Merrill Acts to Protect Girl From Testifying.

LIQUOR SELLING CHARGE DEAD BODY FOUND ON ROAD

Evidence Would Acquit Him, Says Merril, but an Innocent Woman Would Be Dragged Into Case. Plans to Sell Roadhouse.

Rather than have all the facts relative to the sale of liquor at the Twelve-Mile House alred in court, Fred T. Merrill pleaded guilty before Circuit Judge Gantenbein yesterday to selling liquor

Gantenbein yesterday to seiling liquor without a license and asked that the charge, so far as it concerned his two hartenders. George Stewart and Fred Horn, be dismissed. Merrill will receive sentence at 2 P. M. Thursday. Through his attorney, John F. Logan, Merrill said he was not personally guilty of selling the liquor, and that he feit sure he would be acquitted if he went to trial. But he said a young wound entirely innocent of wrong-doing would be compelled to testify as a witness in the case if it should go to trial. He said for that reason Merrill had doolded to plead guilty.

Merrill says he intends soon to go into the automobile business and to dispuse of his roadhouse.

WORKMAN FOR BUILDING SUES

Defect in Donkey Engine Brake Alleged as Cause of Fafl.

Declaring that he was injured by a fall-Declaring that he was injured by a falling elevator when he was at work upon a building at Powell and Milwanke streets. Charles P. Hughes brought suit in the Circuit Coner yesterday, demanding that the Portland Sheet Metal Works and the United Engineering & Construction Company pay him \$500 and \$125 special damagers.

tion Company by the color of the accident happened July 18. Hughes says he was unloading roofing material from the elevator and placing it upon the roof. The elevator was lifted by a cable attached to the drum of a donkey engine. The engine brake was defective it is al-leged, hence a stick was used to hold the drum while the clevator was being unloaded. The stick gave way and Hughes fell to the ground.

HUSBAND FOUND UNBEARABLE

Spouse Drunk Week After Wedding, Says Wife, Asking Divorce.

consider to endure longer the alleged drunken conduct of F. T. Hoffman, her husband. Mrs. Anna T. Hoffman filed a divorce suit in the Circuit Court yesterday. She says she was married to him at Los Angeles, May 1, 1969, and that on the 19th of the next month he remained away all right and until 7 o'clock on the night of the following day. He had been drinking, she says.

rinking, she says. He was again intoxicated, alleges Mrs. Hoffman, about two weeks later, and accused her of intimacy with one of his fellow workmen. The next November he kicked the table over while she was cating, she says, and later she was compelled to call in the police to protect her. She asks that her former name, Anna Barnes,

\$500 Paid for Broken Wrist.

Minnie K. Wailing was authorized by County Judge Cleeton yesterday to accept from the Ladd Estate Company and F. G. Coles \$86.25 in settlement of all claims on account of the death of George Walling. A short time before he died Walling's wrist was broken while he was offing the high-speed pulley of the elevator in the Concord building, at Record and Stark streets. The Ladd Estate Company disclaims liability for the accident, but says it desires to assist in paying the expenses incident to Walling's last illness.

Administrator Deed Authorized.

Edmund C. Giltner, administrator of J. by County Judge Cleeton visitoring to give C. E. S. Wood a deed to lot 15. Abernethy Heights, and to a fractional part of block 182. Caruthers' Addition. Giltner represented to the court that on November E. 1967, Wood gave Flanders on the court flanders to the court flanders. an November 26, 186, Wood gave Flanders a deed to this property to secure Flanders and S. B. Lintherum against loss on account of obligations due them. He says the deed was, in reality only a mortgage. The last of these obligations, a note for \$14,000, has been paid, it is said, by Wood. Hence the order to reconvey the

Fleckenstein Estate \$71,440.

The estate of Henry Fleckenstein is worth \$71.48-35, according to the report of the appraisers, filed in the County Court yesterday. Of this amount \$60.000 is represented by \$63 shares of stock in the Heary Fleckenstein Company, Inc. The appraisers are H. Sinshelmer, H. E. Coleman and W. A. Goddan.

Court Notes.

A. T. Simmons, arrested by Special Agent Little recently for impersonating an officer, was released from the County Jail vesterday after his case had been presented to the grand jury, the request that he be freed having been made by Deputy District Attorney Fits. ade by Deputy District Attorney Fitz-raid. Gus Klang, held as a witness another case, was also released.

in another case, was also released.

The O. R. & N. Company will be obliged to pay C. F. and Laura Hendrickson \$3300 for .82 of an acre on Columbia Slough, to be used as a right of way. This was the verdict of a jury in Judge Gatens' department of the Circuit Court, read yesterday morning. The railroad company wished to see \$1500 and the Hendricksons. pay \$1500, and the Hendricksons de manded \$2000.

