## GASE NOT PROVED. INSTRUCTS COURT

Verdict of Acquittal in Gordon Case Is Signed by Jury Foreman at Spokane.

### DEFENDANT MAY GO FREE

Dismissal of Remaining Charges Is Moved by Prosecuting Attorney and Court Takes Motion Under Advisement Till Today.

SPOKANE, Wash., March 14 .- (Special.) -"Not guilty" is the verdict signed by Thomas Meagher as foreman of the jury that has for the last week been listening to the case against Merrit J. Gordon, former attorney for the Great Northern Railroad Company, accused of embezzle-ment. The verdict was returned this af-ternoon, pursuant to instructions from

Instructions to the jury came after Attorney Frank Graves, for the defense, and Prosecuting Attorney Fred Pugh had argued on the motion of Graves for dismissal through the entire morning and part of the afternoon,

been granted, the jury was brought in, the instructions of the court read and the verdict of not guilty prepared by the

This was the end of the case involving the James Sparrow money, and immediately after the verdict was read Prosecuting Attorney Pugh asked that all the cases against Gordon be dismissed by the court, as the best case had been picked for the first trial, and, inasmuch as the state had falled in that, the atwould be useless and a needless expense to the county.

This motion immediately brought forth

protests from Attorneys Graves and Sullivan, for Gordon, who declared that they would not be satisfied with a mere order would not be satisfied with a mere order of dismissal, for that would merely serve to allow the state to hold matters up for a short time and again start proceedings. The defense asked that all the cases be tried at once, a jury empanelled and the same instructions given the jury as in the case just disposed of, which would mean a finale to the matter for all time to come, and make the records as far as Gordon was concerned perfectly clean. This could not be agreed upon and Pugh urged a mere order of dismissal.

After a short argument Judge Kennan predered a continuance until tomorrow morning, when he would rule on the matter.

As soon as the verdict was announced, Judge M. J. Gordon said: "The case is without precedent or parallel in American jurisprudence. Begun without any complaining witness, it has dragged for 14 months without even a preliminary hearing. A portion of the public press has treated the case with merciless brutality and everything impagnation could invent or credulity avalagination could invent or credulity avalagination could invent or credulity. agination could invent or creduity swal-low has been served to the public as

gospel truth. 'In my 50 years of life I have committed much folly, have been guilty of many indiscretions, but I haven't stolen any

'My heart goes out to the friends who have been loyal to me throughout this ordeal. To my counsel I owe a debt of gratitude beyond my power to express."

In making the order granting the motion for a dismissal, Judge Kennan said:

'It appears to me there is no evidence to show that this defendant appropriated this money to his own use. It does apthis money to his own use. It does appear that he had used the Sparrow money to apply on the Tollman case, but there is nothing to show that that was done without the knowledge of his superiors. the absence of representatives of the rallway company to claim irregularities against him, the state can not make out the case. I therefore grant the motion of the defense and will instruct the jury for the defendant."

When court convened this morning Attorney Frank Grayes, for the defendant.

torney Frank Graves, for the defendant, moved that the court direct the jury to return a verdict of not guilty. His moreturn a verdict of not guilty. His motion was based on four statements: First, that the testimeny of the prosecution had failed to prove the defendant guilty of the crime charged in the information; second, that the testimony had failed to show the defendant guilty of any crime whatsoever; third, that the testimony of the state had proved that the defendant was not guilty of the crime charged in the information, and fourth, that the stale had proved affirmatively that the defendant was guilty of no crime whatdefendant was guilty of no crime what-

### CLARKE TO BE EXONERATED

Investigators Will Find Oil Inspector Free From Blame.

