# ATTORNEY LOGAN HURLS INK WELL

Missile Strikes Prosecutor Fitzgerald on Jaw at Hicks Trial.

CLASH FOLLOWS EPITHET

Opposing Counsel Quarrel Over Gun. State Accuses Defense of Tampering With Weapon - Outbreak Is Outside of Court.

Bitter feeling between attorneys angaged in the trial of the case of the gaged in the trial of the case of the state against Burt Bicks, charged with the murder of W. A. Wortman, came to a head in Judge Gatens' chambers presterday aftermon when John F. Lo-gan, of counsel for the defense, hurled an inkwell at the head of Deputy Dis-trict Attorney Pitagerald as the latter advanced to attack him after applying

a vize epithel.

The bottle struck Fitzgerald on the law and bounced against the glass front of a bookcase, shattering the glass into a thousand pieces. The interference of Bailler Hulford prevented

further hostilities.

Mr. Hulford used strong language to the belligerents and, after striving for a few moments to brush him aside and ridding themselves of verbal compliments, their bellicose attitudes disap-

Trouble Starts Over Gun.

Trouble Starts Over Gun.
The trouble started in the courtroom, where Dan J. Malarkey, chief of counsel for the defense, was making his opening statement to the jury. When he arrived at the point where he wished to describe Hicks' armament on the night of the shooting, his object being to discredit statement made previously by Special Prosecutor Davis, the revelver with which the shooting was done was handed Mr. Logan by Frank Fields, Jr., deputy county clerk, and was passed by Mr. Logan to Mr. Malarkey that the latter might use it to preve his statements.

larkey that the latter might use it to preve his statements.

Mr. Malarkey had previously said that there were only two bullets in the magazine which was in the revolver when the fatal shot was fired. Mr. Logan started emptying out the shells of two other magazines, containing seven bullets each, which were taken from Hicks when he was arrested. There was an immediate objection on the part of attorneys for the state. There was an immediate objection on the part of attorneys for the state. The revolver had no place in the case, they declared, until introduced as evidence and properly identified. Judge Gatens sustained the objection, refusing even to allow Mr. Malarkey to say that the gun used was similar to the one he held in his hand.

Insinuation Is Overheard.

Mr. Fitzgeraid, sitting in the balliff's has at the left of the judge and a little below him, leaned over and started whispering to the judge. Mr. Logan immediately walkest behind Mr. Fitzgerald and heard him insimuse that there had been als builets left in the magazine from unled the one which stilled Wortman had been fired and say that attorneys should not be allowed to lamper with the weapon.

To you mean to say that Mr. Malarkey or I got away with those builets?

The you mean to say that Mr. Malar-key or I got away with those bulleta?" demanded Mr. Logan of the prosecutor.

Mr. Pitagerald returned an answer to the effect that there had been six bullets in the magnzine and intimated that he believed the defense had disposed of all but one, whereupon Mr. Logan called Fitzgerald a lint, his voice raising to the exient that it could be beard several feet away.

The prosecutor at ance became charged and, leaving his seat, started barkwards towards the door of Judge Gatens' chambers, meanwhile motioning to Mr. Logan and inviting him verbally to come outside and repeat his statement. The other remained standing beilind lie builtiffs box for perhaps 28 seconds and then walked into the chambers. A few moments inter there

chambers. A few moments later there was a crash, caused by the inkwell cleaving its way through the front of the bookcase, and some minutes later the attorneys came separately into the

had just concluded his statement to the juty and Mr. Malarkey had not yet commenced. The attorneys for the defense were allowed by the clerk to take the revolver and they started examining it and the magazines. Mr. Pinsgeraid objected then, but no trouble consider as the weapon was handed back to Mr. Ffolds.

Clerk Makes Statement.

is just as I received it.

This statement was made after the alternays. Pressed for a statement as to his reason for believing that there were six bullets in the third magazine. Mr. Fitzgerald said that he had read it in the newspaper accounts of the shooting and had information from other sources. He contended that if the attorneys for the defense had let the gun along there would have been no ground for disagreement. It was agreed, however, that the evidence of Patrolman Funn, who arrested Hicks on the sight of the killing, would establish the number of bullets left in the magazine after the abooting.

the number of bullets left in the magazine after the absorbing.