HOTEL MEN ARE ON GUARD

Efforts Will Be Made to Defeat Obnoxious Law.

The Oregon Hotel Association will keep close watch on the next session of the Legislature and all succeeding sessions, according to plans outlined at a meeting of the association in the convention room of the Imperial Hotel yesterday. The hotel men allege that

GUILTY, HIS PLEA state hotel inspector who charges a fee fixed by law.

The fee must be paid by the hotel proprietor when his hotel is inspected. The hotel men of Oregon expect that a similar law will be proposed in this state, and all hotel men will be requested to fight it.

George W. Dixon, assistant secretary. Was instructed to secure copies of the

was instructed to secure copies of the Washington law and place them in the hands of Oregon hotel men in order that they may familiarize themselves with the character of legislation, which is expected to be introduced.

Ernest Hilsberg Succumbs to Heart Trouble-Relatives Unknown.

While walking along the Slavin road, about three miles outside the city limits, yesterday afternoon, James M. Colly, 188 Meade street, came upon the dead body of Ernest Hilsberg, a Ger-man, 50 years old.

Cully immediately notified the Coro-Cully immediately notified the Coro-ner's office, and on investigation it was found that the deceased had come to his death from heart trouble and had probably died some time during the night. Papers found on the body showed that the deceased had taken out his citizenship papers in Portland in 1906, and at that time resided at the Rheinrights Hotel. Rheinpfalz Hotel. So far as known the deceased had no

SPECIAL AGENT STUDYING NEW POSTOFFICE QUESTION.

Postmaster Openly Favors Building Near Depot, Retaining Present Office for Public.

Dr. J. W. Hill, recently appointed pecial agent for the United States Govspecial agent for the United States Government for the selection of a site for the new postoffice, has been investigating the merits of the various sites offered. A number of the property owns who have put in bids have called on Dr. Hill in the last day or so and conferred with him. The new special agent has been entirely non-committal. He has been giving all the sifes equal attention, but, aside from asking questions of the owners, has not said anything which would tend to divudge any ideas he may have already formulated. Postmaster Merrick, who is to advise with Dr. Hill on the selection of a site, says he will work in absolute harmony with Dr. Hill. Aside from saying that Senator Bourne did not request the appointment, he says he knows absolutely nothing as to the manner of making it. He said, how-

TODAY IS LAST DAY FOR REGISTRATION

Today is the last registration day. Voters who do not sign the books before 5 o'clock tonight cannot vote at the primary election September 24 unless they go through the tedious process of having their votes sworn in. There are now more than 35,000 names on the registration books, yesterday's registration being the heaviest of any day since the books were opened.

The books now contain the names of 26,745 registered as Republicans, 5079 as Democrats and 3751 micellaneous; making a total of 35,575.

Yesterday's registration was as follows: Republicans, 834; Democrats, 168; miscellaneous, 43; total, 1045.

relatives, and the Coroner's office was unable to learn of his recent place of residence. The body was conveyed to the morgue. No inquest will be held.

Wr. Merrick is not at all backward in

Telephone Promoter Fails to Pay Landlady Amount Duc.

KLAMATH FALLS, Sept. 11-(Spe-KLAMATH PALLS, Sept. 12.—(Special.)—Sale of the personal effects of George L. Price, former telephone promoter, last night marked the end of his possessions in this city. While they consisted of his suit case, wearing apparel, etc., they brought \$16, which will in part compensate his former landlady for the board and lodging which she provided for

board and lodging which she provided for the smooth-talking man.

The goods were attached by Mrz. L. Petersteiner, who runs a boarding-house on the corner of Seventh and Main streets, whom Price managed to owe \$40 for his room and meals.

Price left here June 25 in custody of a San Francisco detective, who had a warrant for his arrest on a charge of obtaining money under false pretenses and issuing fictitious checks. He escaped from the officer and returned to this city. He left here again on July 2, and was finally arrested in Portland. Price is now in San Francisco awaiting trial on the charge for which he was first arrested.

Miss Daisy L. Gaylord, daughter of Mr. and Mrs. C. H. Gaylord, died at her home, 751 Schuyler street, yester-day afternoon, after an illness of more

day afternoon, after an illness of more than a year.

Miss Gaylord was born in Oswego.

N. Y., and had lived in Portland for the past 20 years. She possessed many graces of character and had a wide circle of friends who will regret to hear of her death. She was a member of the First Congregational Church, and was also interested in the work of the Arts and Crafts Society. Charles H. Gaylord, father of the young woman, was formerly secretary of the Portland Hotel Company.

