

GORDON'S DEFENSE MOVES FOR TRIAL

Causes Sensation by Asking Charge of Embezzling Be Brought at Once.

OBJECT IS TO FORCE ISSUE

Contention Is Gordon Is Held to Answer Charge Without Due Process of Law—If Refused, Writ Will Be Asked.

SPOKANE, Wash., March 17.—(Special.)—A sensation was created this afternoon by the unexpected filing of a motion by Peter C. Sullivan, of counsel for the defense, that M. J. Gordon, former attorney for the Great Northern Railroad, be granted trial at once on the charge of embezzling \$200 of the company's money.

The move of the defense is believed to be for the purpose of forcing an issue, and raising the contention that Gordon is being held to answer a charge without due process of law. It is anticipated that unless the court sets the case for trial Saturday, his attorneys will begin habeas corpus proceedings.

Accompanying the motion is a notice that it will be brought up for hearing Saturday. When Judge Gordon was arraigned before Judge Hinkle on January 27 and entered a plea of not guilty, the court set the case for trial on March 11. It was understood at that time that in case Attorney Frank H. Graves, who was about to start on a vacation trip, was back in Spokane, the order fixing the date of trial would be vacated. When the grand jury was called, Judge Hinkle put the case over to the April term.

GRAND JUROR IS MISSING

Gordon Inquiry Will Be Postponed Several Days.

SPOKANE, Wash., March 17.—(Special.)—The unaccountable absence of H. C. Hall, of Cheney, one of the members of the grand jury, was reported yesterday to the court by Ben W. Davis, foreman. Hall has failed to attend since Tuesday. The sheriff's office has tried to reach him but without avail. Judge Hinkle instructed the grand jury that a member could be relieved from attendance for a day or two, if he presented a satisfactory excuse, but Hall had said nothing to the foreman.

The grand jury adjourned at noon today to meet tomorrow morning, when investigation of the cases of prisoners now in the County Jail, against whom charges have not yet been preferred, will be considered.

NOTE GOOD, MORTGAGE NOT

FAR-REACHING DECISION RENDERED BY JUDGE GALLOWAY.

Holds They Are Separate Instruments, Right to Foreclose Must Be Brought in Ten Years.

SALEM, Or., March 17.—(Special.)—Judge William Galloway this afternoon rendered a decision in the case of W. M. Kaiser and Angie L. Warren, as co-executors of the estate of Timon Everett deceased, plaintiffs, vs. C. M. Ideman, W. M. Black, Eleanor A. Black and the City of Independence, defendants, that promises to be of far-reaching importance.

The decision holds in effect that a note and mortgage are two separate instruments; that a suit to foreclose a mortgage must be brought within ten years after the right of suit accrued, and that contracts for the purchase of a mortgage which keeps alive the note as to him does not keep alive the right of suit upon the mortgage to third persons.

The demurrer to the complaint was overruled as to all the defendants except C. M. Ideman, of Portland. In other words, the court says that C. M. Ideman can be held for the payment of a promissory note for \$4000 in favor of the deceased Timon Ford, but that the statute of limitations has run against the mortgage upon over 250 acres of valuable land situated near this city, given in security for the note, and that suit for foreclosure cannot be brought against the land, which is owned by the defendants, Mr. and Mrs. Black.

JOHN HILL LEAVES TACOMA

Northern Pacific General Agent Is Transferred to North Yakima.

TACOMA, Wash., March 17.—(Special.)—John W. Hill, general agent of the Northern Pacific in this city, has been transferred to North Yakima, according to a report in railroad circles today. Mr. Hill will have charge of the Yakima territory as commercial agent. It is reported that the office of general agent in Tacoma is to be eliminated, according to a decision a few days ago at a conference between Second Vice-President Hannaford, Third Vice-President Levy and Henry Blakeley, general agent Western freight agent of the Northern Pacific.

Mr. Hill declined to talk about the change, saying that Mr. Blakeley's office is in charge of the matter. It is said that the employee in the general agent's office will be transferred to Mr. Blakeley's office.