STATE COLLEGE, Pullman, March -(Special.)—That State Oil Inspector A. Clarke will be exonerated from all blame included in the charges preferred against him by E. H. Thomas, is defi-nitely stated by Senator P. L. Allen, chairman of the state legislative investigat-ing committee, which recently completed its investigation of Mr. Clarke's office. The charges were incompetency, neglect of duty, having used the office to promote an oil company in Utah, having presented vouchers for expenses incurred in private business rather than the business of the state, having used the office to increase the business of the Union Oil Company to the detriment of the Standard Oil Company, and of other serious misconduct.

Concerning the committee's findings, "The report, while making certain rec-ommendations as to changes in the con-duct of the business of the office, will find that the charges have not been proved in any particular, and will exon-

erate Mr. Clarke from all blame."

E. H. Thomas, who preferred the charges, is a brother of H. E. Thomas, who was chief deputy oil inspector until a short time prior to the making of the charges, when he was discharged.

### SUMMER SCHOOL PLANNED

Agricultural College Issues Bulletin of Courses Arranged.

OREGON AGRICULTURAL COLLEGE, Corvailis, March 14.—(Special.)—
The Oregon Agricultural College has issued a bulletin announcing the session of its 1910 Summer school, to be held in Corvailis June 20 to August 5. This is a preliminary announcement, intended primarily for teachers, and will be followed by a special circular giving more complete information.

The 1910 Summer school, according to the bulletin, will be by far the most ambitious ever undertaken by the college.

A large number of special courses have been added to the curriculum and several prominent school men from this state and educators from the East will join the instructorial staff.

Special stress will be put upon the courses in industrial pedagogy and school methods, which are being offered for the first time. This work has been forced upon the institution by the unprecedented demand for teachers equipped to teach industrial work. The bulletin also announces courses in school supervision, primary courses in school supervision, primary methods, grammar school methods, high school methods, all branches of agriculture, domestic science and art, economics, English composition and literature, entomology, history and political science, mathematics, mechanical drawing, physical ecography, physical programs, physical ecography, physical physical science, sur-

mathematics, mechanical drawing, physical geography, physics, physiology, surveying, stenography and typewriting.

The course in school supervision and school methods will be given between June 20 and July 1 by Superintendent Frank Rigler of Portland, Superintendent J. A. Churchill of Baker City, Catherine Montgomery, supervisor of primary grades in the Washington State Normal School training department, Superintend-School training department, Superintendent A. C. Strange of The Dalles, Superintendent U. G. Smith of Medford and

Special instruction will be given for the preparation of candidates for teach-ers' certificates in county and state examinations. Instruction will also be of-fered in all branches of music and voice. The entire plant of the Agricultural Col-lege will be at the service of the Sum-mer school students. No entrance exam-inations or other educational tests will be required, except that no person will be registered who is under 16 years of

BODY SHINES 13 DEGREES FROM SUN TO THE EAST.

Rover Sets 46 Minutes After Old Sol, Which It Approaches One Degree a Day.

FOREST GROVE, Or., March 14 .- (To the Editor.)-The following data concerning the position of Halley's comet may be of interest to those who are trying to pick up the comet just now.

It's ephemeris for March 14 is given as R. A. 23 minutes 36 seconds, declination 8 degrees 49 seconds N. This locates it as 6 degrees east from the equinox and 8 degrees north of the equator. As the sun on the same date is 7 degrees west from the equinox, the comet is 13 degrees distant from the sun toward the

above the horizon when the sun sets on March 14, and about 7 degrees north of the west point of the horizon. The comet will set about 40 minutes after

Its approach toward the sun from day to day-chiefly due to the eastward motion of the sun—is about 1 degree a day. On March 26 the two rodies will come together, and the comet will pass by the sun on the farther side, coming out from behind it to appear the next day west from the sun, and hence rising be-fore it in the east. After an interval of 10 days or so—about April 5—it should be sufficiently bright to appear consplc-uous in the morning sky. ous in the morning sky.

W. N. FERRIN.

CLOUDS AGAIN OBSCURE COMET

John McNulty, However, Sees Something That Might Be It.

