

ETHEL NOSS SAYS CONFESSION MADE

Name of Hazel Maddux Linked With Killing of Mrs. Mae Real on Linnton Road.

SCENE IS MINUTELY TOLD

Accused Woman Remains Indifferent, but Grows Paler as Recital Goes On—Cross Examination Does Not Shake Story.

If the evidence of 19-year-old Ethel Noss is allowed to remain before the jury, the prosecution has at last connected Mrs. Hazel Maddux with the revolver in the automobile on the Linnton road in the early morning of August 5 last, by which Mrs. Mae Real lost her life. Miss Noss testified Mrs. Maddux confessed to the killing while they were occupying a joint room at the Rainier Grand Hotel in Seattle in the latter part of August.

It was 4 o'clock when the young woman went on the stand. She was the last witness for the state and immediately launched into a detailed story of the alleged incident. Miss Noss said she was personally acquainted with Mrs. Maddux and on the evening of August 4 she saw the accused woman pass her residence, at Twenty-sixth and Savier streets. Mrs. Maddux, she said, was in an automobile, in company with a man whom she could not recognize. The machine was going toward the highway leading to the roadhouse frequented by parties of "joy riders." The witness was positive as to her recognition of the woman in the car. Next time she saw her, so her story ran, was when they boarded a train together at the Portland Union Station, bound for the A-Y-P Fair. Others in the party were Mrs. Emma Becker and the father and mother of the latter.

Miss Noss Tells of Confession.

"Mrs. Maddux was writing letters in our room at Seattle," said Miss Noss, "when she spoke first about the woman who was killed on the road that night. She said she had gone out there with Frank Rodman, and after having a few drinks, they had started home. She was driving after dark and she should do, coming up toward Portland, and after they passed the power-house, she said she saw a man and a woman walking in the road ahead of the machine. She said she slowed down and looked at the horn once or twice, but the couple seemed to pay no attention to the warning. "She told me they seemed to be greatly intoxicated, and when the car was within a few feet of them the man sprang to one side of the road. He grabbed at the woman, but she fell in front of the car. Mrs. Maddux said the auto ran over the woman's body, going so slowly it chugged as it does when passing over a high obstruction at low speed. Then she asked Frank what she should do. He said he would take the wheel and get away."

As the woman recited her story of the alleged confession, she illustrated it with her slender, nervous hands and spoke in such a low tone that attorneys and reporters were compelled to crowd closely up to the jury box to hear. Mrs. Maddux never for a moment lost her bearing of indifference, except that her face was ghastly white.

On cross-examination the story of the witness was not shaken in any particular. As soon as she left the stand the state rested and the defense submitted a motion that the jury be instructed to bring a verdict of acquittal. This motion depends on a statute which provides a conviction cannot be had upon a confession not corroborated by other evidence. Judge Cleland dismissed the jury until Saturday morning, when he will announce his decision on the point.

Erskine's Testimony Supported.

The evidence given by Miss Noss in a measure supports the testimony secured Thursday from Elmer Erskine, the companion of Mrs. Real, who was found down the road while waiting for their automobile to be repaired. Erskine said he failed to hear the approach of the automobile until it was within a few feet of them. He jumped for safety and tried to drag the woman with him, but was unsuccessful.

All day yesterday the evidence hovered around a mysterious automobile which darted in and out of the district bounded by Twenty-sixth and Savier streets on the morning of August 5. Patrolmen Stanton and Shinn encountered the machine at various points, both agreeing it was running without front lights and with very dim side wipers. The occupants were a man and a woman, but neither of the officers seemed able to recognize them, although when Shinn was watching the approach of the car he heard the woman exclaim: "There is Morrie Shinn," and saw her wave her hand at him. One officer thought the car had cream-colored wheels with red body, and the other believed, but thought it was solid red in color.

Patrolman Stanton Saw the Machine on Raleigh Street Just Below the Corner of Twenty-third and Third St.

Patrolman Stanton saw the machine on Raleigh street just below the corner of Twenty-third and Third st. He testified when he stepped into the street and held up his hand the man behind the wheel threw on the high-speed clutch and almost ran him down.

Mrs. King Hears Scream.

