THE MORNING OREGONIAN, SATURDAY, JULY 31, 1909.

DEBAR DE WOLFE OUR SPECIAL TRAIN

_____TO_____



Leaves the Jefferson-Street Depot This Morning at 8 o'Clock. \$1.50 for the Round Trip. Going With Us?

Columbia Trust Company

Board of Trade Building

has either found that the will is a for-gery, that it was never executed or that it was both forged and never executed. The findings of fact will probably be sub-mitted to the judge and signed by him omorrow

mitted to the judge and signed by him tomorrow. Attorney Douglass W. Balley, repre-senting Mrs. Warner, stated this eve-ning that he would zerve notice of ap-peal tomorrow, and that he would rush the appeal as rapidly as possible. He declared that this was no more than they expected, if at they considered the hear-ing in the County Court merely prelim-inary and that they would make their real fight in the Circuit Court. The document which Judge Gilliland refused to admit to probate was the one which Mrs. Warner alleged came through the mail to her from Walla Walla last December. It purports to give practically all of the Young estate to Mrs. Warner and immediately after offering it for probate she seized and forcibly took possession of the valuable wheat ranch belonging to the Young estate and located in the Northern part of the county. She has now been in pos-session of this farm for several months, but will immediately be forced by the contesting heirs to aurrender possession. The decision seems to have been what was generally expected, but it was not expected so soon.

NEW PHASE DEVELOPS IN

CUVREAU MYSTERY.

the young man who assisted in carrying the body. "You will have to tell a straight story about this," suid LaBlanc, and Flynn is said to have answcred: "Well, leave it to me to tell a straight story." Assistant Prosecutor Woods says that as yet there is not sufficient ovidence to issue a complaint against Flynn, but that he had by no means dropped the case. "I expect to get several facts that were not brought out at the inquest," said the prosecutor. "It looks very sus-picious now." picious now."

WATER SYSTEM FAVORED

the young man who assisted in carrying

suing Municipal Bonds.

NEWPORT, Or., July 30.-(Special.)-At a special city election here today to amend the charter for authorizing the City Council to issue \$30,000 bonds for a City Council to issue \$30,000 bonds for a gravify water system the vote was al-most unanimous, only four being cast against it. Good water from a mountain stream has already been secured by city authorities at distance of less than four miles, and can be brought in at an es-timated cost of \$25,000.

Says I. The Rex Dental Co., Abington Bidg. Is the place to go. Says I.

Porter Bros. the rival contractors who are operating in opposition to the Har-riman interests in the Deschutes canyon, do not have a monopoly when it comes to acquiring the right-of-way across advan-tageous tracts of land included in the route of the contesting railroad inter-ests State Association Will Also ests. The fact leaked out in this city yester-day that J. B. Eddy, one of Harriman's right-of-way agents, ran around Porter Bros. on the Deschutes River and bought a farm, the possession of which will him-der Porter Bros. In moving up that stream. The purchase made by Eddy is reported to include one of the strategic points covered by the proposed route of Porter Bros.

Harriman Agent Slips Into Canyon and Buys Right of Way.

For tunnel and cut construction.

Porter Bros.

Porter Bros., however, are not relax-ing in their activities. Before John D. Porter, a member of this firm, left Port-land yesterday, he arranged for forwarding to the scene of rallroad activi-tics several carloads of additional sup-plies and equipment, together with nearly 100 more workmen who will join the

********************** OREGON CITY BAPTISTS SE-CURE NEW PASTOR.

GRASS VALLEY, Or., July 30 -(Staff Porter Bros. locked the gate at the Gurts ranch, two loaded freight wagons were sent over the road toward the Deschutes canyon today by Twohy Bros., Harrinied the right to cross the ranch by Porter Bros,' guard and returned to this place without attempting to force their way through the fence. Porter Bros.' man did not offer any armed resistance. The guards, two in number, simply re-fused to unwrap the chains, making no At the time the two teams reached the gate, H. A. Brandon, construction engineer, Jay Bowerman, legal representa-tive here of the Harriman interests, and

> Rev. S. A. Hayworth, of Delta, Colo.

