

**COULD NOT GIVE  
EVIDENCE FOR REID**

...sented 20,000 postoffice clerks and its work was of great importance, but to the clerks themselves, but to the postal service as well.

"The clerks are greatly encouraged," said Mr. Misenheimer, "at the success of the new classification law which became effective July 1, of this year, and which, by providing an automatic and uniform scale of promotion has measurably lessened the wholesale resignations of the past few years."

The names of James M. Vernon, postmaster at Everett, Wash., whose aid in passing this bill was most timely and effective, and of Frank H. Hitchcock, who has done more for the clerks than any other man, were cheered to the echo.

"It is now the desire of the clerks to get their work down as nearly as possible to the postal savings bank and to this end a measure will be presented to the next Congress."

The postmasters and business men of these matters realizing that better hours and pay mean better clerks and better service. The convention strongly recommended the postal savings bank and the rural parcels post, as advocated by Postmaster-General Von L. Meyer.

Mr. Misenheimer, who from his residence to the Nebraska, was at once dubbed "W. J. Bryan," did very effective work for Tacoma as the next convention city. Atlantic City, N. J., however, won the prize, Tacoma standing second and San Antonio third in the race.

**Court, However, Indicates  
That Boy Slayer Should  
Be Exonerated.**

**STRONG CASE FOR DEFENSE**

**Evidence Tends to Show That Lad  
Was Threatened With Or When  
He Shot George F. DeMars**

Last August.

Jackson Reid, the 12-year-old boy, who is on trial in the State Circuit Court for the killing of George F. DeMars with a revolver on the Government Island at Gull's Lake, last August, came very near to being released on a directed verdict when the state had completed its case against him, late yesterday afternoon. Although it had been established by the prosecution that the boy killed DeMars deliberately and intentionally, the defense had developed the fact that DeMars was in a most aggressive attitude when shot down and had been fairly warned.

As soon as the state rested, Attorney Ideman, of counsel for the boy, asked Presiding Judge Gantenben to direct the jury to return a verdict of not guilty. It was an intruder on the motion for some time. It was clear from his manner as well as from his decision that he had made up his mind as to the merit of the case.

"I think that since the case has proceeded to this stage that I will let it proceed and have the jury pass upon it," he said with a show of reluctance.

**Cannot Make Murder Charge.**

Even in the event of being convicted the boy could not be held for the murder, but rather as a delinquent minor. The facts against the child, as developed yesterday in the examination of witnesses did not serve to show him in the light of a delinquent child. It was contended by the state that DeMars was after Reid's dog with his car when the tragedy occurred, but from the position of the man, the boy and the dog when the shot was fired, the opposite conclusion is more readily reached.

The first witness of the day was John DeMars, brother of the victim. John DeMars was a witness in the tragedy. He said he had been cutting across the island while George and a Mrs. May Hammer went about the shore in a boat. He was going for fishing with his father, Derrick DeMars, had remained at another portion of the strip, fishing. The witness said he was warned off by the children and that when he saw the dog he thought his brother was intent on striking the dog, which was near the children. Similar testimony was given by Mrs. Hammer.

E. F. Gardner said he saw the killing through a transit. As a civil engineer he was working near the boat. DeMars was running with an uplifted car, turned the transit on him and watched developments. He saw the boy raise the revolver and fire. On cross-examination he said the DeMars party seemed to be drunk, or partially so. This testimony was refuted by Patrolmen Mallet and Peterson, who were on the scene shortly after the shooting.

**Lad Showed No Remorse.**

Patrolman Peterson described the boy's conduct after the shooting. He said the lad showed no remorse and said he had been forced to shoot in order to protect himself and the other children. Similar testimony was given by Patrolman Mallet, and the state then rested.

Frances Reid, sister of the boy, proved an important witness. She was called after A. L. Johnson, who testified at the Mount Hood Brewery, had told of selling a keg of beer to the DeMars the day before the shooting. The girl, 13 years old, said that while John DeMars was trying to kill the dog, her brother sent her to the house for the revolver, a big .45-caliber weapon, with an eight-inch barrel.

When George DeMars came running up from the boat with an oar, to help his brother, Frances said he acted like he was going to attack the children. She took the revolver from her at that moment and went towards DeMars, pointing the gun at him and telling him to keep back. Then the shot was fired. DeMars fell dead and Jackson and the other children, eight of them in all, ran away. They went across the island, where they found an old man, George Jackson, who gave up the gun to this old man and asked him to use it in defending them as a man was after them. Strangely enough this man was the father of the man who had just been killed.

