

TRACKWALKER ON TRIAL FOR BRECK

S. B. Lewis, on Charge of Manslaughter, Must Face Responsibility.

SLIDE BAD; ENGINEER DIES

Declaration Made That Defendant Deserved Post of Duty Half Hour Before He Should Have—Arrested Far From Scene.

S. B. Lewis, trackwalker on the O. R. & N. Railroad, charged with responsibility for death of Eugene Thomas P. Rogers in a wreck between Bonneville and Warrendale, was placed on trial in Judge Gatenens' department of the circuit court yesterday on a manslaughter charge.

The regular panel of jurymen was exhausted with the calling of five names and it was found necessary to issue subpoenas for a special venire. Of the five jurymen examined, four had not secured full citizenship papers and were therefore disqualified from doing jury duty.

Rains Cause Landslide.

The wreck for which Lewis is declared responsible occurred on the Portland-Chicago fast freight No. 55, which was derailed by heavy rains of last November. The accident occurred November 22, about 6 A. M. The engine was over-turned, and nine freight cars piled upon it.

J. A. Nesbit and W. T. Furlong, fireman and brakeman, respectively, on the wrecked train were only slightly injured. Rogers had received his promotion to the position of engineer only three months before the accident. He had been married four years, and was 30 years old.

A board of inquiry took the matter up immediately following the accident, and the blame upon Lewis, the trackwalker, who is said to have deserted his post of duty because of the driving rain 30 minutes before the time for him to be relieved. It is said the slide occurred between 3 and 5 A. M., during a part of which time Lewis is said to have been supposed to be patrolling the track.

Special Agent Makes Arrest.

Without waiting for the wreck he is said to have struck along the track, and was arrested by Special Agent Ed Wood and Deputy Sheriff Archie Leonard from Sheriff Stevens' office at 29 P. M. The train was derailed about a half mile west of the Dalles. The deputies said he had walked 32 miles on the day of the accident, and that he was nearly exhausted when he was arrested.

Behind the fast freight were four passenger trains which were held until 8 o'clock on the night of the wreck, until the tracks could be cleared. The witnesses examined by the grand jury which investigated the accident were Sarah Seavey, Edward Mc Donald, M. J. Buckley, W. C. Stich, Arthur Dodd and Lewis.

COUNTY WINS POORFARM CASE

Judge Bronaugh Holds Commissioners' Deed to Spanton Is Valid.

Circuit Judge Bronaugh decided the Frank Boliam poorfarm case in favor of the county yesterday morning, confirming the validity of the deed given W. A. Spanton by the County Court. Boliam alleged that the deed was invalid, saying Mr. Spanton, H. E. Reynolds, H. M. Lombard, D. E. Keasey and Fred A. Jacobs conspired to prevent competitive bidding after the farm was advertised for sale by the County Court. They were made defendants in the suit. A motion of the defendants for judgment on the pleadings was allowed yesterday.

In deciding the case Judge Bronaugh said: "I am still of the opinion that this transaction was entirely legal and that the County Commissioners and County Judge, and as they have apparently acted within the law, and their powers and have not in any wise been parties to any conspiracy, I will not set aside the deed. It is my decision that judgment should be entered for the defendant, and the County Commissioners are to be held liable for their conduct. The allegations that the County Commissioners conspired to prevent competitive bidding after the farm was advertised for sale by the County Court, and that they were made defendants in the suit, are not sustained."

In the case of B. M. Lombard and H. L. Snydam against Spanton and Reynolds, the court had previously allowed the plaintiffs to file supplemental complaints, each setting forth his claims separately. In regard to this case Judge Bronaugh said:

This controversy is between these parties in regard to the division of interests in the same property. The motion is made to strike the supplemental complaint from the files. It being alleged that the court should have allowed the motion of severance ex parte, without both parties being present. I think the court was in error and shall allow the supplemental complaint to remain on the files.

Pie-Thief to Be Sentenced Today.