OREGON CITY, Or., July 20 .-(S. ecial.) - Rev. S. A. Hayworth was last night chosen pastor of the First Baptist Church, to suc-ceed Rev. John M. Linden, who ceed Rev. John M. Linden, who resigned three weeks ago to join Rev. "Billy" ...unday, the well-known evangelist. Mr. Hay-worth will arrive here August 25, from Delta, Colo., where he has been forced to give uy his work on account of the high al-titude there. He has added im-provements to the value of \$6000 to the Delta Church, and while he was at Fargo, N. D., he built he was at Fargo, N. D., he built

he was at pargo. A. D. he but a \$25,000 church. Mr. Hayworth has a wife, but no ch. dren. He is 35 years old, and a graduate of Chicago Uni-versity. He is said to be very popular in church and fraternal dicles where he has been, and was recommended highly by his predecessor. Rev. Mr. Linden, who knew him personally.

Oregon Trunk camps in an effort to shut Harriman out of the canyon.

"If you attempt to tear down the fence I shall not try to stop you. But I shall not unlock the gate." After a consultation of the Harriman men, a quarter of beef was thrown over the fence with a statement that a man would be sent up from the camp for ft. Railroad laborers are now going on the works in numbers. The evening train brought out about 90 men for Twohy Bros. and about 40 for Porter Bros. All these men were taken on to the end of the railroad at Shaniko, and will be put at work above mile post 75. In the canyon of the Deschutes at Horseshoe Bend. Porter Bros. appar-ently are now preparing to send men GIRLS WOULD SEE WORLD Portland Misses Get as Far as Van-

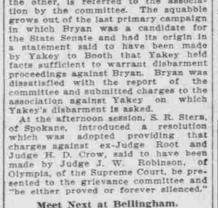
couver Police Station.

VANCOUVER. Wash., July 30.--(Spe-cial.)--Two runaway girls who said that they were from Portland were ar-rested late last night in the Ferry Ho-tel and taken to the police station. Both of them had a small amount of money when taken into custody, and said they had left their homes to go first to the fair at Seattle and later to see the world. world. First they told the police they were Irene Lee. 15 years old, of \$22 Twenty-fourth street, and Hazel Rogers, of East Twenty-sixth street. The Vancou-ver police asked Portland officials to communicate with the girls' parents and see what they wanted done. Later

Meet Next at Bellingham.

ias been made.

one hand and State Senator R.F. Booth, of Sentile, and Judge Yakey on the other, is referred to the associa-tion by the committee. The squabble



Bellingham was chosen as the next place of meeting. C. C. Gose, of Walla Walla, brother of Judge M. F. Gose, of the Supreme Court was elected presi-dent: C. Will Shaffer, of Olympia, was respected association and Arthur Farm

of Kitsap County. In which Bryan charges that Yakey travels on a pass and that his expense accounts are ir-regular, were referred to the grievance committee for investigation. Action in the case of Judge M. J. Gordon, of Spokane, ex-counsel for the Great Northern, under indictment on a wharge of embezziement from the rall-road, was deferred pending the out-come of the trial. Should conviction be secured, disbarment proceedings will be instituted. Disbarment of DeWolfe will be withheld until the report of the will be withheld until the report of the legislative committee on his charges

Take Action Against ex-

Judge Root.

TACOMA MAN IS DEFIANT

Asserts He Will Fight Case to Su-

preme Court-Bar Association

Selects Bellingham for the

Next Meeting Place.

ABERDEEN, Wash., July 30 .- (Spe

cial.)-Action to clear up the scandals attaching to the courts of the state, es-

pecially to clear away the charges made against the Supreme Court, was

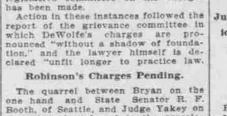
taken at the meeting this morning of

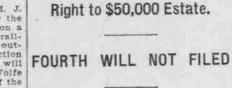
taken at the meeting this morning of the State Bar Association when the re-port of the grievance committee of the association, recommending the appoint-ment of a committee of three to insti-tute disbarment proceedings against Attorney Herbert N. DeWolfe, of Taco-ma, whose charges against the court resulted in an investigation by a leg-

resulted in an investigation by a leg-islative committee, was adopted. A resolution was also passed ordering the

institution of disbarment proceedings against Milo A. Root, of Seattle, ex-Judge of the Supreme Court, who was forced to retire by reason of scandals attaching to his conduct on the bench.

Bryan's Charges Delayed.





Judge Gilliland Holds That Mysterious Document Was Never Probated-Contestant's Counsel Insists Appeal Will Be Taken.