Frances said that George DeMars frightened her very much when he came running up with the uplifted car. She said, too, that her brother would not believe it at first when told that the man had fired at a dead. Upon the completion of her testimony, the case was continued until today. The defense is being conducted by Attorney Ideman and Easterly and the state is represented by Deputy District Attorney Vreeland and Messrs. W. J. Bryan and H. H. Stevenson as special prosecutors.

**HOME FROM CONVENTION**

**H. H. Misenheimer Tells of Work of  
Postoffice Clerks.**

R. H. Misenheimer, who was the Portland delegate to the National convention of postoffice clerks, held at Birmingham, Ala., September 7 to 12, has returned from the East and reports the most successful convention in the history of the organization. This convention repre-

**MAJOR MAY NOT  
VETO ORDINANCE**

**Says Cellars Measure Discriminates in Favor of  
Larger Grills.**

**THINKS AMENDMENT JUST**

**Is in Favor of Rushlight's Change,  
Which Will Be Disappointment to  
Church People, Pinning Their  
Faith on His Negation.**

**WANT PARK AT MT. TABOR**

**EAST SIDERS THINK GROUND  
SHOULD BE BOUGHT NOW.**

**Committee to Appear Before Park  
Commission Tomorrow, Setting Forth  
Wishes of United Push Clubs.**

Tomorrow morning at the meeting of the Park Commission, H. H. Newhall, Frank J. Parker, J. E. Davis, E. L. Rice and W. L. Boise will appear and ask that action be taken toward the purchase of ground at Mount Tabor for park purposes. The committee is from the United East Side Push Clubs and was appointed mainly to have some action taken on the park question, for it has seemed to many citizens that little or no progress is being made toward securing a park at Mount Tabor, or anywhere else. The general park plan includes 160 acres at Mount Tabor, but whether this amount of land will finally be purchased is not known at present. Frank Parker, who has had the Mount Tabor park proposition in mind for some time, said that the land included in the 160 acres leaves out the level portion between West avenue and Mount Tabor, that could be used for a playground and which he thinks ought to be included. Mr. Parker, who also is informed on Mount Tabor prices, is of the opinion that the city will have to secure the land through condemnation proceedings, as the price has advanced rapidly during the past two years. When he first began agitation for a park at Mount Tabor, the price was \$100 an acre, secured for two-thirds the present price, and he says that if the city waits very much longer before taking action, it will have to pay much more. It is said on good authority that the water committee contemplates locating two reservoirs on the west side of Mount Tabor for the second Bull Run pipe line, one for the low and one for the high service system, and in that case the full 160 acres and perhaps more will be needed. The committee wants a portion of the farm on the Base Line road, covered with timber, secured for a park. Central East Portland also would like Hawthorne Park secured before it is cut up into blocks and sold for residential purposes. North Albina wants a park north of Killingsworth avenue on Albina avenue. The committee will ask the commission to take up the whole park question at once.

**PAUL STRAIN IS BANKRUPT**

**Debts of Well-Known Merchant Are  
Placed at \$128,294.**

Paul Strain, proprietor of the Boston store at First and Salmon streets, Portland, of the United Merchants' store, at Marshall, Or., and the United Merchants' store on Market street, San Francisco, yesterday afternoon through his attorneys John E. Logan and John H. Stevenson, filed in the United States Circuit Court in bankruptcy. The commission to take up the whole park question at once.

**MUST PAY WITHIN NOTICE**

**LICENSEES UNDER OCCUPATION  
TAX MUST NOT FAIL.**

Auditor Gives Notice That He Will  
No Longer Call Attention of De-  
linquents to Remissions.

City Auditor Barbur has issued an official statement to business and professional men of Portland, notifying them that he will no longer call attention to the fact that their licenses are due. Arrests will be ordered in all cases of delinquency. In this manner, the auditor figures, he can save much valuable time and keep his inspectors at some other business.

"I simply am forced to take drastic measures against those who are delinquent in the payment of their taxes," he commenting on the notices now being mailed to those concerned. "It has become such a difficult task to keep up delinquents that I have decided to notify each that it must be discontinued. I do not like to cause any one trouble or annoyance, but I will have to instruct the police to arrest every person who does not pay his license fee levied by the law in future."

Mr. Barbur's official notification is as follows:

"It has been the custom of this office heretofore to notify each person or firm, delinquent for city licenses, by a personal call, but the inspectors, on being notified, were not required by law. Very little attention has been paid to these calls or notices, and it is now necessary to save time to now required to check up new business, owing to the rapid growth of the city, and to discontinue notifying delinquents."

