

JURIST REGRESSES SENTENCING MAN

Judge McGinn, Leaving Presiding Bench, Says He Will Aid Convict.

PRISON GETS ONE IN MONTH

Establishment of Parole System in State Is Work Toward Which Law Executive Has Put Much Time and Deep Thought.

"During the month I was on the bench I sent but one man to the penitentiary and if I had not been weak on that day from listening to the whines of fear I would not have sent him."

In these words Circuit Judge McGinn summed up his career as presiding judge of the Circuit Court yesterday when in accordance with the fixed rules of the court, he withdrew to the trial bench. The statement is one of several remarkable utterances made in a written statement issued by the judge at the solicitation of press representatives.

Burglar Gets Term.

The man he sent to the State Prison is Frank Franklin, burglar, and the term of sentence is years. But Judge McGinn says he is not a man of that day from listening to the whines of fear I would not have sent him."

Establishment of the parole system on a permanent basis is an achievement to which Judge McGinn has been endeavoring for that sentence by seeking a way of having Franklin paroled in the event a close investigation of the man seems to warrant the risk of releasing him from prison.

Judge McGinn's statement, which is addressed to local newspaper men in acknowledgment of their viewpoint in handling the news of his probation release, follows:

"Portland, Or., Feb. 1.—To my dear friends, the reporters of the various newspapers of Portland, Or.:

Thanks is expressed.

"Upon retiring from the presiding judgeship, made necessary by my illness, I wish in words stronger than I can give you, to thank you one and all for the more than generous assistance which you gave me in my efforts to give life to the probation law of this state. Without your co-operation and daily encouragement nothing could have been done toward giving the law a trial. During the month that I was on the bench I sent but one man to the penitentiary, and if I had not been weak on that day, from listening to the whines of fear, I would not have sent him. Perhaps those lines may reach him; if so I want him to know I shall see him soon. I believe that in the main, all of those whom I have admitted to probation will redeem themselves."

"If the state had probation officers with feeling for their fellow man, such as is possessed by W. H. C. Macdonald, general superintendent of the Portland House of Correction; Father Edward P. Murphy, of St. Patrick Church; Rev. J. D. Corby, of the University Church; and many many more whom I could mention 'whose permitting,' not only every man admitted to probation by me, but nearly every man convicted of crime, could be brought to save himself."

Best of Authority Cited.

"From the best of authority we have it that our Savior, Jesus, on a Sabbath morning, now well nigh into 1900 years, went into the synagogue of his home village, Nazareth, and read from the scroll of Isaiah, who had opened the book he found the place where it is written, 'Thou shalt be called a Nazarene.' 'The spirit of the Lord is upon me.' Why upon him? Because of belief in some abstraction? Let the remaining words of the St. Chap. of Isaiah say why it was upon him, following the last quoted words, because he hath anointed me to preach the Gospel (good tidings) to the poor, he hath sent me to be the broken-hearted, to preach deliverance to the captives and the opening of the prison to them that are bound, to comfort all that mourn.' Sederunt Lucam C. IV, vol. 17, of 56.

"It is because the men whom I have last named above, somehow or another, always find these words when they open the book, because these men by their lives attest their belief in the literal truth of the words of this prophecy, because they would to them, as a compensation of life, and not a rhapsody, that they have been able to win men, hold their affections and finally bring them to believe in the Christian religion, men who but for them would have been lost forever."

"No one should, as a probation officer, be his brother's keeper," is what these quoted words have a rotundity of sound pleasing to the ear, but leaving no definite impression on the understanding.

What Probation Means.

"No one who believes that these words of hope are for man in the millennium only, and when 'this heaven and this earth shall have passed away'; no one who believes that 'Christ's Kingdom come and they will be done on earth as it is in heaven,' are to be understood figuratively and not literally, should be asked to take part in probation work."

WIDOW WANTS WILL SET ASIDE

Mrs. William McLean Pleads Husband Was of Unsound Mind.

Charging that her husband, the late Dr. William McLean, formerly State Veterinarian, was of unsound mind for several years prior to his death, Mrs. McLean, the widow, has taken up proceedings in the County Court to have the will set aside.

