THUG SHOOTS MAN, THEN KILLS SELF

Farmer Refuses to Hold Up Hands and Bullet Drops Him in Tracks.

ASSAILANT'S BODY NEAR-BY

Sheriff Finds Body.

Sheriff Finds Body.

Sheriff Hancsch, of Washington County, happened to be in Forest Grove last might from Hillsburo, the county seat. He was at the scene of the shooting within a few minutes. Upon being told of the third shot, which overyone was certain had been fired some time after the first two, he started out to search for the man who had shot Naytor. He threaded his way into the fir grove, where the Forest Grove Fourth of July and other Summer calebrations are usually held, and came upon the dead body of Limsker. A Jagged bullet wound extending completely through the head told how be had met his death.

Mr. Naylor, according to the story he reciled immediately after the shooting, was working in his harn when Limsker, whose identity was disclosed by papers

whose identity was disclosed by papers found on his body after he had killed himself, entered and said: "Throw up year hands!" "Not by a damn sight," retorted

Shot Goes Over Head.

The intruder then fired over Naylor's ead. This did not seem to have any nible effect upon Naylor, He re-sined cool and collected.

whithe effect upon Naylor. He remained cool and collected.

"Dumn you, I'll make you throw up your hands," exchained Linaker, leveling the gun at Mr. Naylor's bedy. The next moment he had fired and the Forest Grove farmer lay writhing on the floor, a bullet ledged almost in the center of his abdones.

Panic-stricken, the intruder then runshed from the barn. A few moments hater, neighbors of Naylor, whose farm is just outside the corporate limits of Forest Grove, found him badly wounded on the floor of the barn and in a fir grove a few yards from the door of the building found the bedy of his would-be assessin, a large jagged hole extending completely through the head.

Body Is Identified.

Body Is Identified.

On Linaker's body were found cards showing that he had been a member of the independent Order of Oddfellows and Knights of Pythias lodges at Member, in A poetal card signed, "Casta," malled at Nerth Yamhill and addressed to him at Hood River, and a checkbook of the North Yamhill Bank, North Yamhill, Or, were also found in his pockets. No passbook or memorandum indicating that he had an account with the bank were found. He had \$1.21 in mency.
There is considerable mystery attached

found. He had \$1.31 in money.

There is considerable mystery attached to its affair. According to Naylor, no request was made upon him for money, although that might have followed had be thrown up his hands when first endered to do so. His theory is that the man was seeking a place to sleep. Naylor is an unmarried man about it years of use and there is only a barn upon his property. He had roomed and taken his ments at the Michigan House, a Porest Grove hotel, Sheriff Hancock and Caroner Brown, of Washington County, sire conducting the investigation.

A man closely answering the description of Linaker stopped at a house in Percat Grove yesterday and inquired where he might find George Naylor, a brother of the man who was shot. There was a theory to the effect that he was directed to the farm of Edward for George. As far as is known in Forest Grove, however, neither of the Naylor brethward, however, neither of the Naylor brethward, however, neither of the Naylor brethward, however, neither of the surjor brethward for George Naylor, a brought the life That women are human beings with separate individualities, beings not less important if different from men—to a point that wicinity practically all their lives, had an enumy who might wish to take his life.

Dead Man Stranger.

Charles Merts, a resident of Forest Grove, says that he saw Linaker in Hillsberge earlier in the day. Edward Envis, manager of the Pacific States Telephone Company eachange at Porest Grove, says that he saw the dead man and a campanien in a Forest Grove restaurant enting supper. This has led to the belief that Linaker had an accomplies although nothing has been seen of the second man since the two were seen togethar in the restainant.

The dead man is about 15 years of age. He was dressed in confurcy trousers, light about 15 years of age. He was dressed in confurcy trousers, light about hat, heavy buckled shoes and coarse cloth shirt. His appearance is that of a laborer. He had never, as far as could be assertained, been seed around Forest Grove until yeaterday.

Edward Nayloe is a son of T. J. Naylor, who took up a donation claim near Forest Grove in the early ferties. The farm du which the shouting occurred is a part of the old homesteed. Edward Nayloe was a graduate of Pacific University. He is roputed to be worth at least \$25.000, but, it is asid by Forest Grove people, seldom carried any large amount of money in his pockets. He is best known as a hreeder of goals, having captured hany important prizes at large expositions, among them the Alaska-Tukon-Pacific Exposition in Seattle.