WILL CONTEST LOST

Mrs. Mabel Warner Loses

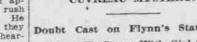
PENDLETON, Or., July 30 .- (Special.) -Mrs. Mabel Warner has again lost out in the battle which she has been waging in the courts of Umatilla County for more than three years for possession of the \$50,000 estate of the late James W. Young, of Weston. The latest blow was suffered this afternoon, when County Judge Gilliland held that the "fourth" mysterious will to the estate, was not en-Though the findings of fact have not yet been signed, this afternoon's decision means one or both of two things. He

Suspicion that John Flynn has not told the entire truth in regard to the drowning of Margaret Cuvreau in Commence ment Bay Sunday evening, still lingers with the police authorities, and today several detectives visited the scene of drowning in an effort to gain some clew. Flynn was taken along and re-enacted the drowning for the benefit of the officers.

but will immediately be forced by the contesting heirs to surrender possession. The decision meems to have been what was generally expected, but it was not expected so soon. **Farmer Finds Gold in Well.** VANCOUVER, Wash., July 20.-(Spe-disl)--While digging a well on the Teal farm, east of the city, H. C. Teal noticed that the sand glistened, so he had some of it assayed and it showed 20 cents a ton. Harris Trunk Co. for trunks and bags.

A NOTE OF THANKS

With the close of today's business we also close the first six months of our eleventh year in business. At the same time we close the most remarkable sale of brand new pianos in our entire history, remarkable in the number of instruments sold and also in the quickness with which all the pianos included in the sale



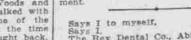
Doubt Cast on Flynn's Statement That He Swam With Girl for Long Distance.

TACOMA, Wash., July 30 .- (Special.)-

Newport Almost Unanimous for Is-

Alabama for Income Tax.

MONTGOMERY, Ala., July 30.-Both ably the National income tax amend-



The charges preferred by State Sen-ator J. W. Bryan, of Bremerton, against Judge B. Yakey, of the Superior Court of Kitsap County. In which Bryan

rock work and grading. Porter Bros.' 42 Italians, who reached the bottom of the canyon today, were kept busy building a camp of their own, and it was stated that as soon as this was established they would go to work at a point up the river. Porte: Bros. nt n now have 16 men at work on the tunnel.

Possibility of Clash Increases.

not apply and the proof of the

FREIGHT WAGONS

ARE TURNED BACK

Twohy Bros.' Men March Up

to Locked Gate, Then

March Back Again.

LEGAL ISSUE NOW FORCED

Laborers and Equipment Rushed

to Deschutes by Rival Con-

tractors --- Chances for

Clash - Increased

BT R. G. CALLVERT.

Correspondence) -- For the first time since

man's contractors. The wagons were de

J. W. Twohy, were on the scene, having

gone out in an automobile. The entire

party, including the freight wagons, re-

turned to town, and almost immediately Mr. Bowerman, accompanied by L. R.

French, who has an interest in a home-stead entry on one of the tracts on which Porter Bros, have secured an option, returned to the vicinity of the disputed gate. Mr. Bowerman reached

Grass Valley again late this evening:

Harriman Counsel Optimistic.

"We will have a wagon road entrance

"We will have a wigon road entrance through the canyon within a week." was his announcement, but he refused to re-veal his plan of action at this time, and declined to discuss the subject further. At the office of Hurriman's contractors it is stated that the sending of the two teams to the gate today was done upon the advice of counsel, and was simply for the purpose of ascertaining the exact attitude of Porter Bros. Le E Levenstire, Forter Bros.' gate

atilitude of Porter Bros. L. E. Levenstire. Forter Bros.' gate man, told the Harriman representative that his instructions were to refuse to unlock the gates for any wagons carry-ing supplies or construction material to

"I am not here to use force to prevent your going through the gate." he said. "If you stienapt to fear down the fence

threats.

The increasing of Porter Bros.' forces in the canyon strengthens the possibil-ity of a clash. This may b ppen if the two forces attempt to work at some point where there is room enough, for but one, but the situation is quiet at evenest present

The Harriman contractors still have The plasminus contractors such have a large number of their employes at work on the extension of the wagon road to the upper tunnel portal, a dis-tance of one and one-half miles. Some of the road has to be blasted out of the of the road has to be blasted out of the hillside, and it is an expensive piece of, work. The extension is not yet in shape to be used. Engineer Dewitt, in charge of Porter Bros construction work, has surveyors at work down river from the tunnel, from which di-rection the Porter construction forces are advancing on the tunnel via the Hill range and crossing the river by boat.

Porters' Options in Detail.