SON FIGHTS FATHER'S WILL

Jean Valle, Left Only \$1, Seeks \$17,000 Bequeathed Couple.

Contest of the will of P. Barbeau Valle, a former Philadelphia lawyer, who died in Portland two years ago, has been undertaken by Jean Valle, the son. The elder Valle left the bulk of his property to Mrs. Jane Valle, of 774 Irving street. For several years preceding his death he should be at the home of Mr. and Mrs. Gaze.

MID-STATE IS RICH

Railroads Make Central Oregon's Future Roseate.

OFFICIALS VIEW FARMS

W. C. Wilkes and R. C. Crozier, of Hill Lines, End Fortnight's Inspection — Possibilities of Country Are Extolled.

Central Oregon contains almost inestimable possibilities as a lumber, livestock, hay and grain-producing section, which entrance of the railroad will develop to its fullest scope, reports W. C. Wilkes, assistant general freight and passenger agent of the Hill Lines in Oregon. Mr. Wilkes makes that prediction after a visit to the country adjacent to

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THREE ACCUSED OF BLACKMAIL

J. Syd McNair Says He Was Locked in Room, Forced to Sign Deed.

Accusing Charles R. Benson, R. M. Benson and Ernest P. Deoch of having locked him in a room and threatened him with arrest on a criminal charge unless he gave them \$2000 and title to an interest in a Polk County farm, J. Syd McNair, brought suit in the Circuit Court yesterday to recover the money and title he says he gave them under pressure. The incident happened January 18, says McNair. He complains that the three men called at his office, locked him in and compelled him to sign notes for \$2000 and sign over his interest in a farm of 229 acres.

Woman Spees Railway and Pavers.

Jennie Hayworth sued the Portland Railway, Light & Power Company for \$5000 each in the Circuit Court yesterday, alleging that through carelessness of the company she fell into a street excavation last September and her right leg was broken. The ditch was between the street-car company's tracks and no danger lights were displayed, she complains.

CRUELTY CHARGES FAIL

LINNTON PRISONER ADMITS HE RECEIVED JUST DUES.

Allegations Against Superintendent and Guard Disproved at Grand Jury Inquiry.

"I didn't get any more than was coming to me," said A. D. Lawler, a prisoner at the Linnton rockpile, to the members of the grand jury yesterday. Charges of cruelty against Superintendent Briggs and Guard Metcalfe of the quarry, which had been brought to the attention of the grand jury, thus fell to the ground.

Upon the statements of Ernest Riley, a released prisoner, the jury recently took under consideration charges that Anderson had beaten Lawler while he was handcuffed and that Briggs and Metcalfe had taken part in the beating. The officers were prepared to show that from the time of his arrest Lawler had been refractory and had abused on assault every officer coming within his reach, that he had assaulted Anderson on the way to Linnton, had announced that he was an anarchist and would not work, and that he had organized a hunger strike among the prisoners. Anderson did not deny that he struck Lawler, but said that it was done after the prisoner had kicked at him.

After two days in the dungeon, on a diet of bread and water, Lawler resented from his mutinous attitude and became an exemplary prisoner. Superintendent Briggs says that he is not naturally of a violent temperament, but that he was worked to a pitch of fury by listening to street agitators. Members of the grand jury expressed themselves as well pleased with conditions at the quarry, upon their return yesterday. Most of the day was spent in visiting the various institutions, preparatory to the final report, which must be made on or before next Saturday.

You are probably aware that pneumonia always results from a cold, but you never heard of a cold resulting in pneumonia when Chamberlain's Cough Remedy was used. Why take the risk when this remedy may be had for a trifle? For sale by all dealers.

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THE OREGON TRUNK LINE UNDER CONSTRUCTION THROUGH THE DESCHUTES VALLEY.

M. C. Wilkes, advertising agent for the same system, drove over the territory between Shaniko and Bend, covering over 500 miles of roads and interviewing hundreds of farmers, small merchants, stockgrowers and timbermen during the two weeks ending last Saturday. They just returned to Portland and are preparing their official reports.

