

MAN WHO BOARDED CRIME IDENTIFIED

Account in The Oregonian of Trainwrecker Suspect Gives Clew to Calvin Cook.

RECOGNITION IS POSITIVE

Colorado Man Sees Report of Gerbrick's Arrest and Finds He Is Person Who Disappeared From Scene of Wreck.

The Oregonian's account yesterday morning of the arrest of P. M. Gerbrick was the medium which brought about the identification of the man who was ultimately held to be the trainwrecker who wrecked the Santa Fe overland train near La Junta, Colo. Gerbrick was arrested by Sheriff Stevens and Deputy Sheriff Beatty in the North End several nights ago, while drunk, his boasts leading the Sheriff to believe he knew something of the wreck.

Recognition Is Mutual.

He was on his way to visit Mrs. Rudolph Rundy, a daughter of Newberg, and arriving at Portland, he immediately looked up Sheriff Stevens. He said he wanted to see Gerbrick. He was taken to the County Jail, and the prisoner was brought from his cell.

"Do you know this man?" asked Deputy Sheriff Beatty of the prisoner.

"Yes, I have seen him somewhere, but I cannot just place him," was Gerbrick's response, as he pondered in an evident effort to recall the circumstances.

When Gerbrick had been returned to his cell, Mr. Cook was asked if he recognized the man and said he did and that the circumstances were very clear in his mind.

He was aroused on the night of the wreck, he said, soon after it occurred, and assisted in carrying for the 15 or 20 injured passengers. Early in the morning Gerbrick appeared at the farmhouse and asked for something to eat. Cook said he referred the man to Mrs. Cook, who gave him breakfast, and he then asked if he might accompany Cook to the scene of the wreck, the permission being granted.

Gerbrick Gives Self Away.

Reaching the wreck, said Cook, Gerbrick went at once to where lay the "spin-bop" with which the spikes in five rails had been removed, and remarked to Cook, "Say, what would they do if they would arrest me for this?"

"If you are the man who did it, they probably will arrest you," Cook said he replied.

A few minutes later, when the crowd began to gather, Cook missed Gerbrick, and said he had not seen him since, and that yesterday when he saw him in jail.

Mr. Cook said also that the train robbers evidently expected to loot the express car, but when they saw the train reached La Junta.

Reward Offered for Culprits.

There were supposed to have been four members in the gang which wrecked the train, one of them, a man named De Vane, being convicted and sentenced to the penitentiary, when the other three others escaped and a reward was offered by the Santa Fe company for their capture.

The wreck was a terrible one, the entire train being derailed, the engineer, John Walker, injured so badly that he died, and between 15 and 20 passengers badly injured, when the train, after Powder and La Junta, about four miles from the former, Deputy Sheriff O'Leary and Special Agent Snowden, of Colorado, are on their way to Colorado to take the prisoner back to Colorado for trial, a warrant having been issued for him.

DOG GETS HIS ONE BITE

Principle of Law Exemplified by Case in Police Court.

Oscar Marberry, a happy, cottonfield negro, told Judge Bennett yesterday that his Mexican dog was suffering from getting because he had had no opportunity to drag it over a dead body. Marberry assured the court that this was an unfailing remedy for the disorder, which he would put in practice as soon as he could find a corpse that would permit the experiment.

Marberry was in court upon the complaint of Mrs. O. L. Lythcomb, a negro, who said that Marberry's hairless dog had bitten her little boy. It was another case coming under the principle that every dog is entitled to one bite. Judge Bennett held that Marberry could not be presumed to have known that his dog was vicious, but that he was warned now and should be held responsible for the next outbreak. The case was dismissed.

ADVERTISING CAR HERE

Barnum & Bailey's Circus Fore-runner Lays Plans for Aug. 25-26.

The first advertising car of the Barnum & Bailey circus came to town yesterday with a brigade of 25 men on board and they were not long in making their presence known. Between now and the circus date, three more advertising cars will come along and with them, more than 100 men, each of whom will have his particular duty to perform toward the boosting of the big tent. The date for Portland is announced in large type, for Thursday and Friday, August 25 and 26, when two performances will be given daily, on the showgrounds at Twenty-sixth and Rain streets.

