and delivery of a $11,500 mortgage. The contract was made July 27, 1907, just a year and three days ago. It is alleged that the payments failed last October.

Sensational allegations of coarse, cruel and improper treatment toward his wife are also made against Stevens. She says that on account of his conduct she intended to get a divorce more than a year ago, but that when he agreed on the contract she consented. It provides that the couple shall live apart, beside the monetary provisions. H. M. Cake, the Republican candidate for United States Senator, and C. M. Idleman, former chairman of the Republican County Central Committee, signed the contract as witnesses.

Mrs. Stevens says that for several months before she separated from her husband he conducted himself improperly with other women.

Stevens is president of the Portland Rice Milling Company and of the T. M. Stevens Company.

Says Husband Is Brute.

Beatings and chokings six months after the wedding, and only $2 a year for the support of three children are alleged by Willamina M. Morton to have been given her by her husband, Frank Morton. He is employed by the Portland Railway, Light & Power Company, while she is a clerk in a local department store. Mrs. Morton says her husband earns $75 a month and she thinks $25 a month is a reasonable sum for the support of the children, who range in ages from four years to nine months. She also asks to recover her maiden name, Blaufus.

Mrs. Morton bore with her husband's cruelties until June 22, when rough words because the supper was not ready, were followed by a sound thrashing. Morton is said to have then ordered his wife and children from the house on penalty of death. They went to live with her father at 600 Nehalem avenue, Sellwood.

Mrs. Morton says she tried to return home, but that the doors were locked. She asserts that she is a good housekeeper, that she kept a cow and made garden, besides working to earn money for the support of herself and children. She wants a third interest in the home, located at Bidwell avenue and East Eighth street.

Slapped Her and Pulled Her Hair.

That H. C. Jenkins beat his wife, slapped her face and pulled her hair is her allegation in a divorce suit filed in the Circuit Court yesterday. Claire B. Jenkins says her husband began to drink after they were married. The wedding took place at Oregon City, November 22, 1905. She also accuses him of a statutory offense involving one Mabel Denham. She asks that she be given a clear title to their home in Sellwood.

SPIRITUALIST CASE UP AGAIN

Lawyer Yanckwich Arrives Late, and Hearing Set for Thursday.

The everlasting spirits bobbed up again yesterday morning before Judge O'Day in the Circuit Court. Green C. Love was present, as well as Mrs. Sophia Seip and the other defendants. But although he has been in court every day for the last week, obtaining orders galore, Harry Yanckwich, the lawyer who appears for Love, was not on hand. Judge O'Day informed Attorney Ralph R. Duniway, who appears for Mrs. Seip and her co-defendants, that he thought best to continue the case, in order that the Judge who is to pass upon the final issues of the case may hear it all. He therefore continued it until 10 A. M. Thursday.

Judge O'Day was about to leave the bench, and Mr. Duniway and the spiritists were filing from the courtroom when Yanckwich burst through the door, carrying three voluminous law-books. Striding across the room, he dropped the books on the table with a thud, and addressed the court.

"May it please Your Honor——" but here the oratorical barrister stopped to jerk out a handkerchief and mop the perspiration from his brow. He began again: "I have been a little late, Your Honor—If Your Honor will wait a moment until I catch my breath——"

By this time the parties to the suit had resumed their places. Yanckwich began to explain that Lou Ellen Cornell, the secretary of the State Spiritualist Association, had been ousted by Judge Day, when the Court interrupted to say that it had been found necessary to set aside that order, because the court did not have opportunity to go fully into the case. He explained that he was only sitting for Judge Bronaugh because Judge Morrow has not yet qualified, although Judge O'Day retired from the bench a week and a half ago. The Court said further that he expected to appear as counsel in a few days, and that he would make every effort to have Judge Morrow take his place.

"I want Your Honor to understand that everything is all right so far," continued Yanckwich.

"Judge Cleland will be here Monday——" began the Court.

"We will set it for Monday, then," interrupted Yanckwich.

"But Mr. Duniway wants to go to the coast, and will not have returned by that time."

"This case has been dragging on too long already, and the time of the state convention is near," said Yanckwich.

"Counsel has been in here every day getting fool orders, not one of which is good; every one in violation of law, from start to finish. There is now nothing before the court," said Mr. Duniway.

"That is a nonsensical allegation," retorted Yanckwich.

"The case will be set for hearing next Thursday morning," sandwiched in the Court.