Heretofore all licenses must be paid on or before the 10th of the month in which they expire, and the Auditor figures, he gives ten days' grace, as all licenses are due on the 10th of the month. This grace will not be deviated from in any case.

Below is copy of the two sections of ordinance which apply to the time that licenses shall be paid:

"Section 4. All licenses issued as quarterly licenses shall expire on the last day of each quarter of the year, viz: March 31, June 30, September 30 and December 31. All quarterly licenses shall be paid on the first day of the month in which the license expires, and shall be issued upon payment of the proportionate part of the whole amount of tax imposed for such license."

"Section 5. The payment of the amount of a license tax provided in this ordinance is due the first day of each quarter of the year, viz: January 1, April 1, July 1 and October 1. The Auditor of the City of Portland is hereby authorized to issue any license provided in this ordinance, provided the money for such license tax has been paid into the treasury of the city."

A. L. BARBUR,  
Auditor of the City of Portland.

**seaflood to Celebrate.**

**Bowling Tournament Planned.**

Preparations are being made for the conducting of another successful bowling tournament by the Oregon Bowling League. At a meeting to be held at the Oregon bowling alleys tonight, officers for the ensuing season will be elected and teams chosen for the tourney. A three-man team tournament has been organized at the Multnomah Club, and as soon as the captains selected sign up their teams, the series will be inaugurated. The captains nominated by Chairman Barbour are as follows: H. J. Boyd, W. R. McKay, L. Pittcock, T. J. Newstrom, P. E. Brigham, Harry Gardner, S. S. Humphreys, Charles B. Duffy, E. L. Messersau, E. L. McCabe, H. H. Raach and J. L. Weist.

**Portland Day at Albany Apple Fair.**

Next Tuesday, November 10, is Portland Day at the Albany Apple Fair.

The Southern Pacific Company will make a special excursion rate of one fare for the round trip—\$2.45. Train leaves Portland at 8:15 A. M., returning leaves Albany 8:15 P. M.

Tickets on sale at City Ticket Office, Third and Washington streets, Monday, November 8th and Tuesday, November 9th.

**For Coughs**

Never hesitate to ask your doctor about Ayer's Cherry Pectoral. It is a regular medicine, a strong medicine, a doctor's medicine.

**Ayer's Cherry Pectoral**

REVISED FORMULA

It would be very interesting to know how many years your family physician has prescribed Ayer's Cherry Pectoral for coughs, colds, and all forms of lung troubles. Ask him the next time you see him. We know physicians who have used it for over half a century.

We have no secrets! We publish the formulas of all our medicines.

J. C. AYER CO., Manufacturing Chemists, Lowell, Mass.

**FREIGHT RATES UP**

Lumber Tariffs to California Advance a Point.

**DEMAND IS MUCH BETTER**

Northbound Freight Holding Up Well and Schooners Are After This Class of Business.

**STEAMER INTELLIGENCE**

Name	Due to Arrive	Date
Rose City	San Francisco	Nov. 5
Albion	San Francisco	Nov. 5
Alliance	Coos Bay	Nov. 5
State of Cal.	San Francisco	Nov. 9
Geo. W. Elder	San Pedro	Nov. 17
Nevadan	Salinas Cr.	Nov. 17
Numania	Hongkong	Dec. 1
Nicomedia	Hongkong	Dec. 1

**Arrivals and Departures.**

**Portland, Nov. 4.—Arrived—Steamship Rainer, at Rainier, from San Francisco. Rainer, Steamship Rainer, from Coos Bay, Steamship Coos Bay, from San Francisco, via St. Helena.**

**Nov. 4.—Condition of the bar at 5 P. M. rough, wind southeast 24 miles; weather cloudy. Arrived last night at 5 P. M. from La Rochelle, steamer P. German steamer Nicomedia; at 10 steamship Rainer, from Astoria; at 10 steamship Rainer, from San Francisco. Left up at 5:30 A. M. British bark La Rochelle, at 2:40 P. M. steamer Alliance, from Coos Bay. Arrived at 10 A. M. steamer Rainer, from Portland. Arrived November 3, French bark Edmund Roeland, from Portland. Arrived November 3, Steamer South Bay reported of port, from Portland.**

**Nov. 4.—Arrived—Steamer Tamalpa, from Grays Harbor; steamer Home, from Portland; Sailed—Steamer H. Marston, for Puget sound.**