Farming Country Viewed.

The officials traveled to Shaniko by rail. From that point they drove to the newly constructed Oregon Trunk, connecting with the graded portion of the road, over which workmen are laying rails, 25 miles north of Madras. They followed the grade most of the way, stopping at every station and driving into the farming country for eight or 10 miles in several directions. Their first radiating point was Madras. Within a 10-mile circle from this city are Madras and Culyer Junction, the latter place being at the north end of the joint trackage with the regular line. Redmond and Bend were also hubs from which they conducted

FORT GEORGE

At the junction of the Fraser and Nechaco Rivers, will be the largest city on the Grand Trunk Pacific Transcontinental Railway west of Winnipeg.

Fort George is the geographical and strategic commercial center of British Columbia—the natural supply point for a splendid mixed farming, mineral, timber and coal area of millions of acres made accessible by 1100 miles of navigable waterways.

Splendid openings for business and investment.

Let us send you a free copy of "British Columbia Bulletin of Information," containing up-to-date news of the great Inland Empire of Canada. Write or call at once.

Natural Resources Security Co., Ltd.

Joint Owners and Sole Agents Fort George, B. C.

RICHARD OBBE

District Sales Solicitor.

407 Wells-Fargo Bldg., Portland, Or.

PROTECTIVE BILLS URGED

Council of Jewish Women Favors Dairy Inspection.

At their council meeting the Jewish women of Portland yesterday pledged themselves to exert all their influence to persuade the legislative representatives to vote favorably on the bills concerning a State Board of Health, under the supervision of which shall be all dairies and stock farms, and also bills for the protection of the Oregon forests. At this business meeting the conditions of the new Neighborhood House in South Portland were discussed also and reports showed the progress of that institution. More than 40 children are registered in the sewing class and because of the large attendance in the cooking department it has seemed wise to divide it into two classes.

Following these discussions and reports a programme was given under the direction of Mrs. M. Barst, which consisted of instrumental music by Miss Edna Trotter, recently from Berlin, and vocal solos by Miss Delia Watson, Miss Watson's selection were "The Waltz from 'La Boheme' and 'Nevin's Song of Love.' 'Cantique d'Amour' (Lest) and Heller's 'Prehudes' were the numbers sung by the choir. The concert after noon was a one-act farce, entitled 'Maid to Order,' of which Mrs. Lucy Edwards Bruce had charge. The characters were: Miss Belmont, the principal, Miss Miriam Jacobs; Miss Poor and Miss Atkinson, teachers; Miss Henriette Lauer and Miss Alva Friendly; Miss Odette, president of the girls' college; Miss Gertrude Ash; Jenny Bangs and Betty Gray, pupils; Miss Helen Cobbentz and Miss Mildred Meyer.

R. S. HOWARD, SR., IS DEAD

Octogenarian Confederate Veteran Dies Here of Old Age.

R. S. Howard, Sr., 85 years old, died at the Portland Sanitarium yesterday morning. Death was due to senility. Mr. Howard was the father of S. Howard, Jr., receiver of the Title Guaranty & Trust Company.

Mr. Howard was born in Kentucky, and passed the active years of his life in New Orleans, where for many years he was prominent in the commercial and social life of that city. He was vice-president of the World's Fair in New Orleans, 1884 and 1885. He also held the position of president of the Times-Democrat, a leading Southern newspaper; director of the old Canal Bank, and president of the Chamber of Commerce of New Orleans. He was a Confederate veteran and served in the Western Army under Beauregard and Albert Sidney Johnston.

Mr. Howard came to Portland in 1887. Besides his widow, he is survived by two daughters, Mrs. Warren F. Houghton, of this city, and Mrs. James Flower, of New York, and a son, R. S. Howard, Jr.

MENINGITIS KILLS THREE

Health Officer, However, Finds No Cause for Alarm.

Three cases of spinal meningitis, all of which proved fatal, are mentioned in the monthly report of Health Officer Wheeler, just completed yesterday. Two of the cases were in the Rescue Home of the Salvation Army. The third was that of a young man who died within a few hours after becoming afflicted.

