

PUGH REFUSES TO YIELD HIS NOTES

Judge Insists Prosecutor Shall Go to Jail if He Disobeys Order.

NEEDS THEM TO CONVICT

Perjury Charge Against Schively Depends on Evidence Given by Defendant at Grand Jury Session.

SCHIVELY MOVES TO QUASH

SPOKANE, Wash., April 30.—As the result of a conference of Superior Court Judges, Prosecutors Pugh, C. Pugh has been ordered to surrender to the court his shorthand notes of grand jury testimony taken before the grand jury. Pugh declares he will not give up the notes, and if committed to jail will seek release on habeas corpus proceedings and appeal to the Supreme Court of the state. He claims he needs the notes to uphold charges of perjury. One such charge has been filed against State Insurance Commissioner J. H. Schively.

From the proceedings yesterday and the action of Judge Hunsake this morning, it is seen that the grand jury has decided to go to the testimony taken before the grand jury from me at any cost, even if it means my imprisonment in the County Jail. I hold that until the Supreme Court rules otherwise I have a right to take shorthand notes before the grand jury for my own information, and shall insist on their retention until the matter is finally settled. The attorney for Judge Gordon is to get the testimony taken before the grand jury from me at any cost, even if it means my imprisonment in the County Jail. I hold that until the Supreme Court rules otherwise I have a right to take shorthand notes before the grand jury for my own information, and shall insist on their retention until the matter is finally settled.

GRAVES TO BE PROTECTED

Suit in Lewis County Settled by Order of Judge Rice.

CHESHAM, Wash., April 30.—(Special.)—In the Superior Court yesterday Judge Rice granted an injunction in the injunction proceeding against John Hutchinson, of Belfort, whose action in plotting over an old-time cemetery had aroused the protests of the neighbors who by State law have the right to bury the dead. Under the ruling of the court, the graves may be kept up by relatives of the dead, the headstones may be replaced and all lots including the graves fenced off. Five state cases were dismissed on motion of the Prosecutors. The cases were those against escaped prisoners who had made their get-away from the county jail. There will be a jury trial of court beginning next Monday, May 3. Cases have been set for each day next week up to and including Friday. John McGovern is accused of burglary. Charles E. Harden, former Coroner, is accused of attempted embezzlement. Jim Hall, Jr., and Leo Goble are charged with dog poisoning. In addition to these criminal cases, there are four civil cases.

FUND FOR MILTON COLLEGE

Educational Board M. E. Church South Allows \$12,000.

MILTON, Or., April 30.—(Special.)—Word has been received from H. S. Shangle, financial secretary of Columbia College, who is now in the East representing the claims of the Milton College before the Educational Board of the M. E. Church, South, in session in Richmond, Va., that his plea for a \$12,000 appropriation for the Milton school had been passed upon favorably and this amount given. This now makes the total subscription toward a greater Columbia College, \$40,000, which insures new buildings and thorough equipment within another year.

REOPEN ALASKA RAILROAD

Five Hundred Men Soon to Be Employed in Construction Work.

SEATTLE, April 30.—A. L. Snow of Spokane, and 50 men will sail for Alaska on the steamer Northwest tomorrow to open the Alaska Central Railroad from Seward to Placer Valley. The road, of which 35 miles has been completed, has been out of commission and in the hands of a receiver since November, 1907. The finished portion of the road will be put in running order and 30 miles of new road across Placer Valley into Turnagain will be constructed. Five hundred men will be employed.

TWO DOZEN ARE INDICTED

Josephine County Grand Jury Adjourns After Long Session.

GRANTS PASS, April 30.—(Special.)—The grand jury which has been in session for nearly two weeks, closed its work Friday after returning 24 true bills. Among the indictments are many charges for statutory offenses.

were returned against J. H. Messler for selling liquor contrary to law. For the same offense Enoch Irwin, of Galice, had to face four true bills, and Lefe Enyart, three upon the same charge in the same mining district. Keepers of soft drink establishments who felt the arm of the grand jury and entered pleas were: Dan Johnson and F. P. Johnson, J. G. Brewer and Jack Casey. From the old town of Kerby, noted for early mining history, Jack Mauer had to answer to a charge of selling in a prohibition territory.

Other cases that have been before the court of a criminal character are: Rufus Reed, assault with a dangerous weapon; tried and acquitted; H. E. Reed, carrying concealed weapons, continued; Harry Hawkins, same, continued; Harry Hawkins, assault with a dangerous weapon, pleaded guilty, fined \$100; Frank Holt, larceny of dwelling, pleaded guilty and sentenced.

KLEIN PLANS RETURN

EXPECTS TO ORGANIZE COLONY IN TACOMA.

Starts to New York With Immigration Officers for Deportation to His European Home.

TACOMA, Wash., April 30.—(Special.)—Despite the fact that an appeal was taken to the Supreme Court by the attorney of Joshua Klein, the radio-active philosopher, in an attempt to prevent his client's deportation, Klein started for New York with an immigration officer this morning, and said he would return to establish a colony in Tacoma after he had recuperated his fortune in Europe.