CHARL TON MINCT DE TRIEFO.

CHARLTON MUST BE TRIED

(Continued from First Page.) "Pormal demand or 'requisition' of one government upon another for the surrender of a fusitive is of a political character. It would appear, therefore, that the making of a requisition' is a

should not be surrendered because, under the treaty providing that each government shall surrender persons fugitive from the one and found in the other. Italy refused to surrender to the United States for trial and punishment Italian subjects who were fugitives from the Justice of the United States; therefore the United States is relieved from any obligation to surrender its citizens, fugitives from Italy.

"This contention, fike the first, is without merit in this case.
"Its fundamental fallacy is that an extradition trenty must be wholly reciprocal. This is not true. Our own treaties will show, for example, that upon occasion we have stipulated assistance from foreign governments in the matter of the apprehension of criminals fugitive from our justice in other countries where we have not been able to grant, and do not grant or extend such assistance to the reciprocal case."

Regarding the attitude of the Italian government in the negotiations with this Nation concerning the disposition of Charlton, the decision says:

Surrender of Fugitive Obligatory.

Surrender of Fugitive Obligatory.

Forest Grove Resident Will Probably Die From Wound—WouldBe Assassin Blows Out Brains at the Scene of the Crime,

After shooting and perhaps fatally wounding Edward Naylor, a prominent and wealthy Furest Grove farmer, about 7:20 last night. Frank Linaker turned the Escallaer revolver on himself and committed saleids. The would-be murdered be wounded the Escallaer revolver on himself and committed saleids. The would-be murdered be wounded the salest at her home, which is close to the harn in which he had attempted the assassination of Naylor.

Miss Mary Traver, of Forest Grove, Miss Mary Traver, of Forest Grove, who is said to be Mr. Naylor's fiances, heard the shout at her home, which is close to the harn to the foot, Retaining her presence of mind, she summoned neighbors who carried the wounded man to her home. Later in the evening when it was decided to send Naylor to St. Vincent's Houpital, Fortland, for an opportation, also accompanied him and remained by his side while the physicians were probing for the builet.

Sheriff Finds Body.

ited States, fugitive from the justice of Italy.

In this connection it should be observed that the United States, although consistently contending that the Italian interpretation was not the proper one, has not treated the Italian practice as a breach of the treaty obligation necessarily requiring abrogation, has not abrogated the treaty or taken any step looking thereto and, on the contrary, has constantly regarded the treaty as in full force and effect, and has invoked rights therein granted.

"It should, moreover, he observed that even though action of the Italian government be regarded as a breach of the treaty, the treaty is binding until abrogated, and therefore, the treaty not having been abrogated, its provisions are operative against us."

In concluding his memorandum in the case, Secretary Knex says:

Inaction Would Be Unjust.

Many Witnesses Testify.

Inaction Would Be Unjust.

"In determining the meaning which, as a matter of public morality, ought to be given to an extradition treaty, it must be remembered that under our Constitution and laws it is not possible to punish criminals in this country for crimes comcriminals in this country for crimes com-mitted against the peace and dignity of foreign governments and that therefore, unless we surrender to such foreign gov-eraments for trial and punishment our citizens committing crimes within the ju-risduction of such governments, such citi-zens will go whally unwhipped by jus-tice.

The these reasons it is decided that the Government of the United States should deliver to the government of Italy Porter Chariton, charged with the crime of murder, which crime he has confessed "Counsel for the prisoner also contends that Chariton should not now be surrendered because the committing magistrate refused to receive testimony tending to prove his insanity. If the magistrate erred in thus refusing such testimony, the prisoner has his remedy in the courts, and it is not for the department at this stage of the proceedings to pass upon this question."

Porter had showed him a gun, saying: "I got it for the Parkers." Porter also displayed the brass linuckles, saying he might have to use them also, testified Brassius. Oscar Swikert, a former son-in-law of Mr. Porter, said he had worked with Porter day after day and saw a gun and brass knuckles in his hip pocket frequently.

In the testimony of Woodson Gray, it was brought out that Porter said to Gray: "I'll whip Jess Parker, if it takes me five years."

Prisoner's Father on Stand.

Grant T. Gray was another important witness for the defense. He recalled

this question."
"The case will be fought in the New The case will be longer in the consumpy," declared Mrs. Paul Chariton, mother of the accused tonight after reading the decision of the State Department. She regarded the news received tonight as distinctly favorable.

