

### EXCISE CASE NEAR READY FOR JURY

#### Final Arguments On, Each Side Taking Hour and Half.

### SAM LOTAN IS DISMISSED

#### Reinstein and Breslauer Take Stand in Own Behalf—State Appears to Have Made Little Head- way—End by Noon.

Before noon today it will be up to a Circuit Court jury to decide whether or not Morris Reinstein and S. Breslauer, brewers, violated the Excise Board petition to keep it off the ballot at the last city election and thus head off a blow aimed at the brewing interests. Arguments were in progress when court adjourned yesterday. Both state and defense committed themselves to an agreement making it impossible to protract their final arguments. An hour and a half was allotted to each side in which to conclude.

Just three hours were consumed by the defense in presenting its case, after the state had finished its half-week of testimony. Attorneys John F. Logan and S. B. Huston, representing the brewers, confined themselves largely to emphasizing the weak links in the circumstantial chain by which conviction of the men is sought. While the state succeeded in presenting a number of circumstances strongly pointing to the guilt of the accused, the defense established a large element of reasonable doubt, so that the final outcome of the case is very hard to speculate upon at this time. It is generally conceded, however, by those attending the trial, that the state has not succeeded in presenting a very strong case.

#### No Case Against Lotan.

Dismissal of the charge against Sam Lotan, Deputy City Auditor, who was originally indicted with the brewers for complicity in the alleged forgery, occurred during the forenoon session of court and occasioned no surprise as it was generally understood that Lotan's appearance for the state was to be attended by his release from prosecution. His testimony against Breslauer and Reinstein proved somewhat damaging. On the night of April 19, he said, he met the brewers by appointment at the Fourth-street entrance to the City Hall. They had made the representation to him that they wanted to check over the McKenna, or excise board petition and he had admitted them to the office merely as an accommodation. He let them have the petition in the vault and then sat down to write some letters. Reinstein presently came to him and borrowed a pencil and other articles. Several times he went to see how the men were progressing with their work but saw nothing wrong. They had the petition in their possession for a couple of hours and then retired with Lotan. On the way down town Reinstein told him the McKenna petition would never pass, the witness said.

No effort was made, on cross-examination, to refute any of that testimony. Lotan was asked, though, if he hadn't been led to believe he wouldn't be prosecuted if he testified for the state. He admitted such was the case, but denied any promise had been made by the District Attorney's office. The defense called Lewis N. Penfield, Deputy City Auditor, as the first witness. Penfield was asked if Reinstein hadn't asked to see other petitions besides the McKenna document and replied in the affirmative. This testimony was intended to show that the brewer's interest in initiative petitions was not confined to the one he is alleged to have submitted. Reinstein was then called to the stand in his own behalf. He confirmed the things Lotan had said, except that he had no recollection of borrowing a pencil and eraser from the Deputy Auditor. He denied emphatically having made any erasures or alterations in the McKenna petition, saying he merely checked it over to confirm a report he had received to the effect that it teamed with forgeries and was accordingly worthless. He said he, Breslauer and Lotan made no secret of their visit to the Auditor's office on the night in question, going and leaving openly and mentioning the matter to several friends afterwards.

#### Tells About Blinds.

J. E. Young, a battalion chief of the Portland Fire Department, was called to show the unreliability of testimony of witnesses to the effect that the blinds in the Auditor's office are rarely if ever drawn, as they were on the night of April 19. Young said he has frequent occasion to visit the City Hall after night and that it is not unusual to see the blinds drawn. He noted that "phenomena" only last Saturday, so he affirmed.

As establishing the good reputation of Reinstein, Dr. A. C. Pantan, Edward Ebraman, R. L. Durham and William Goldman were called to testify as to his general standing in the community. All averred that Reinstein's reputation has been of the best during the several years they have known him. Breslauer was the next witness. He told the same story as did Reinstein. He was followed on the stand by Roger Sinnott, an attorney who was engaged by the liquor interests to check over the McKenna petition to determine whether or not it was valid. He said he found it defective and so reported, before the visit of Reinstein and Breslauer. This evidence was introduced to show that the accused men could have had no motive in forging a petition that was already worthless through countless forgeries committed by the agents who circulated it.

