

SCHIVELY FILES MOTION TO QUASH

Indicted Insurance Commissioner Attacks Legality of Grand Jury.

GAVE TESTIMONY HIMSELF

Alleges His Constitutional Rights Were Imposed Upon—Declares Members of Spokane Jury Were Improperly Drawn.

SPokane, Wash., April 29.—(Special.)—An attack upon the legality of the grand jury which has indicted Judge M. J. Gordon and trustees of the Pacific Livestock Company is made in papers filed today by J. H. Schively, State Insurance Commissioner. Schively moved to quash the indictment charging him with embezzlement, and alleged that the jury was improperly drawn; that four of its members were discharged by the court without authority; that one juror was added illegally after the jury was charged, and that Deputy Prosecutor J. H. Pelletier had been permitted to be present during the sessions contrary to law.

The indictment should be quashed for the further reason, defendant's attorney pleads, that all of the witnesses who appeared before the grand jury are not indorsed upon the indictment; and that persons other than the grand jury, and not permitted by law to be present, one John H. Pelletier—attended the sessions during the investigation of the charges set out in the indictment.

The defendant, he argued further, was compelled to give testimony in the particular matters from which the indictment resulted, but was not informed nor did not know that his own conduct was a subject of investigation. He did not then know of his constitutional rights that he could decline to testify, but believed that he could be compelled to submit to the examination.

A hearing on the motion to quash was continued until Friday morning by Judge Webster, to give the defendant time to prepare and file affidavits in support of the motion.

Prosecuting Attorney Fred Pugh was fined \$50 and Deputy J. H. Pelletier \$5, by Judge Hunkeler for contempt, having admitted taking shorthand notes of testimony given before the grand jury in spite of contrary instructions by the court. Both appealed.

FRUIT MEN ARE ANGERED

Accuse Inspector Taylor of Circulating False Reports.

CENTRAL POINT, Or., April 29.—(Special.)—Fruit men of this section are indignant over reports alleged to have been circulated by County Fruit Inspector Taylor to the effect that the crops in many of the orchards in his jurisdiction are totally ruined. These statements are without foundation, and that it has had the effect of damaging their properties. In the most important section of the Rogue River Valley, steps will immediately be taken for a full and complete investigation leading to the discovery of the identity of the author of the false reports, and if circumstances warrant it, it is said Mr. Taylor's removal from office will be demanded by the orchardists.

Fruit men report that few trees affected by recent frosts, and in almost all cases the frost has but tended to lessen the cost of thinning the fruit. F. H. Hopkins, owner of one of the largest orchards on Rogue River, and whose orchard has not been protected by smudging or otherwise, reports no appreciable damage, as do Edward Hanley, William Stewart, J. W. Merritt, W. H. Norcross and other orchardists.

FARMER DIES PLOWING

Ed Wilcox Falls Dead While at His Work Near Adams.

PENDLETON, Or., April 29.—(Special.)—Ed Wilcox, farm laborer, aged 23, dropped dead while plowing in a field near Adams this morning. His presence from the seat of the gang plow was not noticed by the horses and they kept on around the field for two or three rounds, finally stopping near the body of the dead man.

Seeing the horses standing still for some time, a man plowing in an adjoining field went to investigate and found Wilcox lying on his face. There were no marks or injuries and heart disease is believed to have caused the death.

COMPLETING PHONE LINE

System for Milwaukie Will Be in Operation in Few Days.

OREGON CITY, Or., April 29.—(Special.)—The new telephone system of the Milwaukie Telephone Company will be finished in a few days, at a cost of \$6000. The central office will be located in a new building, erected for the company on a ten-year lease. Three operators will be employed.

The line runs as far east as Estacada and will be extended to Clackamas Station. Connection will be established with the Oak Grove Telephone Company. Long distance service between Milwaukie and Portland will be maintained.

A. B. SMITH IS BOUND OVER

Bail for Salem Jewelry Store Burglar Fixed at \$1000.