**Sydney, N. S. W., Nov. 4.—Arrived—Steamship Marana, from Vancouver, Honolulu and Brisbane.**

**Hongkong, Nov. 4.—Arrived previously—Numania, from Portland, Or., via Yokohama.**

**Tides at Astoria Thursday.**

High	Low
10:03 A. M., 5.3 feet; 1:17 P. M., 1.2 feet	11:03 P. M., 7.9 feet; 5:08 P. M., 1.0 foot

**BIG SAWMILLS TO RESUME**

**Ninety Men Will Be Put to Work at  
Sheridan Today.**

**SHERIDAN, Or., Nov. 4.—(Special)—**Sheridan Lumber Company will put 90 men to work tomorrow morning, probably increasing the force by 30 men soon. The company has just completed one of the most successful flood dams in the state at the expense of about \$5000. Lack of logs and state of lumber market and the uncertainty of election made this plant idle for the last six months.

The management is now enthusiastic and believes the market will rapidly improve. The company has plenty of logs for several months, and with the new dam

**Steamer's Wheel Catches Up Hawser**

Drivers were employed to clear the propeller of the steam schooner, Cascades, before that vessel was able to leave down for St. Helens yesterday. The hawser which had been left hanging over the

**Major McIndoe Leaves for South.**

Major James F. McIndoe, United States Engineers, has left for Baton Rouge, La., where he will appear as a witness in a Federal case, now on trial at that place. Major McIndoe was subpoenaed by the United States District Attorney at the Louisiana city. Prior to coming to Portland, Major McIndoe was stationed at the South end of the case in question came under his observation at that time.

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**COCELE**

Cannot be cured by electric belts or electricity in any form. Sufferers should be the purest kind of fatuous absurdity when not down right nonsense. I have repeatedly offered large sums for proof of such cures and such proofs would be worth tons of argument.

Neither can it be cured by lotions or internal medicines. In such cases it can be cured by the ligature method, but this is painful, slow and uncertain.

It can be cured by going to a hospital for operation, but this plan entails the use of chloroform, nurse hire, big expense and loss of time. There is just one

**SENSIBLE, PRACTICAL WAY** to cure varicocele and it is the best, safest and most successful, does not involve a single objectionable feature, no going to boy, no pain, no chloroform and positively no bad results. The patient can resume any kind of his work after 7 to 10 days, and is not required to even stay in his room during this time. The organs are at once relieved of tax, normal circulation is promptly re-established and the patient is able to resume his usual life.

**HEALTH, SNAP AND VITALITY.** If you want a real, prompt, perfect and reliable cure of Varicocele without pain or confinement to your room, it is not about time to commence looking for the logical, practical and plain fact side of it? If I could be paid one-half the money that is spent on these fake electrical appliances, that positively never cured a single well developed case of varicocele, I would be willing to treat and cure every case of varicocele in the state free.

Prejudice from one cause or another prevents many men from doing their duty toward themselves in this respect. Prejudice is an unreasonable and a stout enemy to overcome, but if men do not overcome it, it will overcome them and blind them to great benefits that are within their grasp. Punishment from neglect of duty sometimes comes slowly, but it comes as surely as

**WINDMILL BRINGS WINDMILL, REGRET.** Our reputation is maintained and our business sustained by a judicious blending of skill, experience, knowledge, equipment and an honest desire to render a dollar's worth of service for a dollar.

The management states that if the market is not satisfactory the company will pile its cut and not ship at present. The capacity of the mill is 1000 tons of lumber per month. The mill is new and up-to-date. The company holds several thousand acres of as fine timber land as there is in the state, has nine miles of flume in the operation of the plant means much for the prosperity of Sheridan and vicinity.

**McMINNVILLE, Or., Nov. 4.—**The city election held in McMinnville Monday resulted as follows: Dr. Charles L. Williams, Mayor; Vine W. Pearce, Recorder; C. H. Neal, Marshal; Councilmen, First Ward, Jacob Seitzler; Second Ward, J. B. Mardis; Third Ward, G. W. Henderson; Councilmen holding over are: First Ward, C. C. Jacobs; Second Ward, L. P. Bess; Third Ward, T. S. G. Miller. The referendum vote in the matter of granting a franchise to the Home Telephone Company sustained the Council by a majority of 37.

**ST. LOUIS MEDICAL AND DISPENSARY**

CORNER SECOND AND YAMHILL, PORTLAND, OREGON.

working perfectly, does not anticipate a lack of logs.

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