Scores of comet-seekers in Portland were disappointed again last night in looking for a glimpse of Halley's comet. As on Sunday night, the sun disappeared behind dense clouds some time before it reached the horizon.

With showers predicted for today, students of astronomy who have been watching for the comet daily are fearful they will not be able to see the visitor until after it has passed over the sun's disk and appears in the east before daybreak.

The comet will first appear in the east-

was in the western heavens equal in elevation to that of the sun and about 30 degrees southerly from the sun. Although behind a cloud, Mr. McNuity says the object, which was of a reddish shade, appearing larger than the sun and was of sufficient brilliancy to be visible to the naked eye. It remained in sight for only a few minutes.

CANNERY PURCHASED BENEFIT EUGENE SECTION.

Vinegar Factory Will Be Established Soon-Association's Business May Be \$125,000.

EUGENE. Or., March 14—(Special.)—A very important deal to the fruit interests of this section was closed today when the Lane County Fruit-Growers' Association purchased the plants of the Allen Fruit Company, together with the latter's business. The purchase includes the canning, packing and evaporating plants, together with all buildings and property, including sidetracks, etc., on the Southern Pacific line at the foot of Mill street.

The result of the deal with

The result of the deal will be to place the fruit industry of Lane County under one head and management, which, up to this time, has been under two. At the time the deal was made the Lane County Frult-Growers' Association increased its capitalization from \$5000 to \$25,000. Of this latter amount two-thirds of the

stock is already paid.

A vinegar factory will be established and such other branches of the business improved as will make it possible to handle the fruit of this section with the least possible waste and the greatest satisfaction and profit to the growers of this section.

This purchase leaves the association

State Railroad Board Imposes Penalty for Railroad's Alleged Disobedience.

DEPOT AT LYONS IS ISSUE

Corvallis & Eastern Ordered to Build Station and Install Man to Receive Freight, but This Not Done, Is Contention.

ALBANY, Or., March 14 .- (Special.)-The first attempt ever made by the State Railroad Commission of Oregon to collect the penalty prescribed for the failure of a railroad company to comply with a rallroad company to comply with one of its orders is involved in the case of the State of Oregon vs. the Corvallis & Eastern Rallroad Company, the trial of which began in the Circuit Court here

The state is suing to collect \$10,000 from the Corvalits & Eastern Railroad Company because it failed to obey an order of the Railroad Commission to build a depot at Lyons, a station 30 miles east of Albany. This is the penalty provided by section 53 of chapter 53 of the general laws of Oregon for 1907, when a railroad company does not comply with an order of the Commission.

Alleged No Depot Erected.

The order which it is asserted the company violated was to erect a depot building at Lyons containing a waitingroom for passengers and a room for the reception and storing of freight. The former room was to contain not less than 150 square feet of floor space and the latter room not less than 250 square feet of floor space. The company was also ordered to provide a caretaker at the station to sell tickets and to receive freight. The depot was to be established and equipped and the caretaker installed, according to the Commission's order in 45 days. order, in 45 days.

This order was made after a regular hearing of the Commission upon a petition filed by residents of Lyons, when the Corvalis & Eastern abolished its regular station there after the road passed into the hands of the Harriman system. At that time operating expenses were curtailed and a number of small stations abolished. Lyons was one that suffered and the agent there was recalled and tickets were sold on the train. No one was left to care for freight and the trainmen placed it on a platform and left it for the consignees to take. This caused the petition which resulted in the commission's order which is the cause of this action at law.

Boxcars Form Station.

It is understood the company will maintain that it has complied with the Com-mission's order, but residents of Lyons who are here to testify on behalf of the state assert that there is no station there except two old boxcars put together and mounted on a piatform and that an agent

The company will also allege, it is learned, that the order was unjust because of the small traffic to and from Lyons. Residents of that town say, however, there is considerable freight handled there both because of the same of the sa there, both because of the business of that town and also because it is the ship-ping point for Mehama, a Marion County town across the North Santiam from

complaint, but Judge George H. Burnett overrruled the demurrer at the October term. The case will be heard by a jury before Judge Burnett.