MAN CARRIED OVER FALLS

L. F. Hostetter Plunges to Tragic Death at Silver Creek.

SILVERTON, Or., March 17.—(Special.)—L. F. Hostetter, a mill-owner at Silver Creek Falls, was drowned last night while attempting to prevent a raft of logs from going over the falls. The raft went from above the falls, and the strong current and heavy head of water threatened to loosen it from its mooring. Mr. Hostetter and an employee named Killon were endeavoring to keep the raft from drifting down, when one of the ropes

broke. Killon was furthest from the edge of the falls, and he tried unavailingly to reach Hostetter, but the raft moved too swiftly to the edge of the dam.

The accident happened so quickly that the escape of Killon himself was a hair-breadth one. The parting of the hawser slowed the logs around and the weight of the current and the close proximity of the falls gave an irresistible force to the raft. Hostetter, when the rope broke, tried to retrace his steps to shore over the tumbling timbers, and Killon, with one last effort, endeavored to reach his companion, but the water swept Hostetter over the dam before his horrified companion's eyes, and it was only almost by a miracle that both men were not carried down by the sudden rush.

The raft below the 122-foot falls is estimated at least 25 feet deep, and from the minute Hostetter disappeared over the dam, the logs piled up on the surface of the pool in a perfect and crushing wood. Even if Hostetter had been an accomplished swimmer this bombardment of logs would have crushed his life out.

Mr. Hostetter was also a minister, occupying the pulpit of the German Lutheran Church. He was about 55 years old and leaves a wife and a family of children.

Search for his body was begun at once, and the creek has been dragged with grappling hooks since the drowning. The searchers contemplate the use of dynamite to raise the body in case the boats do not succeed shortly in their efforts. The accident has plunged Mr. Hostetter's family in mourning, and caused universal sorrow among his congregation and his numerous friends.

OLYMPIA ALSO IN ERROR

MISTAKE CUTS DOWN UNIVERSITY FUND \$6000.

Another Also in Game Law Destroys Upland Hunting in State Till 1912.

OLYMPIA, Wash., March 17.—(Special.)—By writing a 2 for a figure 8 the legislative clerks have cut down the appropriation for the State University \$6000. Other errors due to the rush of the closing day and careless clerks are being discovered daily.

The game law, which destroys upland hunting in this state, is an example. When the game law was up, Senator Paultham offered an amendment prohibiting killing any upland birds except grouse until 1912. He declared the Chinese pheasant and quail are of immense benefit to fruitgrowers and should be protected so they will destroy fruit pests. The Senate adopted the amendment but the House rejected it and the Senate voted to concur in the rejection.

So the legislative records show, but the bill which went to the Governor and which he signed, carries the amendment.

DIVISION IS AGREED UPON

Competing Lines in Walla Walla Valley Settle Territory.

WALLA WALLA, Wash., March 17.—(Special.)—W. H. Mathis, who is at the head of the Columbia & Walla Walla Traction Company, tonight authorized the following statement:

"I met with Isaac W. Anderson, of the Walla Walla Valley Traction Company, and Attorney Kern, of the Northern Pacific, and we agreed to a division of territory in the Walla Walla Valley. We concluded that there is room for all of them, and rather than engage in an expensive warfare, we will build into exclusive territory."

There are several different traction companies organized for the purpose of building lines in this section, and the recent publicity given to the plans of the Columbia & Walla Walla Company has caused the others to become exceedingly busy. Howard Elliott, president of the Northern Pacific, is due to arrive in Walla Walla before the end of the week, and it is believed he came to take a hand in the division of the Walla Walla territory.

REMAINS STREWN 15 MILES

Young Logger Meets Horrible Death While Stealing Ride.

SEATTLE, Wash., March 17.—(Special.)—Glen Downs, a young logger from Stillwater, Minn., was killed under a train of the Great Northern Railroad last night while stealing a ride on the brake-beam. His remains were found this morning scattered all the way from Lowell to Monroe, about 15 miles. A leg was picked up at Lowell, part of the trunk and other parts and several pieces with some clothing and a blanket were found near Monroe.

A letter and a hospital certificate identified the remains, which were ground beyond all recognition in the body. All this morning the section crew brought parts of the body from along the track. A cousin of the dead man, E. M. Everett, is supposed to be a resident of Everett.