It is in that machine that Assistant District Attorney Fitzgerald is trying to place the persons who are responsible for the death of Mrs. Mae Real. He placed Mrs. Ella D. King on the stand to show she had heard it pass her home on Raleigh street about 2:45 o'clock on the morning of the homicide and that the woman in the car was greatly excited. The witness heard her exclaim in an agitated scream, "Oh, what shall I do! We'll be caught. We'll be caught." Her companion assured her he would back out of the rut where the automobile was then stuck and would get away all right. The District Attorney is trying to show the mysterious car of the Linnton road tragedy and that which shot into the city on the morning of August 5 minus lights is the one belonging to Frank Rodman, which has been proved to have been absent from its Alder-street garage all of that night. It is a Pierce-Arrow, with a black body and red wheels and springs. The top of the Rodman car was thrown back, and from the police officers it was learned the car they encountered was similarly adorned.

A sensational feature of the trial yesterday was the repudiation by Mrs. Emma Becker of a statement signed by her in the office of the District Attorney. She said she had been frightened into making statements which were not true, and implicated Assistant District Attorney Fitzgerald and Patrolman District Attorney Cameron himself and Constable Wagner as having applied the third degree.

Written Statement Denied.

The prosecuting officer was endeavoring to have the witness confirm a written statement of the testimony she was expected to give before the jury and asked her if Mrs. Maddux had not told

her that Frank Rodman had taken her out to the roadhouses on the night Mrs. Real was killed and that he was the person who came back with her to the city. The witness denied it. Mr. Fitzgerald then offered her written statement, and the woman said:

"In a conversation with me some days after the occurrence on the Linnton road, Mrs. Maddux may have said to me that Frank was with her. If I said up in that office that she mentioned the name of Rodman, it was because of all you men were telling me I would be punished if I did not say it. "I do not say that Mrs. Maddux did not mention Rodman's name."

On cross-examination Mrs. Becker testified the officers of the prosecution seemed to think she knew something she was unwilling to tell, and that they threatened her with imprisonment until she did, as well as putting her under bonds for her appearance.

The witness said she lived at Hillsboro and was a farmer by occupation. At the time of Mrs. Real's death she was living at Twenty-fifth and Savier streets with Ethel Noss. The two women were coming out of their house at 11 o'clock on the night of August 4, when they saw Mrs. Maddux go past in a large automobile. She did not recognize the driver of the car, which was headed toward the Linnton road. She declared she had been later coerced into saying the man who

CONFIDANTE OF MRS. HAZEL MADDUX LINKS HER WITH REVELERS ON LINNTON ROAD WHEN MRS. MAE REAL IS KILLED.

MAE REAL IS KILLED.



MISS ETHEL NOSS.

Car Described as Dirty.

Elmer Hogston, a chauffeur in the employ of Frank Rodman, testified Rodman owned a large Pierce-Arrow machine with black body and red running gear and that it had the top laid back. He said the real fell out 39 o'clock on the morning of August 5. It was dirty and had not been washed the night before, as was the custom when the machines were in the garage over night. This evidence that the car was in use on that night was corroborated by the testimony of J. K. Brastor, keeper of the garage where the Rodman machines are housed. He said he was on duty all of the night of the killing and that the machine did not come in after it was taken out early in the evening.

C. A. Campbell, a member of the party which included the Real woman, recounted the story of the trip, how the machine broke down within about a mile of the Claremont Tavern, how the occupants of the car stopped at various drinking resorts, and finally were hung up near the power-house for about two hours. He told of walking up the road with Mrs. Driscoll, trailing along some distance behind Mrs. Real and Erskine, who were discharging private room of seeing a rapidly moving auto shoot past them toward town. A few moments later, he said, one of the women ran toward him and said Mrs. Real had been run down. He found her lying in the road, as though she were asleep. Her clothing was not disarranged, and there were no bruises visible. The witness affirmed his inability to recognize any occupants of the car which passed him, but said a man and a woman occupied the front seat.

Many Notice Rodman.

Upon cross-examination the witness said he had never made a statement in the basement of the Meier & Frank store that Mrs. Real fell out of the automobile and broke her neck.

C. A. Anderson, one of the proprietors of the Claremont Tavern, testified he saw Frank Rodman at his place on the night of the killing and had a drink in his company. He did not see anyone with Rodman, but he came into the bar from the direction of the private rooms.