The comet will first appear in the eastern skies about April 4, and will grow brighter daily until May 18, when it will approach nearest to the earth.

W. N. Ferrin, president of Pacific University, who is in California temporarily, says Halley's comet is to be seen in the west about 14 degrees from the sun. Professor J. W. Daniels, of this city, last Saturday gave the comet that location. Because of the rapidity with which the comet is traveling toward the sun, it is admittedly difficult definitely to locate it with reference to the latter.

John McNulty, of the United States Hydrographic Service, last night reported that at 5:30 o'clock yesterday afternoon, from the roof of the Customs building, he saw what he believed might have been the comet. He says the object was in the western heavens equal in elevation to that of the sun and about 30 calculates the first time the Railroad Commission has undertaken to collect the \$10.000 penalty provided by law the case is of state-wide importance and is attracting considerable attention. The state will be represented by Attorney-General L. H. Van Winkle, District Attorney John H. McNary and W. P. Lord, Jr., all of Salem, and Deputy District Attorney Gale S. Hill, of Albany, will be chief counselor for the railroad company.

WIFE'S LIFE WORTH \$7500

Salem Man Sues Water Company, Alleging Water Caused Typhoid.

SALEM, Or., March 14 - (Special.) - The Salem Water Company was made de-fendant today in an action for \$7500 damages instituted by James E. Dor-

rance.

It is alleged in the complaint that Mrs.
Della S. Dorrance, 28 years old, died
about November 15, 1909, as the result
of using the water furnished by the water
company; that at the time of the wocompany; that at the time of the wo-man's death the company's intake pipe was broken where it crossed the slough between the filter and the city mains, and that the water in the slough was stag-nant filthy, impure and unwholesome and contained colon bacilli and typhus bucilli. contained coion oachi and typhus oachi.
In event that the Salem water company is defeated in this suit, it has
been rumored fiere that many other
claims against it will be laid before the
courts by other relatives of typhoid victims in Salem.

CARD OF THANKS.

Just a Few Doses Regulate Out-of-

Order Kidneys, Ending the

Most Severe Backache.

If you take several doses of Pape's Diuretic, all backache and distress from out-of-order kidneys or bladder trouble will vanish, and you will feel

Lame back, painful stitches, rheuma

tism, nervous headache, dizziness, irri-

tash, hervous headache, dizziness, irritability, sleeplessness, inflamed or
swollen eyelids, worn-out, sick feeling
and other symptoms of sluggish, inactive kidneys disappear.
Uncontrollable smarting, frequent
urination (especially at night) and all

bladder misery ends.

Feeling miserable and worried is needless, because this unusual preparation goes at once to the disordered kidneys, bladder and urinary system and and no backachs.

We wish to thank the G. A. R. and friends for their kindness to us in the loss of our uncle, O. G. Shurtleff.

MR. AND MRS. OTTO BRANDES.

YOUR KIDNEYS WILL ACT FINE AND ALL

BLADDER DISTRESS SIMPLY VANISHES

The Home **Furnished Complete**  Tull & Gibbs, Inc.

MORRISON AT SEVENTH

Housefurnishings Sold on Easy Payments

Our Showing of Easter Apparel for Women Reflects Fashion's Foremost Creations-Styles and Fabrics with a marked degree of distinction that finds favor with discriminating dressers. Portland Agents for Modart Corsets, Lily of France Corsets, Madeleine Corsets

### Iron Beds—PRICES LOWERED ON 6 PATTERNS

-Just this number have been chosen from our former showing to make room for that new line just received. All are good styles and full size-not one that is not an exceptional bargain. The sale ends today