Ellen Terry Delights Her Hearers With Portraits

Famous English Actress Gives Lec-ture at Hellig on Revolues of Shakespeare's Plays.

THAT Ellen Terry has found the American public loyal, and that in all our mad rush we do not forget, was evidenced last evening at the in Union. Heilig when her lecture on Shake-speare's heroines met with the sympathy, the understanding, even the great love, of a representative audience to which the great English actress engreat love, of a representative accesses to which the great English actress endeared herself by her charming personality and splendid histrionic gifts. She is as gracefully buoyant, as magically voiced, as ever, and conquers with her apparent youth. What won-derful things she did with her ex-quisite, silvery voice, cold printer's ink

All she has learned about Shake-speare's heroines has become part of herself. Action, genture, voice, the quoting of their own words by Miss self. Action, gesture, voice,

her enquisitely tempered personality as an ally. She interpreted this "dearest partner" of Macbeth's ambition and trime as a woman with nervous force, a woman of devotion and possessing above all else the conscience of a woman. Her interpretation struck a

woman. Her interpretation struck a note of terrifying horror.

Her closing portraiture of poer, mad Ophelia was perhaps the most tremendous bits of all her artistry. She gave the part with an emotional quality, a grace of body and simulation of wandering mentality that stamped her performance as great.

PORTER HAD GUN, DEFENSE SHOWS

Public Opinion Regarding Parker Murder Case Undergoes Change.

MANY WITNESSES TESTIFY

Father of Prisoner Creates Sensation by Relating Conversation With Porter, Containing Rererence to Previous Crime,

LA GRANDE, On., Dec. 9 .- (Special.)-With defense in the Jess Parker murder case coming into its own, opinion is swinging in another direction and many who were convinced Parker would be found gullly of the murder of his father-in-law, are surprised that the de-fense has an overwhelming pile of

Many Witnesses Testify.

A. H. Stone was the first witness in A. H. Stone was the first witness in the trial to state that Porter carried a gun and brass knuckles. Following this statement came Dan Graham, who also said he was aware for some time that Porter was carrying a gun and brass knuckles. George Barnard was another witness, who in riding to Elanother witness, who in riding to Elgin with Porter on one occasion, observed that Porter carried a gun.
Frank Brassius stated that at one time
Porter had showed him a gun, saying:
"I got it for the Parkers." Porter
also displayed the brass knuckles, saying he might have to use them also,
testified Brassius. Oscar Swikert, a
former sen-in-law of Mr. Porter, said
he had worked with Porter day after
day and saw a gun and brass knuckles
in his hip pocket frequently.

Grant T. Gray was another important witness for the defense. He recalled his neighborly relations with Mr. Porter, and told of several conversations they had had relative to the Parkers. On one occasion, according to Mr. Gray's recollection, Porter said: "I will give \$10 to get either of them (meaning Jess or his father) to touch me. All I want is for one of them even to touch me."

even to touch me."
The father of Jess Parker was an im-

The father of Jess Parker was an important witness.

When Sam Parker was telling of the Porter trouble, he remarked that William Porter had made threats against the Parkers, saying he would lay them under the sod, just as a relative of his had done the Macey family.

This remark caused every old-timer who is familiar with Eastern Oragon history to take notice, for in the early days the Macey family were murdered in Pine Valley by a man named Porter and after trial and conviction Porter was hanged in Unich.

COAL TRUST IS PURSUED

Government Will Carry Case to Court of Last Resort,

WASHINGTON, Dece 9.—The Government's case against the so-called "coal trust" will be carried to the Supreme Court of the United States.

The Department of Justice set forth today its determination not to be satisfied with partial victory in the United States Circuit Court at Philadelphia.

States Circuit Court at Philadelphia, which held the Temple Iron Company to be an illegal combination.

The statement follows in part:

"As soon as the judgment is settled and entered, the Government will appeal to the Supreme Court for so much of the judgment as is in favor of the defendants. The case will be entitled to prierity in the Supreme Court and it is hoped to make the advanced and heard at a reait may be advanced and heard at a rea-sonably early date."

SHAW ESTATE \$23,000,000

Late Mining Magnate Leaves Fortune Greater Than Supposed.