Funeral arrangements have not yet been made.

Attendance on First Day Shows a

is much greater for the first day than ever before in the history of the city. Many, who are now away, will return and awell the enrollment.

Last year the total number enrolled was about 1400. It is expected by Superintendent C. W. Shumway that at least 1600 pupils will be enrolled. amount not to exceed one cubic foo-

within the past few years there has been a tendency to saddle drastle legislation upon the hotel interests and it will be the object of the Oregon Association to protect its members against bad laws in the future.

It was pointed out that Washington passed a law at the last session of the Legislature, making certain rules and regulations for the conduct of the hotels. These rules, it is said, do not tend to preserve the weifare or safety of guests, but are a source of annoyance and expense to the hotel proprietor. This law provides for a safety to the conduct of the hotels. These rules, it is said, do not send to preserve the weifare or safety of guests, but are a source of annoyance and expense to the hotel proprietor. This law provides for a safety of the conduct of the hotel proprietor. This law provides for a safety of the conduct of the hotel proprietor. This law provides for a safety of the conduct of the last session of the conduct of the last session of the conduct of the hotels. These rules, it is said, do not see that the last session of the conduct of the hotels. These rules, it is said, do not see the conduct of the hotels. These rules, it is said, do not see the conduct of the hotels. These rules, it is said, do not see the conduct of the hotels. These rules is the form the conduct of the hotels. These rules, it is said, do not see that his wife spent money invisibly and that she checked out his chirch and that she checked out his entire bank account of nearly \$1000 in list they are the hotels with the succession of the think account of nearly \$1000 in lavishing and that his wife spent money and the this wishly and that his wife spent money and the property and the second of the hotels. Thomas Thomas Thomas Thomas Thomas Thomas Alleging that his wishly and that she checked out his entire bank ROSEBURG. Or. Sept. 11.—(Special.)
—Alleging that his wife spent money
lavishiy and that she checked out his
entire bank account of nearly \$1000

CLOTHES SOLD FOR BOARD

VANCOUVER SCHOOLS FILL Great Increase of Pupils.

VANCOUVER, Wash. Sept. 13.—(Special.)—The school year in Vancouver opened this moraing and during the day 1255 pupils were enrolled, which is much greater for the first day than

Wife Called Extravagant.

saying where he thinks the postoffice should be. He says the idea of the Government is for the selection of a site near the Union Station. There are, he says, two reasons for this. First, on account of the economy of the handling of mail, and, second, to dis-

courage the practice of having mail sent to the general delivery.

"Aside from general delivery, no one will know there has been a change," said the postmaster. "All the regular business of registry, money orders, etc., will be carried on as at present at the business of registry, money orders, etc., will be carried on as at present at the present building. The other office will be for the main general delivery and the sorting station. As the cost of handling mall by general delivery is three times that by carrier, the object of the government in attempting to discourage the general delivery practice is obvious."

William D. Fenton Denies That Conference Led to Assembly Choice.

t has been publicly charged that a secret-conference of lawyers was held at my office, esulting in the selection of Judge Cleland as

FIRE SUFFERERS AIDED

Portland Chamber Sends \$750 More

to Needy in Clark County.

An additional contribution of \$750 will be sent this morning by the chamber of Commerce for the benefit of the fire sufferers in the vicinity of Vancouver, Clark County, Washington, The total of money thus far contributed by the chamber is \$1500. The remainder in the treasury is \$71. The fund is still open to contributions, and it is believed that a much larger sum will be needed before the necessities of the fire sufferers are cared for.

Many of the families left destitute by the conference was for the purpose of determining whether Judge Cleland as a conference was ever believed that the vicinity of Vancouver, Clark County, Washington, The total of money thus far contributed by the chamber is \$1500. The remainder in the treasury is \$71. The fund is still open to contributions, and it is believed that a much larger sum will be needed before the necessities of the fire sufferers are cared for.

Many of the families left destitute by

still open to contributions, and it is believed that a much larger sum will be needed before the necessities of the fire sufferers are cared for.

Many of the families left destitute by the recent forest conflagrations have been housed and supplied temporarily through the agency of the People's Institute and the Chamber of Commerce. No record has been kept to show how many Portland people ransacked their private closets and contributed clothing and bedding for the needy. The work will go on until all have been aided to a new start.

PORTLAND WOMAN IS DEAD

Miss Daisy L. Gaylord Passes Away

After Long Illness.