John Foley, accused of stealing a pie, 15 meal tickets worth \$5 each and five tickets worth \$2.50 each, was convicted by a jury in Judge Gatenens' department of the circuit court yesterday and recommended to the mercy of the court. The value of the stolen property was \$25. Ben Rivers and Charles Imholz were the complaining witnesses. Judge Gatenens will sentence Foley this morning.

Court Notes.

E. Patterson was indicted by the grand jury yesterday for larceny by embezzlement. He was arrested in Denver, his little daughter having innocently disclosed knowledge of his whereabouts to the police. Patterson is alleged to have converted to his own use \$688 belonging to T. W. Murphy.

The final report of the executors of Frederick Buel's estate shows \$123,000 on hand. The estate was appraised at \$260,000, of which was personal property. The executors, William Harry and Fred Buel, report cash receipts to the amount of \$125,212 and disbursements amounting to \$149,832. None of the real estate has been sold.

of the memory of Judge George H. Williams. Mr. Wickersham will appear before Judge Morrow at 2 o'clock today, however, to answer for having failed to obey the court's order to give Linton residents a \$-cent fare.

GERMAN IDEALS DEFINED

Their Part in Teutonic Activities in the United States.

PORTLAND, April 5.—(To the Editor.)—I wish to make a statement as to a new report in the Oregonian, March 29, of "Sunday laws denounced." The meeting referred to was not meant to be and was not an anti-prohibition meeting. It was intended to get the German-speaking people of Oregon together for future cooperation in ways suitable to their character and ideals. As for myself, I had been invited to speak on the history of German law and custom, and I spoke somewhat as follows: The severely clannish attitude of the German-Americans, which has earned them

PRIEST INVESTED WITH TITLE OF DOMESTIC PRELATE.

Right Rev. A. Bronsgeest. THE DALLES, Or., April 6.—(Special.)—A reception was given Right Rev. A. Bronsgeest at the Dalles Hotel last evening in honor of his formal investiture with the title of "domestic prelate." This investiture had been arranged for January 6, but was postponed in view of the fact that a triple celebration was expected. Some time ago Rev. M. J. Kelly and Father M. J. Hickey had been offered the title of monsignor, but declined it through motives of modesty, and for the reason that a monetary consideration was one of the conditions required by the ordinary. The title of domestic prelate is quite common in Catholic countries. It is a mere honorary distinction and gives the recipient no additional powers or authority. It simply gives one the privilege of discharging the duties of an archbishop in domestic in the papal household.

even the reproach of being unprogressive and a drag on the moral advance of the country. This clannishness seems to me due to their irremediable ignorance of the principles of their peculiar perseverance and thoroughness, and their sympathy and loyalty to the German cause.