SALEM, Or., April 29.—(Special.)—A. B. Smith, who held up the Hinges Jewelry store Tuesday, was arraigned before City Recorder Wylie A. Moore today and waived examination. He was bound over to the Circuit Court for trial and transferred to the County Jail. Bail was fixed at \$1000.

Officers are looking up Smith's record.

SURVEY FOR STATE ROAD

Engineers Laying Out Highway for 55 Miles Up Lewis River.

WOODLAND, Wash., April 29.—(Special.)—J. C. Des Granges, engineer of the state roads, arrived today with 10 assistants to begin survey of the state road from Woodland to the Big Muddy on the north fork of Lewis River, 55 miles distant, the road to be on the north bank of the stream. Three months or possibly longer will be required to complete the survey and location of the new road, but work may be commenced on part of it before the survey is completed.

This road, authorized by the recent session of the State Legislature, is known as State Road No. 15, and will have a macadamized roadbed 12 feet wide, with three-foot ditch on each side. The total cost of the road, when completed, is estimated at \$300,000. The road will be of inestimable value to this section of the country, and especially to the loggers and settlers in the valleys and hills along the north fork of the Lewis River. It will enable settlers and others to get in and out of the country at all times of the year with comparative ease, and the road is to be made on practically a 5 per cent grade, teams will be able to bring in and carry out much heavier loads.

Completion of the project will open up a vast area of fertile land that can be brought comparatively cheap, and will in time be the means of increasing largely the population of Clark and Cowlitz Counties. Beside the agricultural and fruit lands that will be opened up, the road will furnish easy access to Mount St. Helens and Trout Lake, that section being one of the finest summer resorts and fishing places in the Northwest. The St. Helens mining district is yet to be developed.

ALBANY PLANS REVIVAL

BIG TABERNACLE ERECTED IN WHICH TO HOLD SERVICES.

Rev. R. E. Johnson, Chicago Evangelist, Will Bring Three Assistants From Windy City.

ALBANY, Or., April 29.—(Special.)—Albany's big tabernacle is now completed and in readiness for the six weeks' revival services which will open May 1. It stands at the corner of Third and Ferry streets, on a vacant half block in front of the Linn County Courthouse, and was erected especially for this meeting, which is expected to be one of the largest meetings of the kind ever held in the state. The building is 40 by 122 feet in size and 26 feet high in the center. It will seat 2500 people and will have a platform 50 by 35 feet for the speaker and a big chorus choir.

This monster meeting was planned by the laymen of Albany, and most of the churches of the city are co-operating. It will be conducted by Rev. R. E. Johnson, a noted evangelist from Chicago, who will bring three assistants with him.

ALLEGED FORGER CAUGHT

Stranger Who Passes Bad Check at Roseburg Flees, but Is Overtaken.

ROSEBURG, Or., April 29.—(Special.)—A stranger, giving the name of Frank Meyers, who passed a bogus check, drawn on Ladd & Tilton, of Portland, for \$1000, and was arrested at Roseburg, is under arrest at Salem, Cal., for passing a check on the same bank. Constable Ryan left tonight to bring him to this city.

Meyers has been in the city for a week pretending to be a real estate firm that he wished to buy a hotel, and he had negotiated a deal for the leading hotel in the city about \$10,000. He gave his home as Fort Collins, Colo., and advised received from other cities gave him the name of Frank Meyers.

Charges, especially in California. He left this city this morning and this evening was apprehended at Salem.

ROWLAND CHOSEN ORATOR

Junior to Represent Pendleton High in Forensic Contest.

PENDLETON, Or., April 29.—(Special.)—Roy Rowland, a member of the High School debating team and junior class, has been chosen to represent the local institution in the oratorical contest for the high schools of Eastern Oregon this year. The contest will be held in Pendleton May 22, and during the afternoon of the same day the interscholastic field meet for Eastern Oregon will occur.