Certified copies of the contracts be-tween Porter Bros, and the ranch-owners, by means of which the former are at-tempting to block Twohy Bros.' wagon tempting to block Twohy Bros.' wagon-road, were received here today. Only two contracts are on record in the office of the County Clerk. The one affecting the Fred Guriz place is a 6eday option, providing for the payment of \$200 cash and the balance of \$600 when a good and sufficient deed is furnished by Guriz. The agreement is to be placed in encrow during the 50 days, within which period. Guriz is to secure the signature of his wife to the deed. It is reported in Grass wife to the deed. It is reported in Grazs Valley that Guriz and his wife have separated.

separated The other contract involves the home-stead entry to which title is claimed by L. E. French and B. S. Downing. His tract lies between the Guitz place and this head of Twohy's wagon road. On this piece \$500 cash has been paid, and the total consideration is to be \$1250 of which foce is to be paid by Porter Bros. In 70 days and Eve in 20 days. If the in 30 days and \$50 in 60 days. If the claims of the grantors to the land are decided adversely by the Government, they are to return \$1000 to Porter Bros. Time is the essence of this contract. If Porter Bros. fail to make the subse-quent payments, fille reverts.

Additional Counsel Secured.

Porter Bros., therefore, have paid out so far \$300 to blockade Twoby Bros. go far 3300 to blockade i wony stron wagon rand, will a possibility of their paying a total of 2000. If Porter Bros, have secured an option on or purchase, of the property of R. J. Baker, lying this wide of Quriz' ranch, the acquirement or conveyance has not been recorded. Edward Littlefield, formerly Circuit being to this district and now a prac-

wagon raad, with a possibility of their paying a total of \$6000. If Porter Bros. have secured an option on or purchase of the property of R. J. Baker, lying this wide of Guriz' ranch, the acquirement or conveyance har not been recorded. Edward Littlefield, formerly Circuit Jodge in this district and now a prac-ticing attorney in Portland, has also been withined as legal counselor by Twohy Bros, and reached here tonight. It is expected there will be some sort of legal action tomorrow. Porter Bros have

and see what they wanted done. Later the Portland police reported that the names and addresses were "phony" and the girls then said they were Lenna Shipp, of \$44 East Thirty-third street, and Hazel Shrake, of 1851 East Divis-ion avenue. No people of these names appear in the Portland directory, so the girls are still being held by the local police.

TROLLEY MERGER MADE Walla Walla Traction Company Is

Secured by Northwestern.

WALLA WALLA, Wash., July 30 (Special)—Authorizing a transfer of stock of the Northwestern Gas & Elec-tric Company and the Walla Walla Valley Traction Company to the Northweatern corporation, a meeting of the stockholders of the two former organi-zations was held today perfecting this arrangement.

boat. Equipment continues to arrive for the O. R. & N. construction. Fifty cars of construction tools and camp equipment and supplies have been brought in for Twohy Bros. and unloaded either at Moro. Grass Valley or Shaniko. It is estimated that this is equivalent to more than 1256 wagon-loads. Build the idea and made and made and the source-tric and the Walla Walley Trac-tion Companies would be controlled by the corporation which now owns 12 electric stations in the states of Wash-ington and Oregon, in addition to sev-

ington and Oregon, in addition to sev-eral traction lines. No additional improvements besides the ones already being made are con-templated at the present time, but the system, as a whole, will be perfected. eath

WISCONSIN NOT SATISFIED Officescekers Find Disadvantage in Listing of Names on Ballot.

SALEM, Or., July 30.--(Special.)--N, P. Haugen, ex-member of Congress from the Ninth District of Wisconsin, ex-Railroad Commissioner of that state and at present Tax Commissioner, called at the Statchouse this morning on his way to Southern Oregon for a fishing trip. He was accompanied by Judge A. G. Zimmerman, of the Dane County (Wisconsin) County Court. Mr. Haugen, in discussing the pri-mary law in Wisconsin, said that it is a failure in one respect, viz. that it re-quires the arrangement of candidates names in alphabetical order and that the first candidates on the bailot always poll the largest vote. poil the largest vote.

SUSPECT IS BOUND OVER Salem Man Accused of Attempted Hold-up Will Fight Charge. announces her sister triumph-

were taken.

dent; C. Will Shaffer, of Olympia, was re-elected secretary; and Arthur Bem-lington, of Olympia, treasurer. C. E. Shepard, of Seattle, W. V. Tan-ner, of Olympia, and Walter Christian, of Tacoma, were named by the presi-dent as delegates from the State Bar Association to the next meeting of the National Bar Association, which will be eld in Detroit during the latter part of August.