"Well, let's take up this motion, then," said Yanckwich.

"He better go get an attorney, and learn how to take things up in their proper order," said Duniway.

"I will learn from you," blurted out the other.

"Yes, you will learn a whole lot from me before you are through with this."

"Now, don't make a show of yourself, Mr. Duniway," finished the man of eloquence.

Further trouble was prevented by the Judge.

SALOONMAN SUES PARTNER

Wants to Recover $500 Cash and to Be Released From Mortgage.

In two months Arthur Sjodahl, who has been assisting to conduct a saloon at 15 North Fifth street, has become disgusted with the business, and is suing his partner, Ed Fors, in the Circuit Court. Sjodahl wants to recover $500 cash, and $350 on seven promissory notes which he made out in Fors' favor. He also asks to be released from a $400 mortgage, which stands against his home in Lake County.

Sjodahl alleges that he became Fors' partner May 18. He paid $1350 for the privilege. The two agreed to conduct the business in an industrious and sober manner, and to share equally in the profits and expenses. In a short time Sjodahl discovered that his partner had borrowed $750 from A. J. Dillon and delivered a mortgage on the saloon in settlement. This was followed by a bill of sale of the saloon to Dillon, says Sjodahl. Then Sjodahl found that the saloon was the property of the Star Brewing Company, and demanded his money back. Instead of passing over the coin Fors sold the $400 note and mortgage to the wife of G. Spencer, according to the allegation of Sjodahl's complaint.

A suit has been started in the Justice Court by Fors to collect his money on the $50 notes, which fall due monthly. Sjodahl asks that he be restrained from prosecuting the suit, and from foreclosing the mortgage, and that he be compelled to turn over all the notes for cancellation, besides paying the $500. Spencer has been made a party to the suit.

False Representations Alleged.

False representations in the sale of the Owl Restaurant at 289 East Morrison street, are alleged by Mrs. A. B. Gray against J. L. Tetslaff. She says that she negotiated to purchase the establishment April 13 for $800, $400 of which was to be cash. She asserts that Tetzlaff represented that the business netted $200 a month. She says the business was not paying, and that he had no right to assign his lease, to which the lessors will not now consent. It is further stated that before Mrs. Gray took possession he removed a part of the dining-room and kitchen furniture.

Argues Waymire-Lane Case.

District Attorney Cameron went to Salem yesterday morning to argue the Waymire-Lane conspiracy case, and the Sellwood election fraud case. Only an hour was spent in the argument of the Waymire case. Seneca Fouts repeating his scoring of the Mayor which he gave before the jury in the Circuit Court when the case first came to trial. The arguments yesterday were upon law points, and upon the objections made in the lower court to the introduction of testimony. The Supreme Court has not yet rendered its decision.

Will of Cora T. Ryan.

The will of Cora T. Ryan, disposing of property worth $2800 was admitted to probate in the County Court yesterday. The property goes to the children, Edna M. Ryan, Fred W. Ryan and Francis T. Ryan. Rachel S. Bennett was appointed executrix. The appraisers are: J. T. Milne, John W. Reynolds and A. H. Birrell.

M. J. Kinney Sued on Notes.

The Merchants National Bank has filed suit in the Circuit Court against M. J. Kinney to recover $4500 on two notes. It is alleged that they were made out in 1905, payable in 90 days, but that nothing but the interest has been paid.

WEEK-END SPECIALS.

$1.75 long silk gloves, 97c, $2.25 grade $1.38; men's $1.00 and $1.50 golf shirts, 49c; 45c Corset Covers, 25c; 50c dress goods, 29c; fringed cotton towels, 6c; camping blankets, 69c; Nazareth knit waists for children, 12½c; women's sleeveless vests, 7c; boys' dress shirts, 15c; all parasols reduced. McAllen & McDonnell, Third and Morrison streets.

Swedish Explorer in Good Health.

SIMLA, July 29.—A caravan that has arrived at l'Hassa from Leh, in the valley of the Indus, brings a report that Sven Hedin, the Swedish explorer, is in good health, and that his caravan is in good condition.

Special sale fine shoes at Rosenthal's.

DANIEL FROHMAN TELLS ABOUT VISIT TO PORTLAND BACK IN '76

Theatrical Magnate Also Talks Shop and Discusses Reminiscently Early Days on New York Tribune.

BY ARTHUR A. GREENE.