Dr. Wheeler said yesterday that while the disease was highly dangerous, and the mortality was appearance was not a cause of worry or alarm.

"It is a peculiar disease," said Dr. Wheeler, "in that it flares up occasionally in places where it is suddenly disappears. I don't expect there will be any more cases."

The report of Dr. Wheeler shows that contagious diseases during the month were not generally serious. There were 120 cases of measles, but only one death from it.

During the month 10,289 pupils of the public schools were examined by the medical school examiners. They showed that 278 children were suffering from enlarged tonsils and adenoids, 14 from defective vision, 21 from defective hearing, and 24 from minor ailments.

STRAY SLUG CRIPPLES BOY

Lad Playing in Laurelhurst, Foot Pierced by Bullet.

Willie Erand, a 12-year-old boy, living in Laurelhurst, on Russell street, was crippled for life by a stray bullet which plowed its way through his left foot from the instep to the toes, while he was playing yesterday in Laurelhurst.

The wounded boy's playmates were not able to tell from what direction the bullet came. It was a spent ball and evidently had been fired by a hunter from a considerable distance north of Laurelhurst.

Erand was taken to the office of the Union Lumberyard, on the O.-W. R. & N. line, and thence removed to his home. Owing to the nature of the wound it may cause permanent stiffness of the limb. Some of the small bones were crushed.

A. H. Metcalf, of Rose City Park, said yesterday that careless shooting in that neighborhood is frequent, and that several narrow escapes from flying bullets have been reported.

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A Grand Piano in the Space of An Upright

Despite what may be termed the necessary popularity of the Upright, the Grand Piano is, to many musicians, the only piano.



The Hardman Small Grand Triumphantly solves the problem of space economy.

Hardman Grand Piano

The graceful simplicity of its lines and the delicate restraint of its ornamentation insure its harmonious accord with any scheme of interior decoration likely to be adopted by the people of taste and refinement.

Neither too large for a room of moderate size nor too small for one of the noblest proportions, this piano displays all the recognized Hardman qualities of tone, touch and durability.

The exclusive sale of these magnificent pianos has been with The Wiley B. Allen Co. for almost twenty years. We cordially invite your inspection and test of the recently arrived shipments, in which are to be found the latest and most improved styles in the various different woods.

Time payments may be arranged if desired. Honest values allowed for instruments in exchange.

The Wiley B. Allen Co.

304 Oak Street, Between Fifth and Sixth

One True Medicinal Whiskey

Beware of imitations and substitutes unscrupulous dealers tell you are "just as good as" Duffy's Pure Malt Whiskey

Substitutes Are Dangerous

When a remedy has been before the public for more than half a century, has been prescribed and used by the best doctors and in prominent hospitals, and has carried the blessings of health into as many thousands of homes as Duffy's Pure Malt Whiskey, imitations are bound to arise. But they can imitate the bottle and label only—no one can imitate the contents.

Duffy's Pure Malt Whiskey Is Beneficial



It is an absolutely pure distillation of malted grain. Its palatability and its freedom from injurious substances render it so that it can be retained by the most sensitive stomach. It has been used with remarkable results in the treatment of consumption, pneumonia, grip, coughs, colds, asthma, malaria, low fevers, stomach troubles and all wasted and diseased conditions.

The genuine Duffy's Pure Malt Whiskey is sold in sealed bottles only. The "Old Chemist's Head" is on the label and over the cork is an engraved seal. Be certain this seal is unbroken. Sold by druggists, grocers and dealers everywhere or direct, \$1.00 a large bottle.

BLAZING AWAY

Bad weather has no effect on the sale of lots at MORNINGSIDE, as the lots really sell themselves. Now is the time to make your purchase, as when the Spring weather arrives and the people who await good weather before buying, will pay an advance price for these lots. Don't wait until the "cream" is all gone; come out today and make your selection, before it is too late.

Prices \$650 to \$1500 on the easiest kind of terms. **Hartman & Thompson** Chamber of Commerce Building. Phone Private Exchange 20, or A 2050.