H. B. Kennedy, part owner of the same resort, saw Rodman and told the jury he was accompanied by a woman. He did not know who the woman was.

H. L. Sanders, in charge of the Cliff Inn, saw Rodman at his place on the same night, but during the 30 minutes that he was there, the bartender did not see the woman nor take a look at the machine in which they arrived.

Mrs. Maddux appeared to have passed an untroubled night when she appeared in court this morning. Clad in a blue tailor-made gown, wearing white furs and a black hat with trailing plumes, she nodded brightly at friends in the large audience. The only evidence of her interest in the trial is when she occasionally leans forward to catch low tones from witnesses. She is slightly pale, but perfectly self-possessed. To accommodate the attendance, Judge Cleland has moved to the large courtroom in the north end of the building.

Suit Recalls Sewer Cave-In.

The disastrous cave-in of the Brooklyn sewer a year ago last month is recalled by the suit of Joseph Ehalainen against August Obisch & Joplin, the contractors, which went to trial before Judge Morrow's department of the Circuit Court yesterday morning. Ehalainen is administrator of the estate of Robert Kayle, one of the workmen killed in the accident. He demands \$700 damages. The most of the witnesses are Finlanders.

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WIFE IS FORGIVEN

Twice Duped by Erring One, Husband Opens Heart.

DODGE LEADS HER ASTRAY

Dramatic Story Lies Behind His Indictment for Obtaining Money While Impersonating a Federal Employee.

Behind the indictment yesterday of French E. Dodge by the Federal grand jury, charging him with dishonestly ob-

WIFE IS FORGIVEN

tain money while impersonating a Federal employe, is a story of a faithless wife and a forgiving husband which would make a good subject for a melodrama.

Dodge was indicted upon the evidence presented by O. B. and Cora E. Conner and their little girl, Grace. He is charged with getting by fraud more than \$500 from Conner, who is a rural mail carrier, with a route between Shedd and Lebanon.

About four years ago there was domestic trouble in the Conner home, and Mrs. Conner went to Eastern Oregon, in the vicinity of Unstilla, where she died on some land under the Carey act.

Dodge Demands \$500.

Some time later Dodge appeared on the scene and he was a special land agent, and had discovered that her entry for the land was illegal. He promised her, according to her story, to settle her case for her if she would pay him \$500. In a pitiful letter addressed to her husband, Mrs. Conner told him that she was in danger of going to jail unless he could send her \$500, which she managed to do by disposing of the little property he owned. To insure further the protection of the mother of his children, Conner went to his wife and promised to take her back home with him.

The clouds cleared away from over the Conner home, until she suddenly disappeared, and her husband was led to believe that she had been forced to leave to keep out of the way of Government officers, who were on her trail for an alleged land fraud.

Last April Dodge appeared at the Conner home and asked the latter for more money to protect his wife, and \$50 more was paid him. Later Dodge obtained \$7 more in the same way.

Husband Learns of Betrayal.

Then Conner set out to search for his wife, and when he found her he realized how he had been deceived, and he had her and Dodge arrested on a statutory charge. This arrest led to Dodge being investigated by the Federal officers, who found that he was not an employe of the Government as he had represented himself to be.

Mrs. Conner has been occupying a cell at the County Jail for about four months, but she was taken from it long enough to testify against Dodge before the grand jury. It is believed that the case against her will be dropped after she has testified against Dodge at his trial. She is repentant and pleads to return to her husband and children. Conner has promised to take her home when she gets her freedom.

COHEN MUST REFUND MONEY

Jury Finds Attorney Appropriated Money Belonging to Client.

Richard Scammons won last night in his suit against Attorney Max G. Cohen, in which he alleged Cohen appropriated to his own use \$500 which Cohen had collected from John W. and Christina H. Cook as Scammons's attorney. A verdict for \$500.75 was returned by the jury after about 30 minutes' deliberation.

Scammons bought from the Cooks a lot near Goldendale, Wash., which he supposed contained 23 acres. He found later that Cook had sold 10 acres of the tract for \$2000. As he had already paid \$600 on the contract of sale, he brought suit to recover the amount and to secure \$2000 damages. Cohen succeeded in settling the matter for \$500.