The street parade to be given on the morning of the first day is said to be given this year on a more extensive scale and that it is three miles long.

GRAIN CROP NEEDS MEN

Hauling Begins, but Help Is Required to Gather Columbia Harvest.

DAYTON, Wash., Aug. 4.—(Special.)—Grain hauling is commencing in this week at Dayton, Turner, Longs, Huntville, Alto, Starbuck and other shipping centers in Columbia County. Of about 35 warehouses, 10 are opened and re-

ceiving grain this week. Dealers predict that when hauling ceases this week grain hauling will commence generally since for each header pulling in, 20 horses and eight men are released.

Chehalis Has Big Crops.

MONTESSANO, Wash., Aug. 4.—(Special.)—Farmers of Chehalis County are rejoicing over excellent berry, grain and fruit crops this season. Haying is over and the crop has been the heaviest in years, the clover and timothy being especially good. Potatoes are fine and the apple and pear crop promises to break all records. Produce is finding a ready market in the Grays Harbor country.

AMENDMENTS VEX IDAHO

SIX QUESTIONS TO COME UP AT GENERAL ELECTION.

Most Important Are Increase of State Land Board and Fund for New State Capitol.

BOISE, Idaho, Aug. 4.—(Special.)—Six constitutional amendments are to be voted upon at the next general election in Idaho. These were passed by the 19th Legislature. Two amendments considered of more than passing importance are those relating to the creating of a fifth member of the State Land Board in the State Auditor, and providing for the building, which when erected and furnished will cost Idaho between \$3,000,000 and \$5,000,000.

The other amendments provide for an additional Chief Justice, authorize County Assessors to appoint deputies and employ necessary clerical assistants, and provide for Assessors to succeed themselves and provide for Assessors to succeed themselves.

In support of the State Land Board amendment it is contended that in order that the people may have a larger representation in this board to assure themselves that the public lands of the state are being properly handled, they are entitled to the addition of another state official. The State Auditor is named because it is believed that the State Auditor is the best qualified of the state, familiar with the lands leased, sold and still open.

Steps have been taken to determine whether or not it is mandatory to vote first and second choice under the new direct primary law of this state. The intention is to test the law so there will be no question as to the counting of first and second choice votes after the primary is over.

PET "BOSSY" MURDERED

C. A. Decker Goes to Milk Cow and Finds She Has Been Killed.

The police are seeking the identity of the thieves who some time yesterday wilfully slaughtered a cow owned by C. A. Decker, of 1032 Jefferson street, and afterward carted the carcass away in a wagon. In his complaint of the matter, Decker made out to Captain of Detectives Moore, Decker says the crime was committed within half a block of his home where he had been accustomed to staking "bossy" out to graze.

He did not discover the demise of the bovine until last evening when, as was his usual custom, he went to bring it to a barn in the rear of his home to milk. Upon nearing the spot where the cow stood, Decker was astonished to find evidence that his "bossy" had been unceremoniously annihilated and the remains carried away in a wagon, the tracks of which were plainly discernible in the vicinity. Decker traced the wagon tracks into the woods near the head of Holgate street and then lost the trail.

The detectives assigned to the case will take up the trail of cow-murders this morning.

BROWNE ON TRIAL AGAIN

Only One Juror Tentatively Accepted for Bribery Case.

CHICAGO, Aug. 4.—Although the examination of 200 veniremen for a jury in the second trial of Lee (Neil) Brown, minority leader of the Illinois Legislature, charging him with purchasing votes for William Lorimer for United States Senator, was begun today, another venire of 180 men was ordered drawn. Sixteen veniremen had been examined when the criminal court adjourned late today and of the sixteen, one, Charles J. Todd, was accepted tentatively by the state. Todd, with two others, whose examination had been completed were held in custody by the court.

The jurors examined in this city on statements that they had read the papers about the first trial and had formed opinions.

Judge Kersten today refused to quash the indictments, but deferred judgment on the plea of Browne's counsel that the testimony of Representative Link, Meyers and Brockmeyer, that they had been paid or offered money for voting for Lorimer, be barred.

VASHON ISLAND IS CHOSEN

Photographers Elect Officers and Select Next Meeting Place.

VANCOUVER, B. C., Aug. 4.—(Special.)—The Northwest Photographers closed their convention in this city tonight after the election of officers for the ensuing year and the selection of Vashon Island as the next meeting place.