CHARTER CAUSES WORRY

La Grande Proceeds With Water System, Regardless of Flaws.

LA GRANDE, Or., March 17.—(Special.)—Problems arising out of a decision by the supreme court of the American Light & Power Company, of Kansas City, relative to the legality of the city charter recently adopted, are causing considerable anxiety.

The city attorney has ruled a special election must be held again either to reject or accept the charter. The weak spots in the charter is a technical one. The preliminary work for constructing the \$107,000 water project will proceed regardless of the fact that the charter under which the bonds were floated is not present at fault. It will require 90 days to hold another election.

Prisoner's Confession Verified.

ASTORIA, March 17.—(Special.)—Adolph Nordstrom, who murdered John Peterson, the railway construction foreman at Tillamook a short time ago, confessed to Sheriff Shretchaw, of Tillamook County, that the shotgun with which he killed his victim was one he stole from Charles Bays, of this city. He also told where he hid the gun case. Sheriff Pomeroy received a telephone message from Tillamook this morning regarding the matter and after a few minutes' search he found the gun case under a pile of rubbish in the yard back of an Astor-street saloon.

Trouble in Jap Colony.

ASTORIA, March 17.—(Special.)—A few nights ago Tom Manesato, a Japanese, was stabbed while asleep in his room at a local Japanese restaurant and severely injured, but the matter was kept quiet until this morning. It appears that the assailant, whom Manesato says he believes was another Japanese named Nakajima, entered Manesato's room in the darkness, inflicting a severe, but not dangerous wound in his thigh. Nakajima has since disappeared.

GRAND OPENING AND PUBLIC RECEPTION

NEW

PORTLAND'S GREAT BARGAIN STORE

FOR THE GREAT WORKING PEOPLE

Corner Third and Yamhill Streets

THIS EVENING, MARCH 18, 1909 RECEPTION TONIGHT 7:30 TO 9:30 O'CLOCK

MUSIC
The well and favorably-known Stiles' Orchestra will entertain our guests all evening

SOUVENIRS
In token of our appreciation of your visit, we have prepared beautiful souvenirs to be presented to our guests. They consist of fancy decorated chinas and art pictures of high character. Accept these as our gift and enjoy with us the splendid music by Stiles' Orchestra.

YOU ARE WELCOME **POSITIVELY NO GOODS SOLD TONIGHT**

MAYOR IS EXCITED REFEREE

SEATTLE EXECUTIVE FORGETS TO PULL GONG AT BOUT.
Interest So Great in Match He Allows Boxers to Pummel Each Other Four Minutes.

SEATTLE, Wash., March 17.—(Special.)—It has just leaked out that John F. Miller, Mayor of Seattle, which includes West Seattle, Ballard and threatens Georgetown, acted as time-keeper in a boxing match last Monday night. His honor kept the fact a profound secret, but the details were learned today.

The streetcar men have for a long time been accustomed to have an entertainment once a month, and to the last one Mayor Miller was invited. The Mayor was there with all his dignity, and rather than engage in a boxing match between the Williams brothers, the Mayor warmed up to the bout like a sick kitten to a hot brick. When the representative of the Williams family were going at top speed his honor forgot to pull the gong signaling the end of the round, and the brothers cut each other four minutes instead of two. Both boxers were in a state of collapse when the Mayor finally sounded the gong.

PRESCOTT GUEST OF HONOR
Senator Bourne's New Secretary Is Complimented at Salem.

SALEM, Or., March 17.—(Special.)—Thirty state officials, attorneys and prominent business men were guests tonight of the Salem Press Club, in honor of A. V. Prescott, retiring state correspondent of The Oregonian, who leaves Thursday for Washington to act as private secretary to Senator Bourne. Prescott's work as a newspaper man was lauded by the speakers.

PIONEER MINISTER IS DEAD
Rev. Robert Dunlap Passes Away at His Home at Stewart Station.

Rev. Robert R. Dunlap, one of the early pioneer Methodist ministers of the Pacific Coast, died yesterday at his home at Stewart Station, on the Mount Scott railway, aged 85 years and 11 months. Rev. Dunlap went to California in 1850, and became a minister of the gospel on the frontier of the Golden State, preaching in the cabins of the settlers and camps of the miners. He was in the active ministry in California from 1850 to 1880, when he went to Washington. Afterwards he moved to University Park.