Both sides then rested and arguments were proceeded with. Deputy District Attorney Vreeland spoke for half an hour defining the law applicable to the case and outlining the testimony evolved by the prosecution. He will conclude his address this morning. Attorneys Logan and Huston will divide their allotted hour and a half, each speaking 45 minutes. The case is certain to be left to the jury before noon.

### PLAY TO CAUSE BATTLE

#### Said Legal Steps Will Be Taken to Stop "Great John Ganton."

What promises to be an interesting legal battle will probably be begun here next week when the Meers, Shubert, of New York, present their new drama, "The Great John Ganton." Certain interests in Chicago have entered spirited objections to this play on the theory that the author, J. Hartley Manners, has taken unwarranted liberties with intimate incidents in the life of a prominent member of the Windy City, now deceased. The Shuberts are received letters, it is said, in which suits

have been threatened if the play is not removed, or at least modified in some of its parts.

According to advices from San Francisco, where the attraction played last week, these protests were renewed even more violently than before and those interested believe the final "showdown" will occur in this city, when the production is given its first hearing at the Portland Monday night.

The central figure in the play, which has brought about the contentions, is John Ganton, king of the stockyards. Ganton is portrayed as a man of forceful personality, uncompromising and unscrupulous in his business relations. By methods which nowadays would fall under the ban of the Interstate Commerce Commission, he forced his way to supremacy in the packing industry.

Arthur J. Eddy, who wrote the book "Ganton & Co.," from which the play has been drawn, does not believe efforts to suppress the production will be successful. Although Eddy has been charged with taking liberties with incidents in the career of the late Philip D. Armour, of Chicago, he has persistently refused to affirm or deny the charges. What legal steps will be taken is not definitely known, but that steps will be taken to prevent the production seems assured.

### POSTS TO BE AGREED ON

#### President Josselyn Says Gas and Electric Companies to Confer.

In regard to lighting the downtown streets with sidewalk lamp posts, Presi-

### BRIDE OF CHAUFFEUR WHO IS UNDER INDICTMENT IN CONNECTION WITH DEATH OF MRS. MAY REAL.



MRS. FRANK E. RODMAN, FORMERLY MRS. ETHEL E. SEXTY.

dent Josselyn, of the Portland Railway, Light & Power Company, says his company will make an agreement with the gas company as to the kind of posts to be used, after this is selected by the City Council, and after one year all posts not conforming with the design accepted will come down.

### Something Everybody Should Know.

Anyone suffering from rheumatism, lumbago, kidney or bladder trouble and backache can get quick relief by procuring from his druggist the following simple remedy: Two ounces saligone mixed with four ounces pure olive oil, and taken in two-teaspoonful doses every three hours. This remedy contains absolutely no alcohol, making an invaluable remedy. Alcohol when taken into the system irritates the kidneys and stomach.

### NEW YORK.—The condition of David Belasco, the theatrical manager, who is ill with pneumonia, shows a slight improvement.

### SPOKANE PASTOR WHO IS CON- DURING SPECIAL SER- ICES IN PORTLAND.



Rev. C. Howard Davis.

The special meetings in the First Church of the Nazarene, East Seventh and East Couch streets, will continue until October 24. The services are held at 2:30 and 7:30 o'clock each week day, Sunday at 11 A. M. and 7:30 P. M. Rev. C. Howard Davis, who is in charge, is widely known throughout the East as a very successful evangelist. He is now pastor of the First Church of the Nazarene, Spokane, Wash. Everybody is welcome to these services.

### RODMAN IS HAPPY

#### Recently-Wed Chauffeur Not Afraid of Charge.

### RETURNS WITH HIS BRIDE

#### Says Only Reason for Shipping Away to Interior of Oregon to Marry Witness Against Him Is Just Because They Wanted To.