BOSTON, Dec. 8.—That Quincy A. Shaw, of this city, late president of the Calumet & Hecla Mining Company, left an estate of \$22,000,000 instead of one of about \$7.541,123, as is indicated in the inventory filed with the Probate Court after his death, was disclosed today by a bill in equity filed by the trustees of the estate in the Supreme Court.

The bill asks the court to decide whether Boston is entitled to the entire tax on the property or if it should be divided proportionately among nearby cities and towns.

MENDON, MICH., IS BURNING

Kalamazoo Fire Department Goes to Rescue of Doomed Village.

KALAMAZOO, Mich., Dec. 10.-The village of Mendon, 15 miles south of here, is burning.

A call for the Kalamazoo Fire Department to send aid was received at 2 o'clock and a special train carrying a portion of the department has left

SIXTY MINERS ENTOMBED

Some May Be Alive and Rescuers Strive to Reach Them.

matter which primarily concerns the political branch of the government.

"The first chlection raised by counsel for the accused in this case is without mortis and of no effect in defeating extra-dition.

The second objection in that Chariton morning. Heart disease was the cause.

SOMETHING BIG WILL HAPPEN

December

SEE SUNDAY PAPERS

Utah Senator Is Considered for Supreme Judgeship.

TAFT IS IN A QUANDARY

Nine Men on Slate From Which Two Associate Justices Are to Be Chosen-Hughes Still Has Chance to Be Chief Justice,

WASHINGTON, Dec. 5 .- At the end of another day of conferences and or another day or control of the Cabinet consideration, it appeared to-night that President Taft was but lit-tie nearer a solution of the Supreme Court problem than he was at the be-ginning of the week. Several tenta-tive slates were fixed, it was said, only to be selved out upon final considere wiped out upon

President Taft had a long conference with Senator George Sutherland, of Utah. All day reports had been cur-rent that Senator Sutherland might be

ne of the new justices.

The President has submitted to several senators a list of the men he is con-Senators a list of the men no is cal-sidering for the appointments.

In addition to Justice Charles E.
Hughes, who was put down as the prob-able new Chief Justice, the list contains nine names from which the President will select two Associate Justices. The

will select two Associate Justices. In names follow: Justice Francis J. Swayze, of the Su-preme Court of New Jersey. Joseph R. Lamar, of Augusta, Ga., for-mer Justice of the Georgia Supreme Justice Gordon Russell, of the United

States District Court of Texas.
Justice William C. Hook, of Leavenworth, Kan. now a Judge of the Eighth United States Circuit.

United States Circuit.

Justics Willis Van Devanter, of Cheyenne, also of the Eighth Circuit Court.

Justice John C. Pollock, Topeka, Kan.,
United States District Judge.

Chief Justice John Bradley Winslow,
of the Supreme Court of Wisconsin.

Senator George O. Sutherland, of Utah.

W. D. McHugh, an attorney of Omaha,
Neb.

LEOPOLD'S COIN IN DISPUTE

Princess Starts Suit for \$8,000,000 Also Wanted by Government.

BRUSSELS, Dec. 9.—Attorneys for Princess Louise of Belgium today en-tered a formal suit for the recovery of 8,000,000 which belonged to her father, the late King Leopold, and now held by

Belgian government also claims the money on the ground that it came from the Belgian Congo and belongs to the

state.
The Princess has summoned Leopold's The Princess has summoned Leopold's valet and other members of his entourage to give an accounting of the contents of three trunks said to have been filled with accurities which were mysteriously turned over at Lacken Palace to Baroness Vaughn, the morganatic wife of Leopold, who has since married Emmanuel Durieux, a Frenchman.

OCTOPUS SEIZES WOMAN

Sea Monster Fastens Tentacle About Ankle of Fair Fisherman.

LONG BEACH, Cal., Dec. 9 .- Mrs. Long BEACH, Cat. Days and Selzed by an octopus which she landed while fishing at the pier today. The fish, which measured two feet across, wound a tentacle around the woman's

Mrs. McDonald fainted, and so firm was the grip of the young sea mon-ster that efforts of spectators to re-move it were unsuccessful until a fisherman applied a knife.

Crawford's Wife Causes Arrest.

Charles A. Crawford, a real estate and oil operator, and Eve Lamar were arrested in the apartments they occupy at 295 Fourteenth street by Police Sergeant Kienlin, at 1:15 this morning, on a warrant sworn to by Crawford's wife. Up to a late hour ball had not been furnished in either instance and the prisoners were held at headquarters.

Logger Seriously Hurt.