\$4.00 Bed, in either white or pea-green finish, with post caps at......\$2.75 \$5.75 Bed, in white enamel, at...... \$3.50 \$14.00 Bed, in white enamel, plain design,

at .....\$8.25

\$16.00 Bed, in white enamel and gold, brass trimmings, at ......\$9.65 \$37.50 Bed, in finest ivory enamel finish, with heavy 2-inch continuous posts ,at....\$19.75 \$34.50 Bed, in best ivory enamel, with heavy 2-inch posts, capped with brass, at. \$18.50

## Today Ends These Bargains in Rockers

It's the time of year when our various lines are carefully gone over and many samples and discontinued patterns segregated from the stocks, and marked lower in price to close out and make room for the new Spring goods. These rockers, for instance.

\$7.25 Rocker, also in quarter- | \$10.50 solid oak Rocker, in sawed and polished golden oak ......\$4.25

\$8.50 solid oak Rocker with high back, at ..... \$5.35 \$8.75 Rocker in quartersawed golden oak.\$5.75

Shade Department, Sixth Floor.

Colonial design, at \$6.25 \$11.50 Rocker with solid oak seat and fancy back panel .......\$6.75 \$13.75 Rocker with seat and back of solid quarter-

sawed oak ...... \$8.25



\$7.75 Rocker in quarter-sawed and polished golden oak, at ......\$4.25

ARCANUM

Look well as long as they

last-last longer than ordi-

nary collars and cost no more

15c. each-2 for 25c.

Cluett, Peabody & Co., Makers

ARROW CUFFS, 25c, a Pair

W. L. DOUGLAS

\$3.00,\$3.50,\$4.00

**100** 

& \$5.00

SHOES

Best in the World UNION

Bays'

Shoes

\$2.00

and

\$2.50

Fast Color Eyelets Uses

Get Our Prices on Window Shades

-You'll find them the lowest when you take into consideration the quality of materials and workmanship that enters into every window shade we make.

# "New Process" Gas Ranges DECEMBER OF A

-You'll Save Much in Fuel and Labor

by placing one of these in your home

Ask any woman who is enjoying the conveniences of cooking with a "New Process"-she will tell you that it is good enough-there will be no hesitancy on her part in recommending it as the one for you to buy, because it has demonstrated its practical perfection in cooking and baking, its safety and ease of operation, its economy. Our terms make it easy for you to place one in your home. You can choose any

"New Process" Range in the line-try it out for 30 days free of charge and then pay for it on the liberal terms of \$5 down-\$5 month.

## Specials in Lawn

## and Garden Tools

To insure your garden and lawn looking right during the Summer months they should be given attention now. Take advantage of these bargains in tools that are essential to their care. Today only -Basement:

10c Steel Garden Trowels at..... 35e Malleable Rakes at..... 35e Garden Hoes at..... \$1.25 long-handled Spades at......96¢

YOUR OLD FURNITURE MADE TO LOOK LIKE NEW. OUR UPHOLSTERY, REPAIR AND FINISH-ING WORKSHOPS ARE MODERNLY EQUIPPED- ESTIMATES FURNISHED. PHONE US.

After Almost Dumping Hamilton in Pond It Won't Fly.

This case was instituted here May 13, 1909. The company demurred to the

Seattle Thousands Cheer Loudly, Then Wait Two Hours to See Aeroplane Refuse to Rise After Much Tinkering.

SEATTLE, March 14.-Charles K. Hamlton, sore and stiff as a result of his nishap Saturday afternoon, when his curtise biplane turned turtle and threw him into a deep pond, made two short flights at the Meadows this afternoon. On the first flight the steering apparatus was improperly adjusted and Ham-liton narrowly escaped repeating Satur-day's unpleasant performance. The aerolane was slow in rising and after he

# Sarsaparilla

Will purify your blood, clear your complexion, restore your appetite, relieve your tired feeling, build you up. More than 40,000 testimo-

nials received in two years are the broad and solid foundation for this claim.