"We are happy. I have no fear of the outcome of my trial on a manslaughter charge and my wife evidently feels the same way or she would not have married me. I am going ahead here in Portland and continue to earn an honest livelihood. If the District Attorney's office wants my wife for a witness against me it can have her. I do not fear any evidence she, or any other person for that matter, may give." This was the statement last night of

### FRANK E. RODMAN, AN AUTO DRIVER,

who returned yesterday morning over the O. R. & N. from the Dalles, in company with his bride, who was Mrs. Ethel E. Sexty, formerly residing at 397 1/2 Hawthorne avenue, and who came here from California over one year ago. Mrs. Rodman was a divorcee and has a 4-year-old daughter not now living with her.

Rodman, jointly with Mrs. Hazel Maddux, wife of Patrolman Clifford W. Maddux, will be tried in November in the Circuit Court, on a charge of being occupants of the automobile that ran down and killed Mrs. May Real, of 39 East Sixth street North, the morning of August 4, on the Linnton road, opposite the Lewis and Clark fairgrounds.

Rodman and his wife will continue living at 114 East Harrison street, where they have lived for the past month, the then Mrs. Sexty acting as housekeeper. The couple was married by Justice of the Peace O. G. Collier, of Culver, Or., in the Madras country, near which place Rodman's brother, George Rodman, lives. The wedding occurred last Saturday evening at 9 o'clock. Owing to a rain Saturday the trip back was delayed, the Thomas Flyer driven by Rodman making slow progress through the mud.

The first report of Rodman's marriage reaching here, was that Miss Ethel Noss, of 54 Savier street, the state's chief witness against him, was the bride. This was made the subject of jocular remarks by Rodman last night, who, according to his own statement, has very little love for Miss Noss.

Rodman denies he and his wife kept their proposed marriage secret to prevent the District Attorney's office from becoming apprised of it, fearing an injunction would be got out to restrain it in order that Mrs. Sexty might be a witness for the state when the case comes to trial.

"We just chose to do it that way," he said. "That is our only explanation." At the time of Rodman's arrest, Mrs. Sexty, together with a woman giving the name of Pearl Thomas, were summoned before the grand jury. At that time it was reported Mrs. Sexty told the grand jury Rodman told her he was out on the Linnton road in his machine on the night of the Real tragedy. Owing to the fact that the law does not permit a wife to testify against the husband, this evidence will be barred at the hearing.

### WEATHER TO STAY GOOD

#### No Middle Western Conditions Al- lowed Here in Oregon.

Portland and vicinity will be immune for some time to come from the Wintry blasts and frigid atmosphere the Middle Western States have suffered for the past few days, according to the prognostications of District Forecaster Beale. Fair weather is promised for today and the outlook is for a continuance of the same conditions for several days.

The ideal climatic conditions in Portland are in the mean only local. Northwest Washington is destined to receive showers throughout the day, while in Western Idaho and Northern California the mercury is booked to climb several degrees to an uncomfortable temperature. No immediate showers are anticipated in this section, yet the barometer at different points of the state indicates unsettled conditions.

Washington.—There was a small increase in the amount of excavation on the Panama Canal during September over August.



## Largest Assortment of Fashionable Boots in Portland

You can practice economy—and at the same time follow fashion—if you wear "QUEEN QUALITY" Shoes. They have always enjoyed pre-eminence as originators and promoters of artistic shoe design, but their position on this question of style is more emphatically established this season than ever before.

It is a great mistake to class "QUEEN QUALITY" with ordinary shoes sold at the same price; impartial comparison reveals a striking difference. Without limiting you as to price—or as to the number of stores at which you may try—we positively assert that you cannot find any shoe assortment to excel our present showing of "QUEEN QUALITY" Shoes.

Prime materials and expert shoe-making are artistically combined in "QUEEN QUALITY" Shoes, with the result that they approach nearer perfection than is often reached by human hands. You can find the same materials and as finished shoemaking in other lines; you MAY even find the same designs—so often are they copied. But rest assured that when you locate these properties in combination it will not be at "QUEEN QUALITY" prices.