The officers elected follow: President, V. Vinson, Vancouver; vice-president, J. A. McCormick, Seattle; secretary-treasurer, J. E. Balston, Seattle; state vice-president for Washington, Ernest Peterson, Tacoma; vice-president for British Columbia, F. L. Hacking, Vancouver; state vice-president for Oregon, J. Stadelman, Portland; state vice-president for Montana, F. E. Ward, Missoula; for Idaho, left to executive committee to appoint.

It also decided not to amalgamate with the National Congress of Photographers, recently formed in the United States. It was felt that the Eastern meetings of the new organization would not be accessible to the members of the Pacific society.

Utah Man Dies at Klamath Falls.

KLAMATH FALLS, Or., Aug. 4.—(Special.)—C. D. Underwood, 27, died in this city of typhoid fever. Mr. Underwood came to this county a few weeks ago from Mercer, Utah, where he was a member of the Eagles' lodge. He was cared for by the local lodge.

CLOSED DRAWS EVENING CONTINUE

Washington Officials Provide Only for Early Hours, but Court Dissents.

M'COURT DISCUSSES CASE

As Steamboat Men's Protests Pour In, McInroe Appeals to United States District Attorney.

(Continued from First Page.)

ter, and that since no mention has been made in the orders of closed evening periods, the draws can be closed only during the three periods established by the War Department for the mornings. It is evident, county officials say, that the War Department has been well advised of the local situation from start to finish and that the authorities at Washington have been receiving frequent advice other than those sent them yesterday by Major McInroe. That a special officer will be sent here from the capital to investigate the situation is the belief of the county officers and some Government officials as well.

The County Court's orders were obeyed yesterday without interference.

Two Boats Delayed.

Two boats—the Paloma and Dallas City—were delayed during the morning periods. The Harvest Queen, of the O. R. & N. line, was held at the Burnside street bridge nearly 30 minutes yesterday evening.

Owners of the Paloma filed two additional complaints with the Government Engineer yesterday. One complaint was filed by the Dallas City's owners, bringing the total number of protests up to six, the Shaver, Vulcan and Paloma having protested Wednesday evening.

Acting upon the protests filed Wednesday, Major McInroe sought a conference with District Attorney McCourt. The two officials met yesterday afternoon.

Major McInroe appeared quite hostile when he called at the Federal building. The conference was in no way a love feast. Both officials expressed themselves quite freely and their words at times could be heard out in the corridor. It is evident that they failed to arrive at a conclusion.

McInroe Asks for Instructions.

Major McInroe followed his visit by telegraphing to the War Department for instructions. He also suggested the suspension of the orders issued by the local officials.

"I shall prepare at once to file formal complaint with the District Attorney," he said. "Copies will also go to the Attorney-General and the War Department."

"I regard the rules of the County Court as an open defiance of law and of the regulations of the War Department. Of course, that is only my opinion."

District Attorney McCourt had not changed his opinion of the situation after the engineer had left his office and still insisted that the protest be withdrawn for the latter to present a clear case in order to secure prosecution in the courts. He did not express surprise when he learned of the action of the War Department.

McCourt Discusses Situation.

"Yes, I had a conference with Major McInroe, this afternoon relative to the bridge situation," he said. "He informed me that several complaints had been lodged with him, charging a failure and neglect on the part of the bridge-tenders to open the draws within the last two days. He said, however, that the complaints were not in shape to submit to me at this time, and that he would submit them probably tomorrow. I informed Major McInroe that all such complaints would be given careful consideration and that I would make a thorough investigation of the river situation for the purpose of determining whether or not the delays complained of were unreasonable in the light of the circumstances in each particular case."

Major McInroe and myself disagreed somewhat as to the construction to be placed upon the act authorizing the Secretary of War to promulgate rules and regulations for the opening of draw-bridges.

"He is disposed to insist that any failure promptly to open the draw pursuant to the signal of a river craft is a violation of law, while I construe the law to be that if a draw is opened pursuant to the signal of a river craft after some delay, the question of fact arises as to whether or not such delay was unreasonable."

McInroe Is Irritated.