Miss Daisy L. Gaylord, daughter of Mr. and Mrs. C. H. Gaylord, died at her home, 751 Schuyler street, yesterday afternoon, after an illness of more than a year.

Malarkey, both of whom expressed the mesting to the being in full accord with the purpose of the meeting.

Malarkey, both of the purpose

e point I can be received on other conference over held, anywhere, having as its purpose lection or recommendation of judicial can test to be supported at the Republican arely.

WILLIAM D. FENTON.

ONE YEAR GIVEN TO BEGIN

Government Must Start West Umatilla Project, or Lose Claim.

SALEM, Or., Sept. 13.—(Special.)—
If the Government fails to start actual construction work on the West Umatilia project of 60,000 acres by September 13, 1911, it will lose its priority claim to water rights, granted today, and the claim of Dr. Andrew C. Smith, of Portiand, will take precedence, according to a statement by State Engineer John H. Lewis.

This morning the State Engineer approved the applications of the United States Relamation Service for two appropriations of water.

By this approval, the Government is granted 500 cub'c feet per second of the regular flood water flow of the stream, and a right to store 175,000 acre-feet of the flood flow. The total amount of water, which may be used under this approval, is limited to an amount not to exceed one cubic foot per second for 80 acres.

mr. Lewis says that any difficulty, which might arise in connection with Indians claiming water rights on the Umatilia will not affect the appropria-tions made today, inasmuch as these appropriations are limited to flood wa-ters only, the regular low water flow being already appropriated. This irri-gation project on foot must derive its

water from a storage system entirely Booth-Kelly Mill Resumes.

SPRINGFIELD, Or., Sept. 12.—(Special.)—The Booth-Kelly sawmill, which had been closed since August 1 because of a shortage of logs, resumed operations this morning, 175 men find-

Entirely Exhausted

The entire huge edition of the first Mid-Month Number of THE LADIES' HOME JOURNAL is exhausted. We have not a copy left—three days after publication.

> The Curtis Publishing Company Philadelphia

STORY BRANDED AS FALSE HOWEWELL KNOWN HERE

HIS DEATH RECALLS HIS WORK AS THEATER MANAGER.

Marquam Building Stands as Monument to His Endeavors for Substantial Theater.

J. P. Howe, whose death occurred at Eugene on Monday evening, was closely identified during his early career with the theatrical history of the Northwest, Eugene on Monday evening, was ci and more particularly of Portland. It is generally known that through Mr. Howe's instrumentality the Marquam Theater was built, although he did not manage its affairs after it became ah

actuality. His first theatrical venture was in the late seventies, when he succeeded the late John Maquire as manager of the old Newmarket Theater, at First and Ash streets, at which time this playhouse was the principal one on the Pacific Coast north of San Francisco. Under his management the Newcastle prospered financially; all of the stars of that day appearing on its boards. Later Mr. Howe leased the Casino Theater, now known as the Grand, which had been abandoned as a home

for an operatic stock company.

He rechristened this establishment
the New Park Theater and engaged traveling companies to show under roof. It was during this time that Mr. Howe perceived the need of a big firstclass theater in Portland, and induced



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block and make a place for the Martiock and make the guam Grand Theater. However, be-fore Howe could assume the manage-the playhouse, there was a ment of the playhouse, there was a disagreement and Al Hayman, who at the present time is a power in the Klaw & Erlanger syndicate, became the lessee of the Marquam Grand Later the property fell into litigation and

was kept in the court until a few years ago.

After Mr. Howe failed to secure the management of the Marquam Grand Theater, he left Portland and went to Puget Sound, where he engaged again in theatrical ventures. He was one of the leaders of the independents when that body of managers elected to fight

Howe was engaged in the real estate Railway Company's new road business in Eugene. . Railway Company's new road Young's and Kisskanine Rivers. NEW COMPLAINT ORDERED

Astoria Southern Road-Grading Case Delayed-Injunction Denied.

ASTORIA. Or., Sept. 13.—A motion to dissolve the temporary injunction in the case of S. A. Cobb. of Portland, vs. Wilson, Rector & Daley, of Vancouver, was argued before Judge Campbell, of the Circuit Court, today, and denied temporarily, at least. and denied, temporarily, at least.

grading eight miles of road, and sublet t to the defendants, but that the defendants had delayed in prosecuting the work so long that the plaintiff was in danger of losing his \$20,000 bend to have the contract completed before

The plaintiff alleged be had a con ract from the railway company for

After hearing the argument, Judge Campbell said that the complaint was not sufficient to warrant the injunction being continued.

The plaintiff was directed to furnish an additional bond of \$5000 before noon tomorrow, and to file an amended complaint not later than Thursday