"HE'S GONE out bicycling," said the clerk at the Nortonia when I poked a card over and asked him to pass it up to Daniel Frohman. "Bicycling!" gasped I, amazed—we're all frequently amazed, you know. "I thought only messenger boys rode bicycles nowadays. You mean he's gone out in a large leathery motah, do you not?"

"Yes, he has not," returned the clerk. "Bicycle, just like that. Two-wheeled contraption, ancient device for puncturing tires. He has the habit."

"Well, isn't he the real sport?" was my report. It struck me that the famous New York producing manager might at least have left word that he was indisposed, or that he didn't like my back hair. I gave him credit for an original excuse, however, and, foiled again, I bided my time.

At night, while the recherche and also well-dressed audience at the Heilig was trying to make out the cut of Miss Illington's first-act gown I found Mr. Frohman in Billy Pangle's spacious private office. A calendar was removed from the wall to make room enough for me to sit down—they hope to enlarge that office by taking off the plastering next season—and then Margaret Illington's manager, who is also her husband, brazenly confessed that he had actually been cycling all over our fair city excepting the Second Ward. He's an enthusiast on the subject, and has, in his time, done 10,000 miles through Europe on the hurricane deck of a bicycle.

The most intellectual member of the theatrical "trust" is on his vacation. Instead of going abroad this Summer, he joined "The Thief" at Colorado Springs and for six weeks has journeyed with his wife through the Southwest and along the Coast. This is his third visit to Portland, the second having been about 1890, when he brought his never-to-be-forgotten Lyceum stock company here. The first was in 1876. It was of the former that he seemed most inclined to talk.

"It was the year of the Philadelphia Centennial," said he, "and I was advance agent for Haverly's minstrels. I had instructions from the Eastern office to keep the show out on the Coast at any cost, and I did. I took that minstrel show into every settlement I could find, from Southern California to the British Columbia line. Much of the time I traveled ahead on horseback looking for 'dates,' and my usual programme was to ride to the top of a high hill, and if I saw a few houses clustered I'd make a bee line for the village. If there was no hall I'd rent the hotel dining-room or parlor. The experience was a rough one, but I kept the aggregation out here, according to orders.

"I remember that I came to Portland from San Francisco on the little old steamer Idaho. That boat was so small that if I stood by the rail when the rollers were unusually heavy my nose dipped into the sea. Frank Mayo, the famous creator of 'David Crockett,' was a passenger, but being merely a humble agent, I had not the temerity to scrape an acquaintance with the great man. He was deeply absorbed in a book all the way up, and years afterward, when I came to know him, I recalled the incident and asked him what book he had read so assiduously. He told me it was 'Paradise Lost.' Imagine that man calmly reading Milton while I was almost dying of seasickness."

The subject of shop came up, when I called it up, and Mr. Frohman talked about the earnings of successful plays, both for the author and producer. "A big success, say like 'The Thief,'" he added modestly, "usually plays to about $10,000 a week. That is a conservative average, of which the author, if he is an established writer, will receive about $1000. So you see it pays to write a play. The first very large royalties ever paid in this country I gave Belasco and De Mille for their plays, 'The Wife,' 'The Charity Ball,' and others. Altogether, I paid the co-authors more than $100,000, and the plays are still in demand for stock companies. There is no possible way to judge a play positively from reading it. For instance, Henry Miller refused 'Paid in Full,' and I would have refused 'The Great Divide.' I saw the first performance of Fitch's play, 'Captain Jinks of the Horse Marines,' and declared after the last act that it couldn't possibly succeed, yet see what it has done. The reason why Fitch has written so many successful plays is that he has the journalistic instinct. He always seems to know what is timely in society, politics, or whatever else."

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GOOD ROADS RALLY

Big Meeting August 11 at Commercial Club.

MANY DELEGATES COMING

More Than State-Wide Interest Is Shown in Convention, Which Is Expected to Give Impetus to Road Improvement.

Plans are being made for the biggest good roads rally in the history of the state to be held at the Portland Commercial Club on August 11. The meeting will not be local, but will be in the nature of a convention that will be attended by delegates from all parts of the Pacific Northwest. Experts will talk on the subject of good roads and it is believed that an impetus will be given to the movement that will result in permanent benefit to roadmaking in this section of the country.