"Major McInroe considers the direction given by the County Court to its bridge tenders as a direct and wilful violation of the Federal statute, and an invasion of the jurisdiction of the United States, and is considerably irritated by what he deems to be a usurpation on the part of the County Court of the functions of the Federal Government."

"He informed me that the Secretary of War had today issued a regulation permitting a closed period during the morning, and I apprehend when this fact is brought to the attention of the County Court, it will instruct its bridge tenders to follow the new regulations of the Secretary of War and await further showing to the War Department, to secure evening closing."

"As soon as I receive the complaints lodged with Major McInroe, together with his recommendations and opinion thereon, I shall make a thorough and exhaustive investigation of the river situation and determine whether or not any of the cases are proper for prosecution. In such case, however, can be finally determined until a Federal trial jury is called, which will probably not occur until the first week in October."

Goddard Is Interviewed.

The District Attorney also conferred with Commissioner Goddard over the telephone and briefly explained to him the law in the matter. He suggested that it might be well, unless it was learned that the War Department overlooked the detail of providing for closed periods in the evenings, to suspend the evening regulations until further instructions permitting closed evening periods could be obtained.

According to the information conveyed in the dispatches from Washington, the new regulations are only experiments and may be changed at any time. The period during which the tentative schedule will

be tried, as stated, is somewhat indefinite and leaves plenty of room for changes.

PIONEER IN AGITATION JOYOUS

Joseph Buchtel Sees Draws Closed as Result of Efforts.

As the original agitator for closing the bridge draws during the rush hours of the morning and evening, Joseph Buchtel is the happiest man on the East Side over the action of the County Court. It has been 12 years since County Court action was taken and 10 years since definite action was taken at his initiative by the old East Side Improvement Association, when he was chairman of the bridge draw committee. In and out of season Mr. Buchtel has worked for the regulation of the draws and was the first to argue for the regulation of the draws, then United States Engineer. Mr. Buchtel had arranged for a meeting at the office of the United States Engineer expecting that he would be backed up by a large East Side delegation. Not a man appeared to help him out, and the room was filled with steamboat captains and river men, of whom he talked against any regulation. Mr. Buchtel answered each of them.

"The County Court," said the veteran yesterday, "fully sustains me in the sentiment of the East Side and everybody is delighted. I talked with the bridge engineers and they said they would prefer to see the draws closed. The saving of time estimated in dollars and cents cannot be overestimated, and nobody, not even the rivermen, is big enough to stand in the way of the East Side Business Men's Club, said:

"I am sure that the County Court is fully justified in its action. It is the people of the East Side, and they should not fail to make the County Court feel that it is being sustained. I think that it will be of aid in every way. The regulation will not interfere with navigation of the river in the least and the rivermen will find that business will not be hurt."

Timber Sales Opposed.

IDAHO EX-GOVERNOR SAYS INVESTIGATION IS NEEDED.

There is in existence an agreement between these unions and the Chamber of Commerce, signed last year, by which this branch of labor is pledged not to engage in any industrial disturbance or strike until a year has passed, and, however, believe the stand taken by the Chamber of Commerce for the open shop gives them sufficient justification for breaking this agreement.

In this division, however, as in all the other branches of the Council, there is grave dissension as to whether a general strike is the right course to take. Both sides will thrust out their arguments at the meeting Sunday morning. There is reason to suppose that once again the "crisis" may be delayed.

The committee of 13 representing the employing interests of Portland did not consider its daily meeting necessary yesterday morning.

"There was nothing for us to do," said Harvey Beckwith, chairman, "for there has been no change in the situation. The act of placing the open-shop placards in the windows of the retail stores of the city has been practically completed by the secretaries of the various employers' organizations. There was even less objection than was expected. We cannot do anything until the unions decide whether or not they will strike. Our work is education anyhow, for it is our task to teach Portland the deplorable conditions following a closed town, as the unions want, and do all we can to advise Portland to remain an open-shop town, where neither unionism or non-unionism is favored."

Strike Is Doubtful.

"I am glad to say that Portland is becoming known as an open shop town, and that many skilled workmen, attracted by this reputation, are coming here looking for work. It is a strike like these men are ready to step into the strikers' places and there are thousands more who will come with the same object. There is going to be no strike, however. This is the careful opinion of a very large majority of the employing interests of Portland."