He did not deny having kept the money, but set up a counter-claim of \$425 as a fee for a two days' trip to Goldendale to search the records, \$25 for searching the records and passing on the title, \$20 for filing legal papers and \$200 more for two more days on the Goldendale trip, which he said he afterwards discovered to be a mistake. Scammons had already paid him \$100 attorney's fees.

Annie Weir Gets \$250 Verdict.

Annie Weir, who sued the Portland Railway, Light & Power Company for \$5000, obtained \$250 damages in the Cir-



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Good Things in Portland Markets

IF YOU had no calendar you could make a pretty good guess not only as to the month, but as to the week of the month by inspecting the market displays and counting the turkeys. Deeper study would probably reveal mathematical relationship between the exact number of turkeys displayed and the exact number of days before Thanksgiving. This year there is promise of a good supply of first-class birds, at prices somewhat more reasonable than those of last year, and many orders are already being placed. Prices at present range from 25 to 30 cents a pound. Geese cost 17 to 20 cents, ducks 25 cents and chickens 19 to 25 cents a pound. Wild geese are coming in at about \$1.00 each, and there is a good supply of jack-rabbits at 50 cents each.

Another sign of the season is the increasing variety of sea food obtainable. New this week are fine prawns—some of them as big as clawless crawfish—at 30 cents a pound; and large New York clams at 15 cents a dozen. The list of available fish also included black and striped bass at 30 cents; sturgeon, salmon, halibut, catfish, croppies, shrimps and sole at about 15 cents; tom-cod, black cod, California smelt, 12 1/2 cents; foun-der, perch, silver smelt and fresh herring, 10 cents a pound. Lobster still costs 40 cents a pound and crabs 10 to 20 cents each. Smoked, dried and salted fish of many varieties are excellent and plentiful just now. Finnan haddie and English bladders being particularly useful in offering material for many savory breakfast dishes, chafing dish mysteries and fascinating canapés.

Apples are the most striking and beautiful feature of the fruit displays at present. Many fine varieties are to be seen and the prices range from about \$1.50 to \$3 a box. Winter Nellis pears are also appearing in addition to the earlier varieties still to be had. Grapes are fine here, but there are good Tokays, Malaga and Concord at 25 to 35 cents a basket. A few peaches and prunes are still to be seen. Cranberries and huckleberries both cost about 15 cents a quart. There are some very fine pomegranates and a good supply of Japanese persimmons. Nuts and dried fruits are well to the fore, especially chestnuts, for turkey stuffing and other inviting dishes.

New this week among the vegetables are Jerusalem artichokes at 10 cents a pound. Now is a chance to meet the famous Palestine soup. Cauliflower is increasingly plentiful and attractive. In many cases it adds to its charms, like a Turkish headdress, by wearing a veil in public—a wise precaution in a vegetable offering so convenient a surface for the retention of dust and germs. Celery is of course excellent just now. Many varieties of cabbage are shown, including just such tiny red ones as one gets in some parts of Germany, stuffed in some mysterious way with apples, and combined harmoniously with savory pork tenderloin. I don't know the name of the dish, but to meet it once is to desire to improve the acquaintance.

Very fine indeed is the new, good either as a salad or "Frenchly" cooked. Artichokes are also good. Sweet potatoes are at their best. Oyster plant is a comparatively recent import. New season's garlic hangs its silvery garlands for your enjoyment. Summer, cream and Hubbard squash are most correct at this season. Other available vegetables are beans, green peas, tomatoes, cucumber, rutabaga, green onions, radishes, lettuce and are corn, spinach, lima beans, green egg plant, beets, parsnips, turnips, carrots, watercress.

Our Last Word to You

—IS—

Be in Time for the Drawing AT MEDBURY, NOVEMBER 16

It is the LAST CHANCE IN IDAHO to get high-class fruit land at farm-land prices. First drawing will take place at 9 o'clock sharp. If you can't get here in time send power of attorney and check for registration by a friend. Never look back upon November 16 as the day opportunity called you and you failed to heed the call.

Kings Hill Extension Irrigation Co., Ltd.

Medbury, Idaho Glens Ferry, Idaho Boise, Idaho

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