PIANO REBUILDING

Should you possess a fine old Chickering, Kimball, Weber, Sohmer or other piano of reliable make, that is much worn by long and faithful service, don't throw it away or sacrifice it for less than its actual value. We can restore many of its original qualities—you retain the old sentiment and associations, besides having your piano put into condition to render you several years more good service—at very small comparative cost. We are enlarging our factory and will make a specialty of rebuilding work. Call us over the phone and we will give you an expert estimate of the cost of complete repairs on any such work you might desire. Elite Piano House, 553 Washington street, Portland, Or.

where he lived until he moved into the Mount Scott district. He had a remarkable experience in California and had a rich fund of interesting incidents. He is survived by his wife and the following children: S. M. J. W., W. H. P. C. and E. A. Dunlap, of Portland; S. T. Dunlap, Mayor of Gilroy, Cal.; Robert Dunlap, clerk of the Supreme Court at Los Angeles, Cal. The funeral will be held this afternoon from the Laurelwood Methodist Episcopal Church at 2 o'clock, and the interment will be in Multnomah Cemetery.

Rev. and Mrs. J. D. Corby returned from Seattle yesterday, where they spent a few days in the interest of Sunday school and reform work. Mr. Corby spoke Sunday evening at the Boylston Avenue Unitarian Church before a large audience on "White Slavery, Its Prevention and Cure."

Just One Saloon for Breweries.

BOISE, Idaho, March 17.—Governor Brady signed today the bill prohibiting breweries, distilleries and wholesale liquor dealers from owning or having an interest in more than one saloon.

New York's latest novelties in fine footwear at Rosenthal's.

LEVY'S ENTIRE STOCK
of Musical Small Goods, Sheet Music, Etc.

20c to 50c on the \$
Some of The Prices

Levy's reg. \$10 Guitar.....	\$5.00	Levy's reg. \$25 Guitar.....	\$10.00
Levy's reg. \$15 Guitar.....	\$7.50	Levy's reg. \$35 Guitar.....	\$15.00
MANDOLINS			
Levy's reg. \$10 Mandolin.....	\$5.00	Levy's reg. \$40 Mandolin.....	\$18.00
Levy's reg. \$25 Mandolin.....	\$12.50	Levy's reg. \$50 Mandolin.....	\$22.50
BANJOS			
Levy's reg. \$20 Banjo.....	\$10.00	Levy's reg. \$45 Banjo.....	\$25.00
Levy's reg. \$45 Banjo.....	\$20.00	Levy's reg. \$75 Banjo.....	\$42.50
MUSIC ROLLS			
Levy's reg. \$5c Music Roll.....	25c	Levy's reg. \$3 Music Roll.....	\$1.50
Levy's reg. \$1 Music Roll.....	50c	Levy's reg. \$4 Music Roll.....	\$2.00
VIOLINS			
A regular \$ 5.00 Violin, during the sale.....	\$ 2.50		
A regular \$10.00 Violin, during the sale.....	\$ 5.50		
A regular \$25.00 Violin, during the sale.....	\$12.50		
A regular \$50.00 Violin, during the sale.....	\$25.00		

Many other Violins are also included, some of them being upwards of 200 years old, and all are in excellent condition.

All Levy's Sheet Music

Both popular and classical, 2c to 15c a copy. Mandolin, guitar and other music folios, regular 50c, 75c and \$1 values, now one-half price. Over 300 Accordion of various makes, styles and prices, included in the sale at from \$1 to \$5 each.

Talking Machines Reduced

A number of latest style Talking Machines will go at greatly reduced prices. We have no room for them in addition to our regular lines, and they must go quickly.

\$21.00 TALKING MACHINE, reduced to.....	\$9.00
\$25.00 TALKING MACHINE, reduced to.....	\$15.00
\$30.00 TALKING MACHINE, reduced to.....	\$18.00
\$40.00 TALKING MACHINE, reduced to.....	\$25.00
\$50.00 TALKING MACHINE, reduced to.....	\$35.00
\$60.00 TALKING MACHINE, reduced to.....	\$40.00
\$75.00 TALKING MACHINE, reduced to.....	\$50.00

4000 60c Disc Records, 30c

A vast assortment of brand-new Disc Records, retailing regularly the world over at 60c each, will be included in this sale at 30c each. Right reserved to withdraw this offer at any time.