Police Captain Batey, in charge of the district, which most has had the teamsters' strike to handle, says there is still need of police protection for the non-union drivers.

"When the policeman is off his guard the driver is very apt to get knocked down," said Captain Batey. "Every morning the relief is warned to look out for their place, and if it were not for the police guards with the drivers there would be serious trouble."

"Picketing has decreased to a great extent. It is not the first day of the strike now. Then, too, the men who give us trouble are the young hoodlums who belong to the union. We have no trouble with the old drivers."

DEAD TOWN MAY REVIVE

Building of Railroad May Resuscitate City of Wynoochee.

MONTESSANO, Wash., Aug. 4.—(Special.)—A legal question which will likely be decided by the County Court, west will be decided, when an attempt is made to reincorporate the town of Wynoochee in Chehalis County.

Wynoochee was incorporated in 1890 and a Major McInroe, following year an election was held and since then the corporation has been dead. When the Oregon & Washington built its road through the town, the question of whether the corporation was still alive was brought up. Certain men wanted the corporation to remain dead, while others wanted it revived, and as a result, the records of the first and only election held 20 years ago have been secured from the Secretary of State.

An election is planned to be held as soon as legal. As the Oregon & Washington Railway Company was granted a right-of-way through the streets by the County Commissioners, a legal battle will ensue.

ALLEGED ELOPER IN JAIL

Charge of Embezzlement Hangs Over Prisoner at Roseburg.

ROSEBURG, Or., Aug. 4.—(Special.)—F. M. McDonald, who is accused of having eloped from Glendale, Douglas County, ten days ago with Miss Clara Clements, wife of Glendale man, and later arrested at San Francisco on a charge of embezzlement, arrived here tonight in custody of Deputy Sheriff Mortenson.

Upon his arrival here, he was locked in the county jail, where he will remain until such time as the officers are in a position to hold the preliminary hearing. Mr. Clements, who accompanied the officer, regained possession of his two children, but declared that he would have nothing more to do with his wife.

PRIZE BAND OF AMERICA.

The following is the programme of Joseph Weber's orchestra band at the opening concert at the Oaks this evening:

- March, "Pettibone's Compliments".....Hilstedt
- Overture, "Lannhause".....Wagner
- Selection, "Bird's Eyes".....Hoschma
- Solo for cornet.....Selected
- Excerpts from "The Chocolate Soldier" (the latest New York success).....Graw
- Gran selection, "La Boheme".....Puccini
- Nocturne, "Al Fresco".....Herbert
- Melody of the latest popular songs.....Hoschma
- Soprano solo, "Excitation".....Owen
- Bianche Melodicy.....Lincke
- Finale, "Berliner Luft".....Lincke

STRIKE CRISIS NOW EXPECTED SUNDAY

Meeting of Waterfront Federation Regarded as Strategically Important.

EMPLOYERS ARE WAITING

Chairman Beckwith Predicts That There Will Be No Strike, After All—Police Protection Is Still Necessary.

It is now believed that Sunday will be the crucial day in the Portland strike situation. That day, instead of Friday, may decide whether Portland shall be tied up in a general strike of all the unions in sympathy with the teamsters.

A special meeting of the waterfront federation will be held Sunday morning at 10 o'clock in the morning at the labor temple, the avowed object being to decide the question of a strike in sympathy with the teamsters. Six organizations make up this federation, two longshoremen unions, the gralhandlers, the portable and hoisting engineers, the riggers and liners and the waterfront teamsters. Because of this last group the waterfront federation is supposed to stand closer to the striking union than any other, and the first move in a sympathetic strike, therefore, is logically expected to come from this direction.

This federation is represented on the Central Labor Council joint committee of 30 by five men, and it is said that at the regular meeting Wednesday night the Sunday meeting was suggested by them. Altogether this division numbers about 1000 men.

Agreement Against Strike Made.

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CRIPPLED GIRL CRAWLS FAR

Invalid Drags Herself by Arms, to Tell of Mother's Death.

SPOKANE, Wash., Aug. 4.—(Special.)—Mrs. Carpenter, living about 12 miles north of Davenport, Wash., died Tuesday night. Mr. Carpenter was not at home at the time, his wife being with a crippled daughter, who has no legs. The girl is about 20 years old and when she discovered her mother's death, started to go to the nearest neighbor, about a mile.