While Klein was happy to leave the County Jail where he has been incarcerated for the past three months, since his arrest and conviction of assault on Miss Dora Culbertson, aunt of Dora Sauvageot, he expressed himself as sincerely sorry at leaving under Government orders, and says within a year he will be able to return to the United States, although it is denied by the immigration department. It was stated by the local financial backers of Klein that he had not been bailed out of jail because they wished him to organize the colony near Tacoma. Klein says he will not disappoint his friends.

WOMEN AND KNIVES, DUEL

Bloody Battle With Butcher Knives in Lester Logging Camp.

TACOMA, April 30.—A special to the News from Lester, Wash., says that Mrs. Joe Burnes and Mrs. S. Campbell, wives of loggers, fought a bloody duel with butcher knives last night. Mrs. Burnes has a fatal gash below the heart. The other woman's life was saved by the quick arrival of a special engine from Cle Elum of a doctor, who sewed up an artery in her wrist barely in time to prevent her bleeding to death.

FULL TIME TACOMA SHOPS

Northern Pacific Employees Rejoice Over New Order.

TACOMA, April 30.—Seven hundred men at work in the Northern Pacific shops at Tacoma were rejoiced at a bulletin posted today announcing that on May 1 the men will begin working full time on a day and six days in the week. During the winter and early spring they have been working eight hours and five days a week.

EARLY SETTLER OF COWLITZ COUNTY PASSES AWAY

Russell M. Merrill, Deceased.

CASTLE ROCK, Wash., April 30.—(Special.)—Russell M. Merrill, who died here April 29, was born in Fayette County, Iowa, October 7, 1854. He came to Washington in 1872. At that time the country contained only a few scattering settlers. In September, 1883, he was married to Laura E. Pyle, daughter of an honored pioneer family. Immediately afterwards he bought a farm near Castle Rock, on which he lived until his death. Two years after his marriage the mail route was established between Castle Rock and the coast. Mr. Merrill carried the mail the first year. He leaves a wife and nine children: Mrs. Grace M. McKimley, Mrs. Annie Finley, Mrs. Mary Smith, Mrs. Alice McCormick, the Misses Sara and Frances, and Masters Harlan B. Albert F. and Elwood G. Merrill.

The Jacobs-Stine Company

Attracting the Public's Attention to

Bonnie Argyle Park



Watch For the Pipers On Parade Today

They will play all day tomorrow at Bonnie Argyle Park. Come out and hear them. Bring the children. Take the East Ankeny-Hyde Park car at Third and Yamhill streets, ride to end of line and auto will take you over the property.

The Jacobs-Stine Company

LARGEST REAL ESTATE FIRM ON PACIFIC COAST
148 Fifth Street, Portland, Oregon

ALBANY GIRLS WIN

Champions of Girls' Collegiate Debating League.

MONMOUTH TEAM LOSES

Co-eds Discuss Exclusion of Asiatics, Affirmative of Question Being Argued by Albany Trio—Debate Draws Big Crowd.

TACOMA SALOON IS HELD UP

Masked Robber Secures \$80 and Makes His Escape.

DISABLED BOAT IN TOW

VICTORIA, B. C., April 30.—The steamer Princess, a British Columbia port from northern British Columbia, was reported passing Chatham Point, at 8:15 o'clock tonight, with a disabled steamer in tow. The word came to Cape Lazo wireless station from the steamer Rupert City. The tow is believed to be the Seattle fishing steamer Grant.

NEW LAUNCH IN COMMISSION

ASTORIA, Or., April 30.—(Special.)—The launch Hazel and Helen went into commission today. The craft was built at the Driscoll yards for the Miller Sands

SALMON SEASON OPENS

GILLNETTERS PREPARING FOR BIG FISH CATCHES.

HINDU LET OUT ON BAIL

Justice Douthitt, of The Dalles, Provides \$1000 Security.

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BULLETIN NO. 15

Proposed Franchise of Portland Railway, Light and Power Company

Passed by the Common Council of the City of Portland

Section 1 enumerates the streets on which franchise rights are granted and provides that the company cannot change from a double track to a single track without the consent of the Council expressed by ordinance, and no change shall be made during the pendency of a street improvement without the consent of the Council, unless the company shall pay its full portion for such improvement upon the basis of a double track. Also provides that the consent of the Council must be obtained to put in connecting curves at street intersections with other lines of railway. Last part of section 1 provides that the railway company shall not abandon any part of its railway lines constructed under authority granted by this ordinance without the consent of the Council expressed by ordinance.

Section 2 provides that no change shall be made in the motive power without the consent of the Council expressed by ordinance.

Section 3 provides that the weight and pattern of rails shall be approved by the city authorities and that all construction and reconstruction shall be upon plans approved by the city authorities, a copy of which is filed with the Auditor of the City of Portland, and specifies that the weight of rails shall not be less than 60 pounds to the yard upon streets not having a hard surface pavement; that when hard surface pavement shall be laid the railway company shall put down rails weighing not less than 90 pounds to the yard and cannot be compelled to put down rails weighing more than 30 pounds to the yard.