Practically all the high schools of Eastern Oregon are expected to be represented in both contests.

SNOW CRUSHES BUILDINGS

Much Damage Done in Crater Lake National Park.

KLAMATH FALLS, Or., April 29.—(Special.)—The first man to cross the Crater Lake National Park from Rogue River to Klamath Falls this morning reports the office buildings, barn and other structures of the superintendent of the headquarters at Annie Lake have been crushed by the extremely heavy snowfall of last winter.

These buildings were well and strongly built and the loss is a serious one. Superintendent Arant and an assistant will return to the park within a few days.

Degree of Honor in Session.

HARRISBURG, Or., April 29.—(Special.)—The 17th semi-annual district convention of the Degree of Honor of Oregon convened here yesterday for a two days' session with a good representation from Salem, Albany, Corvallis, McMinnville, Eugene and Junction City. The grand officers present are: Mrs. Emmet C. Looney, of Salem, grand chief of honor; Mrs. Max R. Moxhead, of Junction City, G. I. N. Mrs. Nora C. Stricks, of McMinnville, G. O. N.; Mrs. Maggie Parker, of Albany, G. C. of H.; and Mrs. Millie Pugh, of Salem, member of committee on law.

Seek Oil at Central Point.

CENTRAL POINT, Or., April 29.—(Special.)—C. C. Sweeney and Jack Neft, securing oil from Fort McMinnville, have been granted a lease on a tract of land in this section. It is expected that an expert will cover the field thoroughly within the next 10 days, reporting on the merits of the property to the far leased. Upon the expert's report depends the action of the company represented by these men. They are said to be representatives of the Standard Oil Company.

Reduced Rates for Teachers.

SALEM, Or., April 29.—(Special.)—J. H. Ackerman, state superintendent of schools and director of National Educational Association for Oregon, has issued a circular letter to the teachers of Oregon, relating to the annual convention of the association, which convenes in Denver, July 5, and holds four days, in which he states that the railroad fares which will be in effect on July 1.

Spring style shoes, Rosenthal's.

300 CONVENTION

Sunday School Delegates Are in Session at Salem.

CHICAGO IS REPRESENTED

Professor E. C. Knapp and Mrs. Mary Foster Bryner Are Among Lecturers—Convention to Close Tonight With Big Banquet.

SALEM, Or., April 29.—(Special.)—More than 300 delegates from all parts of the state are in attendance at the second day's session of the 24th annual convention of the State Sunday School Association, which is being held in the First Congregational Church, which has been crowded to capacity throughout the convention. Several prominent international Sunday school workers, including Professor E. C. Knapp and Mrs. Mary Foster Bryner, of Chicago, are present.

Today's programme included the announcement of committees' annual reports and of department superintendents, address by Professor Knapp, fraternal greetings from Washington by Rev. W. W. Miller, general secretary of Tacoma; teachers' training conference, elementary conference, workers' conference, address by Ernest C. Harlow, of Portland; addresses by Rev. John M. Linden, of Oregon City, and Mrs. Bryner.

There were two addresses this evening, one by Dean E. C. Sanderson, of Eugene, and the other by Professor Knapp. The convention will close with a banquet tomorrow evening. Officers will be elected tomorrow.

A. A. Morse, first vice-president and chairman of the executive committee, has been presiding in place of the president, R. R. Steele, who arrived from Portland this evening.

NEW RAILROAD FOR ROGUE

Eastern Capitalists Find Feasible Route to Crescent City.

CENTRAL POINT, Or., April 29.—(Special.)—Elias Ruud, engineer for an Eastern syndicate, is here securing data, making charts, etc., in the interests of his company, which proposes to build a railroad from Rogue River Valley to Crescent City, Cal., in order to connect the vast coal fields and the timber belt of this section with water transportation. The proposition has been under consideration for a long time. Mr. Ruud has made five trips over the proposed route and has handed in a favorable report on the feasibility of the project.