Dr. C. B. Cauthorn, of La Grande, is in the city and staying at the Oregon. He is accompanied by Mrs. Cauthorn. E. R. Bryson, well known representative of the legal fraternity at Corvallis, reached the Corvallis yesterday. Judge W. D. Wood, Seattle capitalist, is staying at the Portland while looking after business interests in this city. Dr. August M. Kinney, son of one of the pioneer physicians at Astoria, is in the city and registered at the Portland. P. Van Cleve, manager of a large implement house at Echo, is at the Perkins, while visiting the wholesalers of the city. A. S. Reed, one of the financial backers of the business interests of Astoria, is among the well-known Oregonians at the Imperial. J. P. Page, among the heavy timber and lumber operators of the Carson, Wash. district arrived at the Imperial yesterday. Mrs. Clark W. Thompson, wife of the well-known lumber mill operator at Cascade Locks, arrived at the Portland yesterday. M. P. McClain, among the younger set of business men at Eugene, is at the Perkins yesterday and is accompanied by his wife. R. M. Johnson, a leader among the mercantile fraternity of Corvallis, is among the out-of-town traders who went to the Perkins last night. C. W. Colby, representative of the Erie Railroad on the Pacific coast, is up from San Francisco and associating with the railroaders at the Seward. C. E. Hendershot, of McMinnville, and A. A. Wayne, of Astoria, concerned in the letting of contracts for structural iron work in this city, are at the Lenox. Frank McCullough and wife, social leaders at Spokane and possessing a large number of friends in the city, are down yesterday for a week at the Portland. W. P. Donovan, one of the Minnesota farmers who are being attracted to Oregon, is staying at the Cornelius while investigating various portions of the state. Robert C. Hill, managing editor of Railway and Marine News, of Seattle, Wash., came to Portland yesterday to attend the funeral of his father, Andrew H. Hill. Mrs. F. M. Pond, wife and daughter, all of Minneapolis, Minn., are among the arrivals at the Seward and are touring the coast. W. E. Eddy and Mrs. Eddy, among the prominent residents of Richfield, Wash., stopped at the Lenox yesterday on their return from a winter among friends at Cleveland, O. J. R. McCracken, of White Salmon, Wash., one of the large land owners and business promoters of the river belt across the river, is at the Nortonia, accompanied by Mrs. McCracken. F. E. Clark, ex-president of the Spokane, Portland & Seattle W. Railroad, is at the Nortonia yesterday for a few days at Seaside. Miss Susie Clark, his daughter, departed at the same time for a visit to friends at Breton, the naval station on the Sound. Governor F. W. Benson and Mrs. Benson, Justices of the Supreme Court T. A. McBride, P. D. Moore, W. T. Sinton, R. Bakin and Will R. King, were at the Imperial last night after the funeral of Judge Williams, which was the occasion of their visit to Portland.

NEGRO IS ORDERED HELD

Horseshoer Accused by Girl to Face Grand Jury Inquiry.

Finding the evidence strong against Charles Crawford, a negro horseshoer, accused of contributing to the delinquency of a 15-year-old white girl, Judge Bronsgeest held the accused man to await the action of the grand jury under \$2000 bonds. The girl and a little companion testified that Crawford had enticed her into the office of his shop at Second and Madison streets under the pretext of giving her Easter eggs. Judge Bronsgeest held the accused man brought by Miss Emma L. Butler, a deputy of the juvenile court. The girl's complaint is filed at the Detention Home. She had been living with Mrs. Prescott, a negro, near Second and Madison streets. The girl's mother is forced to travel to earn her living and had left her daughter in the care of the negro.

Read about free excursion given by Woodburn Orchard Co. on page 7.

CREMATORIUM IS SURE

Board of Health Lets Contract for \$99,900.

PLANT URGENTLY NEEDED

Public Works Engineering Company Is Successful Bidder—Work to Be Completed in Six Months, or Sooner if Possible.

After considering three bids for a modern garbage crematorium yesterday morning the Board of Health let the contract to the Public Works Engineering Company of Portland for \$99,900. The plant is to be finished in six months and is to consume 10 tons of garbage an hour. Aside from the bid of the Public Works Engineering Company there were only two others. The Willamette Iron & Steel Works submitted a proposal for \$100,000 and the Desautels Incinerator Company one for \$140,000. As it had been determined by the members of the board to award the contract to the lowest responsible bidder, it did not take long to decide which firm should have the work. The members agreed that the best offer, as well as the lowest, was by the local company named and awarded the contract.

The Public Works Engineering Company is a Portland concern, of which B. Manley is president. It was organized several months ago and submitted a bid when the board first called for proposals, all of which were rejected, as the Council had not appropriated the necessary funds and refused to do so at the time. Awarding the contract puts an end to a long battle, in which the City Council endeavored to force the Mayor and Board of Health to adopt a certain type of crematory, but without success. The need for a modern plant is urgent, as the present incinerator is inadequate and a large dump has been made upon which lie hundreds of tons of refuse, the home of countless thousands of rats. Danger to the city's health has long been threatened. The Public Works Engineering Company will begin work on the plant immediately and will endeavor to complete it within the contract time.