Section 4 provides, among other things, that the passenger cars shall be of the construction suited to the comfort, convenience and safety of passengers and shall be subject to reasonable regulation by the Council. It further provides for the operation of the cars, also that the cars shall be run not less frequently than 15 minutes apart and between certain hours, and excepts lines running into car barns, yards, etc., and tracks leading to Country Club grounds from the 15-minute operating provision. Also provides a fine except in case of riots, accidents, etc., for failure to operate cars regularly and for such failure to operate for more than 30 days during any 90 consecutive days subjects that portion of the franchise not operated to forfeiture by action of the Council. The speed of cars is limited to 12 miles per hour; penalty provided for stopping cars on street intersections; freight cars are prohibited from being operated without the consent of the Council, excepting on East Eighth street and East Yamhill street in East Portland and on tracks leading to the proposed golf links car barn and streets running through the East Side freight yards.

Section 7 specifies that the railway company shall pave and keep in repair such portion of the streets as laid between the tracks and one foot outside of its outside rail; shall pay for one-quarter of the cost of all bridges on the lines granted and for its section of all fills. Also provides that in case the railway company fails so to do the City of Portland may do such work and the cost of same may be entered on the docket of city liens and enforced against the real and personal property of the grantee. Section 7 also provides that the railway company shall donate to the City of Portland any private rights of way along the lines granted by the ordinance which may be required by the city for street purposes, subject, of course, to the railway company's right to operate cars to construct tracks, erect wires, etc., and the railway company shall be obliged to pave the streets laid out on land so dedicated.

Section 8 provides that in case of any abandonment of tracks that the railway company shall restore the streets in as good condition as the balance of the street. It further provides that no abandonment of any portion of the franchise shall be made without consent of the Council of the City of Portland expressed by ordinance, and that in case of the abandonment of a portion of the franchise, the balance shall not be affected.

Section 9 provides for the forfeiture to the City of Portland of the franchise and tracks in case of failure of the railway company to comply within a reasonable time with any of the provisions or conditions of the franchise.

Section 10 provides for the forfeiture of the franchise in case the railway company does not maintain its roads and tracks in good order and repair and render efficient service during the entire term of the franchise.

Section 11 provides for annual payment to the city varying from \$500 to \$1200 per year, and amounting for the whole franchise period to \$23,400.

Section 12 provides for a fare not exceeding five cents (5c) excepting observation and other special cars.

Section 13 provides that the line to the Swift plant shall be constructed inside of one year, and all other lines inside of three years, excepting lines leading to car barns and terminal yards, etc., on which a five-year period is allowed.

Section 14 provides for the confining of electrical currents to the rails of the railway company.

Section 15 provides for the option of the city to acquire the property constructed under the franchise at the end of the franchise period in accordance with the terms of the city charter, and provides for the method of fixing the valuation at that time.

Sections 16 and 17 provide penalties for obstructing the construction of tracks or operation of cars, and provides penalties for the use of offensive language on cars.

Section 18 provides for the estimated total cost of work to be done under the franchise and the yearly sums of money to be expended thereon as provided by the city charter.

Section 19 is a general clause making all the terms, provisions and conditions of the present city charter absolutely applicable to this franchise.

Section 20 provides that the franchise rights shall expire December 31, 1922, being the same time that the franchise rights enjoyed by the railway company on other streets expire.

Section 21 provides that the power and right at all times to reasonably regulate in the public interest the exercise of the rights and privileges granted by this franchise shall be and remain vested in the Council of the City of Portland.

Portland, Or., April 12, 1909.

Put This Stove in Your Kitchen

It is wonderfully convenient to do kitchen work on a stove that's ready at the instant wanted, and out of the way the moment you're done. Such a stove is the New Perfection Wick Blue Flame Oil Cook-Stove. By using it you avoid the continuous overpowering heat of a coal fire and cook with comfort, even in dog-days. The

NEW PERFECTION Wick Blue Flame Oil Cook-Stove

is so constructed that it does not add perceptibly to the heat of a room. It differs from all other oil stoves in its substantial CABINET TOP, with shelf for warming plates and keeping cooked food hot, and drop shelves for holding small cooking utensils. Has every convenience, even to bars for towels. Threesizes. Without Cabinet Top. If not with your dealer, write our nearest agency.

The Rayo Lamp is the ideal lamp for family use—safe, economical, and a great light giver. If not with your dealer, write our nearest agency.

Standard Oil Company (Incorporated)

SPECIAL WATCH SALE

Waltham or Elgin Movements in 20-Year Case

18 size, open face.....	\$ 8.00
16 size, open face.....	\$ 9.00
12 size, open face.....	\$ 9.25
0 size, ladies' hunting case.....	\$11.00
12 size, hunting case.....	\$10.50
16 size, hunting case.....	\$10.50
18 size, hunting case.....	\$ 9.50
Sterling silver thimbles.....	.10

Standard Jewelry Store

141 1/2 Third Street, near Alder.