Visitors to Portland from the interior will be shown the progress Multnomah County has made in building roads during the past few years. They will be taken to Kelly Butte quarry and shown the prisoners at work breaking rock for roadmaking and they will be driven over the thoroughfares adjacent to Portland, which are said to be as good as can be found in the entire United States.

County Judge Webster and County Commissioners Lightner and Barnes have issued a letter to all county judges and commissioners in the state, extending a cordial invitation to attend the convention on August 11 and asking that they remain in the city until the following day so they may be shown about the city and driven over some of the roads in this locality. The methods of road-making followed here will also be explained in detail to the visitors.

Replies from the different organizations of the state have not yet been received in reply to the invitations issued by the Commercial Club, but a number have already come in, giving a list of delegates from several state organizations. Delegates so far appointed are as follows:

Forest Grove (Forest Grove Board of Trade)—W. H. Hollis, president; G. S. Allen, secretary; Colonel Harry Haynes, E. W. Haines, A. B. Todd, J. W. Hughes, John Thornburgh, John McClaren, H. H. Stuart, V. H. Limber.

Forest Grove (Oregon State Grange)—Austin Buxton, master.

Albany (Albany Commercial Club)—B. I. Dasent, secretary; A. C. Schmitt, Hon. C. H. Stewart, Hon. J. N. Duncan, George Taylor.

Albany (Albany County Court)—J. V. Pipe, Albany; M. L. Forrester, Tangent; D. H. Pearce, Harrisburg; W. L. Wallace, Lebanon; T. C. Isom, Brownsville.

Junction City (Junction City Commercial Club)—A. E. Tower, secretary; G. C. Millett.

Pendleton (Pendleton Commercial Association)—R. Alexander, president; C. H. Marsh, secretary; H. G. Newport, Hermiston; Horace Walker, Pendleton; D. C. Sanderson, Freewater; A. Barrett, Athena; T. T. Geer, Pendleton.

Roseburg (Roseburg Commercial Club)—F. E. Alley, secretary; O. P. Coshow, B. W. Bates, L. Wimberly, W. H. Fisher, C. B. Cannon.

Roseburg (County Court)—G. W. Wonnacott, Judge; A. E. Nichols, Commissioner; M. R. Ryan, Commissioner; Charles Roberts, County Surveyor; R. B. Dixon, Morris Webber.

Corvallis (Benton County Citizens' League)—B. W. Johnson, president; Senator A. J. Johnson.

Eugene (Eugene Commercial Club)—G. R. Chrisman, Judge; F. L. Chambers, C. S. Williams, H. M. Thompson, Dr. L. L. Whitson, Jack Rodman, M. Svarverud, Dr. D. A. Paine, George A. Dorris, E. O. Potter, John H. Harrog, manager.

Astoria (Astoria Chamber of Commerce)—F. A. Fisher, P. A. Stokes, Herman Wise, O. I. Peterson, J. Q. A. Bowlby, E. Z. Ferguson, J. S. Dellinger, H. G. Van Dusen, A. Brix, C. J. Curtis, J. E. Gratke, W. T. Scholfield, president; John H. Whyte, manager.

PAPERS NOT YET SIGNED

JUDGE DELAYS SENDING HAMILTON TO ASYLUM.

Jewelry Thief Is Declared Insane by Physicians, but Webster Will Confer With Cameron.

Although the commitment papers, declaring Fred S. Hamilton, the ex-football player, insane, were filed in Judge Webster's office yesterday by Drs. W. T. Williamson and William House, the examining physicians, the judge was so deeply engrossed in his private business that he knew nothing about the matter last night. He said that Hamilton had been under the surveillance of the physicians for several days, but that they had not reached any decision yet, and that he intended to consult with them today. The judge said he has not yet signed the papers.

"I like to go slowly in matters of this kind," said Judge Webster. "Before I commit a man who is held on a criminal charge to the asylum, I want to consult with the District Attorney. The physicians examined Hamilton separately. We will go over his case together tomorrow."

Dr. Williamson said last night that Hamilton is afflicted with paresis, an incurable disease. The football player was kicked in the head during a game and has received many hard knocks during his career as a player in the Northwest.

Hamilton was arrested a little over two weeks ago, just after he had robbed a number of jewelry stores by smashing the show windows.

Since that time the physicians have had him under examination. He has explained to them the outlandish plans he had concocted for becoming rich. As District Attorney Cameron is at Salem it is probable that Hamilton will be obliged to remain in jail several days before being taken to the asylum.