PERSONAL MENTION.

T. W. Lusk, of Silverton, is at the Perkins. A. R. Purves, of Ashland, is registered at the Ramapo. Edwin P. Clay, of Forsyth, Mont., is at the Imperial Hotel. Edwin P. Clay, of Forsyth, Mont., is registered at the Imperial.

H. I. Murphy, of Pullman, Ill., is at the Perkins after a trip around the world. C. C. Lane and wife, of Woodburn, are among the prominent arrivals at the Lenox.

P. W. Lempink came down from Pendleton yesterday and is at the Oregon Hotel. H. L. Hines and wife, among the foremost representatives of Pasco, registered at the Oregon yesterday.

Norman A. Repp, of Saginaw, Mich., is paying a visit to Portland and is among the arrivals at the Nortonia. Charles H. Kayser, mining operator at Dixie, Idaho, came to the city yesterday and joined the Ramapo colony.

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CHICAGO, April 6.—(Special.)—Portland people registered at Chicago hotels today are as follows: At the

How to Nip a Cold or Cough in the Bud

To let a cold or cough "wear itself out" is both needless and dangerous. If you will take five minutes and make up the simple remedy described below, you can wipe out a cold or cough as soon as it appears. Even deep-seated coughs yield to it very quickly. A whole pint of it costs only 54 cents, but there is no better remedy at any price.

Take a pint of Granulated Sugar, add 1/2 pint of warm water and stir for 2 minutes. Put 2 1/2 ounces of Pinex in a pint bottle and fill up with the Sugar Syrup. This keeps perfectly and lasts a family a long time. Take a teaspoonful every one, two or three hours. The taste is pleasing.

Use the ingredients as given here. Granulated sugar makes the best syrup. None of the weaker pine preparations will take the place of the real Pinex itself, which is the most valuable concentrated compound of Norway White Pine Extract. Your druggist has it or can easily order it for you.

This mixture is an excellent for whooping cough, bronchitis, chest pains, etc. Strained honey can be used instead of the syrup, and makes very fine honey and pine tar cough syrup.

Some of the best-known druggists here, as Lane-Davis Drug Co. (distributors), and others think so well of the above prescription that they guarantee it to give perfect satisfaction or refund the purchase price.

Congress, George T. Galligan; at the Brevoort, W. B. Crane.

CHICAGO, April 6.—(Special.)—John C. White, of Bozberg, Or., is at the Congress Hotel.

NEW YORK, April 6.—(Special.)—The following persons from the Pacific Northwest registered at New York hotels today: Portland—M. L. Asher, at the Broadway Central. From Seattle—W. S. Wheeler, at the Cadillac; H. H. Dawson, Mrs. F. L. Clark, Mrs. W. Stoddard, at the Imperial; Miss D. Stinson, at the Wolcott; D. H. Cohn, Mrs. D. H. Cohn, at the Hotel Astor; A. B. Howlett, at the Grand Union. From Spokane—C. E. Manning, at the St. Denis; T. Hoeker, at the Navarre.

NEW YORK, April 6.—(Special.)—The following persons from the Pacific Northwest registered at New York hotels today: From Portland—E. J. Oliver, at the Seville; G. E. Tilley, F. C. Tilley, at the Navarre; J. J. Pebevet, at the Union Square. From Bellingham, Wash.—H. P. Bradlee, at the Herald Square.

THEATERS TO BE WATCHED

Police Get Orders to Safeguard Patrons of Playhouses Hereafter.

Regulations made by the city ordinances to safeguard the patrons of theaters will be strictly enforced in the future by the police. Notice to this effect was posted by Chief of Police Cox yesterday at Police Headquarters in the form of an official order to the captains of police, requesting that the rigid enforcement of these ordinances be effected.