She started at 8 o'clock that evening and it took her till 3 o'clock to go the mile. She had to drag her body the entire distance through the dust of the road to get assistance, using her arms as a means of locomotion.

OREGON CITY MAN STRICKEN.

OREGON CITY, Or., Aug. 4.—(Special.)—August Holden, a well-known citizen of Oregon City, died at 2 o'clock this afternoon at his home, 711 Jackson street, after an illness of several weeks. He was 60 years of age and a native of Sweden. He came here in the early '90s and took up a homestead at Molalla, and in 1892 he sold it and moved to Oregon City with his family. He is survived by a widow and the following children: Mrs. Minnie Greenman, of Oregon City; Mrs. Emily Robertson, of Sellwood; Arthur Holden, of Bandon, Or.; Mrs. Lulu Guild, of Honolulu, H. I.; and Mrs. Blanche Hammack, of Mount Vernon, Wash. The funeral will take place at 2 o'clock Saturday afternoon at the family residence and the interment will be in Mountain View cemetery.



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106 Fifth Street, next to Perkins Hotel.

JAP, HELD SLAYER, IN RAGE FOR LIFE

California Authorities on Great Chase for Murderer of Family.

OAKLAND, Aug. 4.—Following an interview with Mr. and Mrs. Henry Starbuck, owners of the ranch where the Kendalls had lived, in their home at 215 Lake street, District Attorney Clarence F. Lea said tonight:

"I hold Henry Yamaguchi, the Japanese who lived on the Starbuck ranch, responsible for the murders of Mr. and Mrs. Starbuck and their son. We will now prosecute a vigorous search for him. He has practically confessed the crime to the Starbucks and with the other incriminating circumstances pointing to him as the murderer, I know that we are on the track of the right man."

"Jap Admits 'Fixing Them.'"

District Attorney Lea and Official Court Stenographer Scott called at the Starbuck home yesterday. There they were told that Yamaguchi, very excited and with his eye badly discolored, came to their place on the evening of July 25. He stated that he had been in a fight with the Kendalls, in telling Starbuck of the affair, he said:

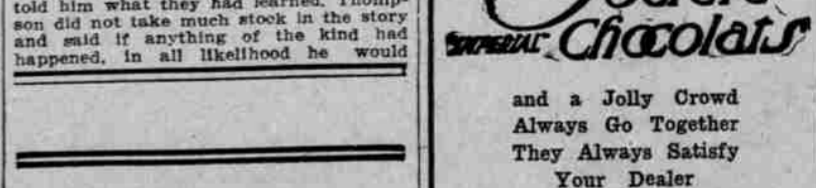
"They all came at me and I fixed them all right. I put them away."

Starbuck made every effort to have Yamaguchi be more explicit, but in broken English and in sentences that were almost incoherent, the Japanese kept repeating:

"I fixed them. I fixed them. I put them away."

Yamaguchi disappeared and has not been seen since. He had the black dog from the ranch with him and the authorities expect to be able to trace him by means of the presence of the animal. A Japanese followed by a black dog was seen in the vicinity of Guernville, Sonoma County, on July 25. This was the day upon which Yamaguchi is supposed to have left the Starbuck ranch.

The Starbucks communicated with their attorney, J. M. Thompson, of Santa Rosa, after the visit of the Japanese and told him what they had learned. Thompson did not take much stock in the story and said if anything of the kind had happened, in all likelihood he would



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WATSON'S NO. 10 Scotch Whisky

Distilled in the Highlands of Scotland from pure Scotch Barley Malt. Guaranteed Over Ten Years Old. Geo. S. Clark & Co., Agents 511 Board of Trade Bldg., Portland, Or.

For the Stomach Here's an Offer You Should Not Overlook

Reall's Dyspepsia Tablets remedy stomach troubles by supplying the one element, the absence of which in the gastric juices causes indigestion and dyspepsia. They aid the stomach to digest food and to quickly convert it into rich red blood and material necessary for overcoming natural body waste.

Carry a package of Reall's Dyspepsia Tablets in your vest pocket, or keep them in your room. Take one after each heavy meal and indigestion will not bother you.