A daily output of 18,000 pairs tells the story.

**OVER FIFTY NEW DESIGNS—  
MANY SHAPES—ALL LEATHERS**

# \$3.50

**THIS BUSINESS IS STRICTLY UNABRIDGED**

LOS ANGELES
SAN FRANCISCO
PORTLAND

# G. H. Booter

270 WASHINGTON STREET

### AID FOLLOWS WANT

#### Starved Girl in Hospital, Sis- ter and Baby Cared For.

Hands of Anna Bruner can keep it. She is an unusually bright and attractive girl, with an air of refinement. Slender, almost to fragility, she maintains a capable, self-reliant manner that is appealing.

Working in the paperbox factory for 75 cents a day, paying her rent \$1.50 a week and giving \$12 of her meager earnings to a Mrs. Miller, at Twentieth and Raleigh streets, for the maintenance and proper care of the seven-month-old baby girl, Opal May, has been the pitiful history of Anna Bruner for the last few weeks. At no time has the baby girl been neglected, for the girl's mother has starved and managed to work when ill enough to be abed that her baby might not suffer want. She loves her little one devotedly. Tears stood in her big eyes as she spoke of her child. Arrangements have been made whereby Mrs. Davis, the landlady, is to care for the baby for \$10 a month, \$2 less than she is paying Mrs. Miller, and at the same time the child will be under the same roof with its mother.

Miss Bruner declined to discuss her matrimonial troubles, simply stating that her husband deserted her two weeks prior to the birth of her baby, and that she has heard nothing since of his whereabouts and has had no communication from him. Until a month ago the two girls resided with their mother and stepfather, Ed Smith, on Nicolai street. There are three small Bruner children, aged 12, 7 and 3 years. The stepfather did odd jobs about Portland to support the family. About a month ago they removed to Dundee, Or., and the girls, Anna and Eric, rented the room at 623 Raleigh street.

The younger girl has been ill for several weeks, fever, allied with poor food and air, gradually gaining a hold on her system that made it imperative for her to be sent to a hospital where she could receive proper air and attention, neither of which her sister could give her.

Steps are being taken to secure employment for Anna Bruner which will enable her to have her child with her.

H. C. Hancock, of 414 Johnson street, moved by the destitute condition of the Bruner girls, visited the Police Station last night and donated \$5 for their aid.

### Apperson Case Goes Over.

OREGON CITY, Or., Oct. 12.—(Special.)—Circuit Judge Balkin has taken under advisement the case of John T. Apperson

### PHYSICIANS HAD CALLED

#### Patrolman's Report Exaggerates Plight of Annie Bruner—Her Room Tidy, Not a "Dirty Garret"—Man Donates \$5.

Effie Bruner, the younger of the two girls whom Patrolman W. D. Humphreys found last Monday night in deplorable circumstances at 529 Raleigh street, was taken to St. Vincent's Hospital yesterday morning. Dr. R. F. Ashby and Dr. J. C. Ross, her attending physicians, state she has a fair chance for recovery, although her frail constitution and ill-nourished condition will hamper her progress.