Part of the order says: "You will instruct the officers to give particular attention to sections 3, 7 and 39 of ordinance 14145, on page 251, which says that all doors must open outwardly, must be fastened with movable bolts, which are to be kept drawn during performances, and to see that exits are lighted as provided for in this ordinance."

"This order is the result of carelessness on the part of some of the theater managers," said Chief Cox. "I have received several complaints, and upon looking into the matter I found that they have been delinquent a little in observing the care which they are supposed to exercise in living up to the provision of this ordinance, which is an extremely important one. This will no doubt immediately remedy the condition complained of."

At the same time orders were issued to arrest all bicycle riders found riding upon the sidewalks contrary to ordinance 14145.

CHICAGO, April 6.—(Special.)—Portland people registered at Chicago hotels today are as follows: At the

Laurelhurst The Addition with Character PRICES ADVANCE APRIL 15 (IN N. E. QUARTER) The Lot That Can Be Purchased for \$750 Now Will Cost From \$950 to \$1000 on April 15 Prices of residence property in Portland will never again be as low as they are today, and this is especially so in the most highly improved and restricted class of home property. Laurelhurst is not alone the most highly improved residence property in the entire city, but it has an individuality about it that can be found in no other section. Take the system of boulevards as an example. Here are 444 acres all laid out on one extensive plan of magnificent boulevards, serpentine drives, etc., winding in and out among beautiful homes, all built to conform to a strictly enforced building restriction and all homes set back an equal distance from the walk. There will be 52 miles of homes in Laurelhurst and 26 miles of asphalt streets. Just realize if you can what this means. There will be more miles of asphalt streets in Laurelhurst than in all the rest of the East Side streets put together. Laurelhurst lots are being offered today at prices that are 50 per cent too low. Laurelhurst lots are today cheaper than lots in the unimproved sections of the city which are much further out. It will pay you to investigate Laurelhurst if you contemplate the purchase of a home-site. From a standpoint of investment it is ideal, for it is not alone closer in to town, more highly improved, but has three of the best service carlines in town. See the property in our automobiles or take the Montavilla or Rose City Park cars. Deal with any of our authorized brokers if you prefer.

Authorized Brokers: Charles E. Henry Co., Wakefield, Fries & Co., George D. Schalk, H. F. Palmer-Jones Co., Holmes & Mescoff, Hall & Von Horstel, Buckle & Houshater, H. F. Bryan & Co., Frick-Doddie Co., Ruff-Kleininger Land Co., Dubois & Crockett Realty Co., Chapin & Herlow, Hans & Hingler.

SALEM AGENCY, A. B. MOORES, 1-2 BUSI-BREYMAN BLDG. EUGENE AGENCY, MAGLADRY & SHUMATE. ALBANY AGENCY, A. T. STARK. WALLA WALLA AGENCY, DRUMHELLER & ENNIS, W. C. KOEBNE.

522-526 Corbett Building Phones—Main 1503, A 1515

Chief Cox, in which danger to life and limb has been alleged.

Wallo The home of the American Slates Product Co. Write for free Booklet. 219-220 Com. Club. Bldg. Nervous Prostration For Three Years "Dr. Miles' Restorative Nervine cured me of a period of nervous prostration of over three years duration, and the Anti-Pain Pills are as necessary to us as the roof of our house. They have been household remedies with us for many years." WM. J. LOUGHRAN, 1214 Catherine St., Philadelphia, Penna. Much sickness is due to nervous troubles. Headache, dizziness, epilepsy and insanity are nervous troubles. Then there is a large class of disorders which arise from a weakness of the nerves of an organ or part, as weak lungs, heart, stomach, kidney, bladder, eyes, etc. Dyspepsia and indigestion are usually the result of nervous disorders. Restorative Nervine soothes the irritated nerves, and assists the nerve cells to generate nerve force. Dr. Miles' Nervine is sold by all druggists. Write for free booklet to Dr. Miles Medical Co., Elkhart, Ind.

Jaques Mfg. Co., Chicago