In an interview Mr. Ruud stated that he considered this city a favored place topographically and from a standpoint of land values of any city in the valley. Whether or not this assertion bears any significance as to the selection of a terminus is a matter of conjecture, as he is noncommittal on that point.

Mr. Ruud stated that his company was financially able to construct the road and that the same would undoubtedly be built in the near future, but declined to make any further statement other than that his company did not expect or desire financial assistance. Ruud formerly resided at Tacoma. He came here from Chicago, where he will return as soon as his report is completed. He is now at the Hotel Moore in Medford.

OREGON WOMAN TO FRONT

Miss R. Acker First Woman School Superintendent in Wisconsin.

SEASIDE, Or., April 29.—(Special.)—Miss Ruby Acker, niece of Josiah West, and who was bookkeeper some two years ago, for J. West & Co., at Seaside, has attained prominence in Wisconsin by being the first woman elected to the office of County Superintendent of Schools in that state. Miss Acker is receiving many congratulatory letters and requests for her photograph and biography.

She was elected Superintendent in Fond du Lac County, Wisconsin, in the last election in a contest with a veteran of the several voting precincts in the county did not include stump speaking, but she devoted her energies, without losing a day's work in the high school, however, to writing personal letters to friends in the several voting precincts in the county.

Miss Acker is a graduate of the University of Wisconsin, and has spent several years in teaching in the public schools. She is the sole support of her foster mother, who is 89 years old.

BURIED ALIVE UNDER SNOW

Avalanche in Cascades Overtakes Crew of Surveyors.

BELLINGHAM, April 29.—A special to the Herald from Rockport, Wash., states that the headwaters of the Skagit River, 70 miles southeast of this city, says: "Yesterday afternoon a snowslide overwhelmed a party of railroad surveyors, who were here on the Cascade River. All were covered deep in the snow and carried some distance by the rushing slide, but all were extricated more or less injured except Chairman John Watkins. Watkins is buried in 50 feet of snow."

BAR EXAMINATIONS RIGID

Standard for Admission to Bar of State Will Be Raised.

SALEM, Or., April 29.—(Special.)—The Supreme Court has decreed that the standard of examinations for admission to the bar in this state shall be raised, and hereafter candidates will be required to answer 10 questions regardless of how long the examination may take.

There will be an examination held in Salem June 8, and the prospect is that a large class will be examined.

PARKHURST GOES ON STAND

Accused Bank Embezzler Says He Was Promised Immunity.

SEATTLE, Wash., April 29.—R. P. Parkhurst, former assistant cashier of the First National Bank, on trial charged with embezzlement of \$50,000 from the bank, went on the witness stand today, being the sole witness for the defense.

Parkhurst testified that from July 14,

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1908, when he confessed himself to be a thief, to July 30, when he was placed under arrest, his every action was controlled by promise of immunity from the punishment, made by officials of the institution he had robbed. At the time of his arrest he lacked only \$1000 to make good the shortage.

MURDER AROUSES TOWN

PASTOR LEADS IN SEARCH FOR CRIMINALS.

Bachelor Fruitraiser Missing and Home Burned—\$500 Reward for Thugs' Capture.

SEATTLE, Wash., April 29.—(Special.)—Subscriptions which it is thought will reach \$500 are being collected in Brownsville, Kitsap County, as a reward for the arrest and conviction of the murderers of J. L. Vonderfehr, the bachelor fruitraiser who mysteriously disappeared last Friday and whose home was looted and burned Saturday morning. In the meantime every aid is being tendered the Kitsap County officials by the citizens of Brownsville and Keyport in unearthing the crime.