Matthew Sigfried, a logger, 36 years old, who was probably fatally injured when at work in a camp conducted by the Rainier Timber Company, near Rainier, yesterday was brought to St. Vincent's Hospital in this city for treatment last night. He was caught between rolling logs and crushed about the legs and

Fraternity to Be Host.

The members of the Portland Alumni Chapter of Sigma Chi will entertain at luncheon at noon today, the new chap-ter of Beta Iota, from Eugene. R. S. McMillan, of Seattle, will be the guest of honor. The entire chapter will at-tend the evening performance of the Union Glee Club.

Where Is Mrs. Helen Curry?

Information wanted of Mrs. Helen Curry, formerly of Klondyke, Sherman County, Or. Anyone knowing her prea-ent address will please send it to Rev. Pather Hickey, Wasco, Or.

KNIGHTS STACY-ADAMS SHOES.

INDIGESTION, SOURNESS, DYSPEPSIA AND ALL STOMACH MISERY GOES

Your out-of-order Stomach feels | stomach, Belohing of Gas and Bructa fine five minutes after taking a little Diapepsin.

There would not be a case of indigestion here if readers who are subject to Stomach trouble knew the tremendous anti-ferment and digestive virtue contained in Diapepsin. This harmless preparation will digest a heavy meal without the slightest fuss or discomfort, and relieve the sourest, add atomach in five minutes, besides overceming all foul, Nauseous odors from the breath.

Ask your pharmacist to show you

Nausea, Headache, Billousness and many other bad symptoms; and, besides, you will not need laxatives to keep your stomach, liver and intestines clean and fresh.

Ask your pharmacist to show you the formula plainly printed on each 50-cent case of Fape's Diapepsin, then you will readily understand why this promptly cures indigestion and removes such symptoms as Heartburn.

a feeling like a lump of isad in the house.

Waterman's Dens at Gill's



The Christmas Choice

The Fountain Pen of to-day-Waterman's Ideal-is as good years after use as it is when bought. The practical Xmas present for every one.

PRETTY HOLLY

Watermans Ideal Fountain Pen

WITH EVERY PEN

The Christmas Choice

There is no more appropriate gift for either sex than Waterman's Ideal Fountain

Pen—the pen you see advertised in all the

leading magazines. Our stock is complete in every respect, and we offer you the privilege of exchanging, after Christmas, as many times as necessary to have the recipient thoroughly satisfied. There is a style for every hand and at a price to fit any purse. The J. K. Gill Company's and the manufacturer's guarantee is back of every pen.

Let us show them to you-see our window display this week-then come in and look over ours, the largest stock in Portland. Then you'll easily settle the perplexing question of what

POUNTAIN PEN ANY TIME AND HAVE IT

FILLED

FREE OF

CHARGE

THE J. K. GILL CO.

STAMP OUT THE WHITE PLAGUE-RED CROSS STAMPS ON SALE HERE

BOOKSELLERS The Ideal Gift Store STATIONERS

GRAND TRUNK PACIFIC

Winter Schedule Effective October 30, 1910. Steamships 'Prince Rupert' and 'Prince George'

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Victoria, Vancouver and Prince Rupert. Connecting at Prince Rupert with "S. S. Prince Albert" for Stewart and Queen Charlotte Islands. DAYLIGHT RIDE TO VICTORIA

LEAVE SEATTLE. WASH.
Every Sunday at 2:00 P. M.
Northbound.
MEALS AND BERTH INCLUDED NORTH OF VANCOUVER. "North Pacific Coast Commercial Excursion" to Hawalian Islands and Return on "S. S. Prince Rupert" February 2. 1911. Rate \$225.00, For Tickets and Reservations Apply to Local Railway Ticket Agents or J. H. Burgis, Gen'l Agent, First Ave. and Yesler Way, Sentile, Wash.

Reduced Rates to Los Angeles

\$10.35 Second Class-\$21.50, \$23.50, \$26.50 First Class

To San Francisco \$5, \$10, \$12, \$15

ALL RATES INCLUDE MEALS AND BERTH NEW S. S. "BEAVER" Sails 4 P. M. Tuesday, December 13

SAN FRANCISCO & PORTLAND S. S. CO. G. Smith, C. T. A., 142 Third St. J. W. Ransom, Agent, Alasworth Bock ones: Main 402; A 1402.

Phones: Main 402; A 1402.