Be sure to take Hood's Sarsaparilla this Spring. Get it today in liquid form or in tab-lets known as Sarsatabs. 100 doses \$1.

distributes its healing, cleansing and vitalizing influence directly upon the organs and glands affected, and completes the cure before you realize it.

The moment you suspect any kidney or urinary disorder or feel rheumatism pains herein taking this harmless modifi-

pains, begin taking this harmless medi-cine, with the knowledge that there is no other remedy at any price, made anywhere else in the world, which will

effect so thorough and prompt a cure as a fifty-cent treatment of Pape's Diu-

retic, which any druggist can supply.
Your physician, pharmacist, banker
or any mercantile agency will tell you
that Pape, Thompson & Pape, of Cincinnati, is a large and responsible medicine concern, thoroughly worthy of
your confidence.

Only curative results can come from taking Pape's Diuretic, and a few days' treatment means clean, active, healthy kidneys, bladder and urinary organs—

# 200 feet, he started to descend. The ma-chine came down rapidly and for a mo-ment it appeared to be diving straight into the pond. It barely cleared the water, landing in a muddy field.

water, landing in a muddy field.

Hamilton had some adjustments made and prepared for his second flight. This time the machine rose gracefully and the aviator circled the track two and a half times. He was in the air nearly five minutes and made a splendid landing. This successful flight brought forth loud applause from the spectators.

Their joy was short lived, though, for

had circled the track once at a height of when he attempted a third flight the en- cial.)-Edward Kirchner, of Brush Prairie. when he attempted a third flight the engine balked and the aeroplane would not move. The crowd, which numbered more than 6000 people, waited two hours while the mechanics worked with the motior. At last they succeeded in getting it going, but when Hamilton again attempted a flight the machine merely rangalong the ground for a distance of 200 yards and would not rise into the air.

There was little complaint from the was little complaint from the

VANCOUVER, Wash., March 14.—(Spe-

# Dining Cars

Spokane Chicago Omaha

St. Paul St. Louis Kansas City

Spokane. Portland & Seattle Ry. "The North Bank Road"

-ON THE-

plies; the menu presents the season's choicest meats, sea foods, fruits and delicacies; the napery, silver, china and glass are of selected design and quality; the decorations and appointments of the cars artistic and pleasing, the attendants prompt and courteous, the prices reasonable—the service of the best cafe.

Leave Portland 9:00 A.M. 7:00 P.M.

Passenger Station 11th and Hoyt Sts.

100 Third St.



Good old Pure Rye)

Send for a copy of "Making the Standard Rye Whiskey



a trial. You can save money on your footwear and get shoes that are just as footwear and get shoes that are just as good in every way as those that have been costing you higher prices.

If you could visit our large factories at Brockton, Mass., and see for yourself how carefully W. L. Douglas shoes are made, you would then understand why they hold their shape, fit better and wear longer than other makes.

CAUTION — W. L. Douglas name and price is samped on the bottom to protect the wearer aminst high prices and inferior shoes. Take No Substitute. If W. L. Douglas aboes are not for eals in your yieinity, write for Mail Order Catalog, W. L. Douglas, Brockton, Mass.

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W. L. Douglas shoes are the lowest price, quality considered, in the world. Their excellent style, easy fitting and long wearing qualities excel those of other makes. If you have been paying high prices for your shoes, the next time you need a pair give W. L. Douglas shoes a trial. You can save more on your

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catch every stain and look hopelessly dirty. Hand Sapelie removes not only the dirt, but also the loosened, injured cuticle, and restores the fingers to their natural beauty.

ALL GROCERS AND DRUGGISTS

The meals are als carte, the foodstuffs the best the market sup-

CITY TICKET OFFICES:



For 53 years our whiskey has been You may be sure we take no chances

of spoiling such a record. Every scientific precaution, plus Government supervision insures the purity

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A. Guckenheimer & Bros. Distillers, Pittsburg. Since 1857