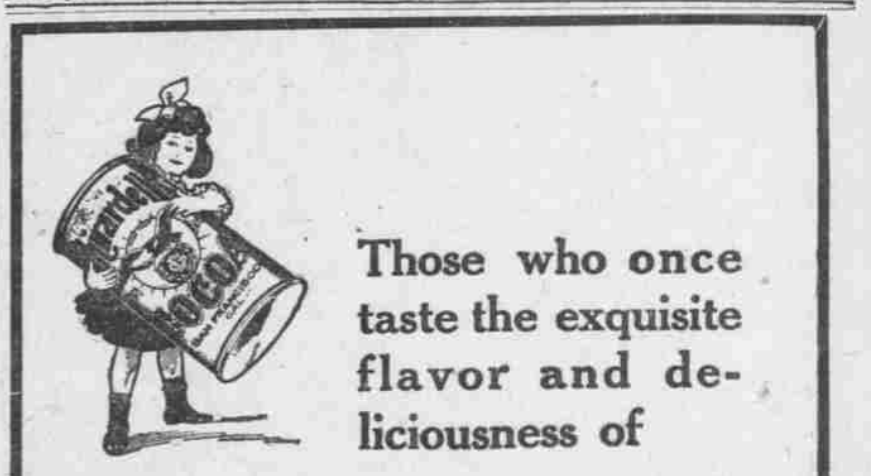
It was erroneously given out in Police Officer Humphreys' report that no medical attention had been received by the sick girl. On the contrary, Dr. Ashby and Ross had gratuitously tendered their services and had called five times. It was in their absence Monday evening that steps were taken to remove the girl to the hospital. Lacking funds, the landlady, Mrs. I. W. Davis, volunteered to solicit subscriptions, and it was while she was thus engaged that Patrolman Humphreys offered his services. The two collected \$25, which was turned over to Anna Bruner, the older sister.

Also erroneous was the statement of the patrolman that the two girls were housed in a dirty garret. The room is small and poorly furnished, but is as neat and tidy as the two fragile

### AGAINST THE CITY OF OREGON CITY AND WILL RENDER A DECISION EARLY IN NOVEMBER.

Apperson is the owner of a block of ground on Eleventh street which the city proposes to improve, and he has secured a temporary injunction, restraining the city from proceeding with the improvement.

### CHICAGO.—Roy Keater, publisher of a weekly newspaper, was sentenced to serve six months in the Birdwell Monday by Judge Landis, of the United States District Court.



## Ghirardelli's COCOA

Those who once taste the exquisite flavor and deliciousness of

**Cocoa Fact No. 22**

will always drink it—not from habit, but from choice. It makes the ideal beverage for every meal.

Don't ask merely for cocoa—ask for Ghirardelli's.

### WHEN A MAN'S FIFTY

When the average man reaches the age of fifty years, his body begins to creak a little at the hinges. Motion is more slow and deliberate. "Not so young as he used to be" is a frequent and unwise thought which crosses his mind. Little indulgences in the way of rich food and stimulating drinks must be foregone. Certain bodily functions, upon which good health and good spirits so much depend, are impaired. As a rule, the weak spot is

#### THE BLADDER

When this organ becomes affected, even in a slight degree, it gives rise to most unpleasant symptoms. Painful and annoying complications in other organs arise, and a generally disagreeable condition exists. This is particularly true with elderly people. The important feature of the matter is that the trouble can be obtained and cured. A remedy is at hand which is at the same time effective and inexpensive—GOLD MEDAL HAARLEM OIL CAPSULES.

This old-fashioned, time-honored home remedy stands without an equal as an effective and sure remedy for all Bladder, Kidney, Liver and Stomach troubles. It has been used over 200 years, and thousands testify to its efficacy. Lately, however, many worthless and injurious imitations have sprung up. The Pure Food and Drug Law is making it difficult for these frauds. The genuine, reliable, trustworthy Haarlem Oil is named GOLD MEDAL.

Gold Medal Haarlem Oil is put up in two forms, in Capsules and Bottles. Capsules 25c and 50c per box. Bottles 15c and 35c, at all druggists. Be sure you obtain the Gold Medal Brand.

HOLLAND MEDICINE COMPANY, SCRANTON, PA.

## ELECTROPODES



**STORE UP NERVE FORCE**

Stop at any drugstore and examine a pair of Electrodes. The druggist will tell you that they feed the body with a continuous current of Nerve Force—Electricity.

Electrodes have cured more cases of Nervous Headaches and other nervous ailments than any five other remedies combined. The price is \$1.00 a pair—and if they fail to effect a cure, your druggist will refund the dollar.

**ELECTROPODES** never fail to circulation of the blood—and make cold, clammy feet dry and warm.

**ELECTROPODES** cure stomach, liver and kidney troubles. Have cured others; will cure you.

Buy Electrodes of your druggist, and if he cannot supply them, have him order a pair for you from

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