The generally accepted theory is that Vonderfehr was held up, robbed, carried away in a sloop or launch and slain, and that the house was burned in an effort to cover the tracks of the crime. One of the most active in prosecuting the search is Rev. D. W. Towns, who is the pastor of the Baptist Church of Brownsville, who stated at a citizens' meeting that he was prepared to lay off his ministerial coat, buckle on a six-shooter and help to run the perpetrators of the crime to earth. His statement was greeted with great applause, and the spirit of the meeting thereafter was an enthusiastic one.

Every man and boy in the neighborhood of Brownsville and Keyport, Kitsap County, who is possibly leave his work, is in the woods or on the bay in the immediate vicinity, searching for the body.

RATE TO VICTORIA 25 CENTS

Steamship War for Passenger Traffic Renewed on Puget Sound.

SEATTLE, Wash., April 29.—(Special.)—Beginning tomorrow, rival steamship lines to Victoria will carry passengers to Victoria for 25 cents, round trip 50 cents. This renews the bitter rate war which prevailed all last summer.

The gauntlet was thrown down by the International Steamship Company, which reduced to 25 cents, which move was quickly followed by the Canadian Pacific. During the winter the latter has charged \$2 each way, \$3.50 round trip, while the American line, with a smaller steamer, maintained cut rates of 25 cents. With the return of the large American passenger steamer Chippewa, hostilities have again broken out. There seems no prospect of a compromise.

DEMOCRAT MAY GET OFFICE

James C. Drake, of Tacoma, Talked Of for United States Marshal.

SEATTLE, Wash., April 29.—(Special.)—Political gossip centers around James C. Drake, of Tacoma, former United States Marshal for this state under President Cleveland, who is picked to succeed C. B. Hopkins, present incumbent of the Marshal's office. Hopkins has held office ever since the election of Piles to the United States Senate, his retention in office being part of the deal that the Piles interests made with the Sweeney managers in return for the Sweeney support in the Legislature of 1906.

If Drake is appointed, he will be Marshal for the Western District. He was formerly a gold Democrat. He is well known and popular among politicians of the state. For several years he was

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on

Grape-Nuts

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APRIL FROLIC SET FOR MAY 1

Co-eds at University Will Exclude All Men From Fun-Making.

UNIVERSITY OF OREGON, Eugene, Or., April 29.—(Special.)—Saturday evening, May 1, the girls' annual April frolic will take place in the University gymnasium. It is at this festival each year that the girls get together and enjoy a general jollification among themselves. An elaborate original athletic, acrobatic and dramatic programme is planned to take place at these performances, but

as no men are admitted and as everything is kept secret, nothing definite is known concerning the programme.

SALMON POACHERS FOUND

One Gillnetter Arrested, but Two Elude Patrol.

ASTORIA, Or., April 29.—(Special.)—While patrolling the river last night, Deputy Fish Warden Brown found three gillnetters who were fishing during the closed season. He succeeded in arresting Peter Nissen, who was released on bonds to appear for trial

later, but the other two men escaped, although their nets containing 283 pounds of salmon were seized.

Westport Farmer Stricken

ASTORIA, Or., April 29.—(Special.)—David West, a farmer residing near Westport, died last evening as the result of a stroke of apoplexy. The deceased was born near Quebec, Canada, 68 years ago and came to what is now Westport with his parents when 13 years of age. He left two sons and two daughters.

See Gregory for his special free-rent offer to lot buyers in Gregory Heights, 418 Corbett Bldg. Don't phone. See ad, Saturday.

A YARD OF HAVANA

Cobs are sold by the yard. 15 cents for a yard of

Havana tobacco. Each cob is 4 inches long. Nine are placed in a bundle. Cobs are rough—the package is inexpensive and the box is about the plainest that ever sat in a cigar window.

But Cobs aren't meant for looks—you smoke them—and when you have one good mouthful of the delicious, fragrant Havana—you'll realize that you're getting 10 cents' worth of pleasure out of each of the nine. The millionaire gets his accustomed flavor at the workingman's price—the workingman gets the millionaire's pleasure for his own pennies. The rough cigar with the smooth taste.

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