GRAVES MUSIC CO.

111 Fourth Street, North of Washington

Sheet Music Small Goods

THE PNEUMONIA SEASON

MORE DEATHS FROM PNEUMONIA THAN FROM TUBERCULOSIS.

Pneumonia an Infectious Disease. It Can Be Prevented—A Remarkable Record.

(From the Des Moines Register and Leader.) "Why has this season of the year become known as the pneumonia season? Why during the closing week of the old year were there more deaths in Chicago and New York from pneumonia than tuberculosis? Why are pneumonia and related bronchial troubles beginning to take the place of tuberculosis as the dread scourge of city life? Simply and solely because we are devoting too much ingenuity and energy to dodging the fresh and invigorating winter air that every twelve months refrigerates our latitude.

It is believed now that pneumonia is an infectious disease, and that in the cities where the death rate is growing so rapidly it is communicated in the heated and crowded cars. A nickel is so small, and the cold air is so chilling, that the American people are forgetting how to walk. The old time red that burned the cheek of childhood does not visit a mature face on an average of once in the twelve months, not even the red of a chilly and pinched nose. We are getting afraid of the climate, and as a result, the climate is taking its revenge.

The mere habit of turning up coat collars has killed thousands of people, and the furboa has a long list to its account, for no part of the human body becomes delicate more quickly because of superfluous covering than the throat. And yet we are multiplying devices for turning up more coat collars. It is not too early to recognize that this is all wrong, that our climate is here to stay, and that if we are going to live in it with comfort we must accommodate ourselves to it. It will pay to keep on good terms with the climate."

A great many have learned that pneumonia may be avoided by taking Chamberlain's Cough Remedy whenever they have a cold. Among the tens of thousands who have used this remedy for colds and grip during the epidemics of the past few years, we have yet to learn of a single one having had pneumonia, which should certainly convince the most skeptical of the value of that preparation. Its remarkable cures of colds have made it a staple article of trade and commerce throughout the United States and in many foreign countries.

FOR WOMEN ONLY

Dr. Sanderson's Gynecological Pills, the best and only reliable remedy for FEMALE TROUBLES AND IRREGULARITIES.

Cure the most obstinate cases of PAINFUL MENSTRUATION, BILIOUSNESS, NEURALGIA, MIGRAINE, HEADACHE, BRUISES, SKIN AFFECTIONS, AND ALL THE TROUBLES OF THE MONTHS.

In 5 to 10 days. Price \$2 per box, or 3 for \$5; mailed in plain wrapper. Address J. P. HENNING, 216 Alsley bldg., 255 Morrison St., Portland, Or.

ANNOUNCEMENT OF AWARD

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Habana Cigars

Received First Award for General Excellence, quality, workmanship and selection from a Jury of Award (five experts) at Tampa Exposition; a dependable statement that it is the best.

Made in Sixty Sizes
3 for 25c to 50c each

BERRMAN BROS. Makers Tampa, Fla.
CAMPBELL'S SEAGAR CO. Distributors

Ask your Grocer for

Honolulu Plantation Co's

extra fine
dry granulated
SUGAR

If you want an
absolutely pure
Cane Sugar

HAND SAPOLIO

Is especially valuable during the Summer season, when outdoor occupations and sports are most in order. GEASS STAINS, MUD STAINS AND GALLOUS SPOTS yield to it, and it is particularly agreeable when used in the bath after violent exercise.

All Grocers and Druggists.

Women a Specialty

The well-known S. K. Chan Chinese Medical Company, with wonderful herbs and roots has cured many sufferers when all other remedies have failed. Sure cure female chronic private disease, nervousness, blood poison, rheumatism, asthma, (cough), lung trouble, consumption, stomach bladder, kidney and diseases of all kinds. Remedies harmless. No operation. Honest treatment. Examination for ladies by Mrs. S. K. Chan.

THE CHINESE MEDICINE
226 1/2 Morrison St., bet. First and Second.