In an interview just before leaving for his home in Tacoma this afternoon. DeWolfe said that he would fight dis-barment proceedings to the United States Supreme Court, if necessary.

MAN'S DEATH MYSTERY

Kittrell's Friends at Montesano Refuse to Believe He Is Suicide.

MONTESIANO. Wash., July 20.-(Spe-clai).-The mystery surrounding the death of William Kitrell, whose body was found last week some miles below here in found last week some miles below here in found last week some miles below here in the Chehalis River, is still uncolved. The Sheriff and the Coroner have both pro-nounced it case of suicide and have stated facts bearing out their side of the case, but there are friends of the deceased who decline to accept this theory and who still declare that he was murdered. Kittrell was a member of Montesano Aerie No. 353, F. O. E., and at a meeting a few days ago a committee was ap-pointed to make a thorough investiga-tion of the circumstances surrounding his

tion of the circumstances surrounding his

THE POPULAR SCOTCH WHISKY 15 BLACK&WHIT

"CLEANLINESS"

Is the watchword for health and vigor, comfort and beauty. Mankind is learn-ing not only the necessity but the lux-ury of cleanliness. **SAPOLIO**, which has wrought such changes in the home.

HAND SAPOLIO FOR TOILET AND BATH.

A special soap, which energizes the whole body, starts the circulation and leaves an exhilarating glow, All grocers and druggists,

July, usually our most "quiet" month, will go into our records as the third greatest month in point of sales ever recorded upon our books.

We desire to return sincerest thanks to our friends and patrons for the confidence that has been bestowed upon us during this sale. We desire to express our high appreciation for the spontaneous and hearty co-operation with us in our successful endeavors to sell high-class pianos at lowest possible prices.

We promise in our advertising that everything connected with the Eilers houses shall be found exactly as represented, and the enormous July record again demonstrates our good faith.

There was scarcely a day when less than a dozen of pianos were sold here. Last Monday we actually sold 31 new pianos. No mere advertising could have accomplished such magnificent results. We realize the measure of confidence that was bestowed upon us in this matter, and we assure every buyer-big or little-that this confidence shall never be abused.

We have never been identified with the sale of so-called cheap or low-grade pianos, and we never will. The name of Eilers Piano House has always been, and always will be, a synonym for highest quality at lowest price. We not only aim to furnish the best of everything, but we aim to furnish everything at the lowest possible living price-prices greatly lower than obtainable elsewhere for same grade and quality.

The great business of the Eilers houses, greater than the total of all other houses combined-has been built upon the above as one of its cardinal principles. No misrepresentation is ever permitted here. The same price, and that the very lowest, is given to all alike. No more is asked, no less accepted. A child here buys as advantageously as does the shrewdest of shoppers.

No effort ever is spared here to see that every patron of ours is absolutely satisfied.

Again we desire to express our gratitude for the co-operation on the part of our many thousands of patrons hereabouts-those who have bought their pianos from us in the past years and those who so quickly responded to our recent splendid offering, which will end some time during today.

There are less than a half dozen of splendid brand new pianos at \$138, \$146 and \$169 left. There are also some eight or nine slightly used pianos in our Piano Exchange and Bargain Room for those who may

If You Did Not Read Our Former Advertisements, the Following Will Prove of Interest:

We found two well-known piano manufacturers with a large stock of finished planos. They were terribly anxious to realize. We secured these latest high-grade pianos at a most extraordinary reduction. We pass this advantage along to wide-awake midsummer buyers.

Bear in mind, we guarantee every instrument as to quality and also as to price. Your money back if at any time within six months you can buy the same grade of pianos elsewhere, East or West, at anywhere near such low price.

Should you later on want the best in the world, the Chickering or the Kimball, or that beautiful art piano, the Weber, or the Pianola Piano, we will any time within two years allow total price paid for these pianos in exchange toward the former.

come too late today to secure one of the new ones. There is a Fischer for \$95 in very good order; there is a Hamilton, exactly like new, for \$138; there is a superb Decker for \$180-bring \$5 for a first payment down and pay the balance as best suits your convenience. An extraordinary and altogether unusual discount of 4 per cent to those who wish to pay all cash. Come today or this evening.



353 Washington St., at Park (8th) St. The Home of Highest Grade Pianos.