In a trial in which first degree marder is charged it is necessary for the
state to prove presentitation, and the
number of bullets in the magazine
from which the one which onded Wortman's life was discharged
sound have an important bearing on
that point. The attorneys for the
state would seek to deduce presneditation from a full magazine while those
for the defense would arge, is all probability, that the presence of only two
bullets in the magazine should appeal

was necessary for Hicks and his workmen to have excorts of policemen on
their way home from work, and Hicks
had finally appealed to Captain Baty,
of the police department, for leave to
carry a revolver, believing that his life
was in danger, the attorney declared,
and had been told that he would not be
streated if he did so, in view of the
tactics of the pickets.

"There is a vacant let next to Mr,
Hicks residence," said the attorney,
and it was covered with weeds. Mr.
Hicks could not find out about it, and
he finally went out and cut the weeds

SCENE IN JUDGE GATENS' COURT YESTERDAY WHEN COUNSEL FOR THE STATE AND DEPENSE WERE MAKING OPENING STATEMENTS IN HICKS MURDER TRIAL



JUDGE GATENS PRESIDING: TO HIS RIGHT, SEATED, BALIFF HULFORD: STANDING NEXT TO BALIFF, DAN J. MALARKEY, CHIEF OF COUNSEL FOR THE DEFENSE; CHRIS A. BELL AND JOHN H. STEVENSON, ASSISTANT ATTORNEYS FOR DEFENDANT, SEATED AT TABLE, MR. BELL BEING NEARER THE JURY. THE 12 JUBORS ARE SEATED DIRECTLY IN FRONT OF JUDGE GATENS. THE 12 JURORS ARE SEATED

State and Defense Give Jury Variant

Accounts of Killing. Opening statements made to the Hicks murder trial jury in Judge Gatens' court yesterday by W. M. Davis, special prosecutor in the employ of the labor unions, for the state, and by Dan J. Malarkey for the defense were widely at variance as to the facts surrounding and the events leading up to the killing of W. A. Wortman, a union machinist and picketer, by Hicks on East Morrison street on November 2.

Mr. Davis declared that the prosecution will prove premediation and cold-

Mr. Davis declared that the prosecu-tion will prove premeditation and cold-blooded murder of a quiet and law-abiding citizen. His opponent promised to prove that Hicks shot in self-de-fense, and that Hicks had been driven fense, and that Hicks had been driven to desperation by the tactics of pickets ers in the amploy of the striking machinists, and that the dead man was one of the most aggressive and aggravating of the picketers.

Mr. Dayls occupied an hour and a half with his statement, concluding at II o'clock. Mr. Malarkey utilized the time till noon and from 2 o'clock to 4 o'clock in the afternoon, going into device the time till noon and from 2 o'clock to 4 o'clock in the afternoon, going into device.

time till noon and from 2 o'clock to 4 o'clock in the afternoon, going into detail in describing the alleged indignities heaped upon machinists who falled to strike and their employers. He told several stories of the use of violence by the picketers, declaring that they had beaten several men into insensibility and had applied epithets sufficiently degrading to make the blood of any man, no matter how great his self-control, boil to the danger point. His client, he declared, had finally reached the point where he went about in momentary fear of losing his life.

Following Mr. Malarkey's address the jurces went to the store of W. H. Markell on East Morrison street. In front of which the shoeting occurred, and then paid a visit to the machine shop of the defendant at East Third and East Oak streets. The taking of testimony will commence at 3:30 this morning

mony will commence at 5:30 this morn-

Mr. Davis admitted in his talk to the Mr. Davis some continued in the same and the working the short of the same of the sam Wortman was walking in this direc-

Firsgerald lak-Spatiered.

Mr. Logan's hands were covered with las he hursed it. The side of his opponent's face showed inkapous and his collar was similarly bespattered. The floor of Judge Gaiens' private office was covered with pleces of shattered glass and the wall presented nute evidence of where the ink not spattered ever the heligerents had gone.

Nick Bantgen, clerk of the Munichinol thourt, it sevelaped, had been subpensed by Special Presecutor Davis to bring the revolver and other exhibits in his 'possession in the Courtbeau at J o'clock in the affernoon. Mr. Logan had telephoned him to bring it up vestorday morning and Beutgen arrived about fit o'clock. He asked Railff Hulford for a receipt and was referred to Deputs County Clerk Fields, who is in attendance upon Judge Gaiens' court. Special Prosecutor Davis had just concluded his statement to the just and Mr. Malarkey had not yet commenced. The attendance was for the strike back at Hicks.

A just concluded his statement to the just and Mr. Malarkey had not yet commenced. The attendance of the first had just concluded his statement to the just and Mr. Malarkey had not yet commenced. The attendance "The first had Just commenced. The attendance of the first had just concluded his statement to the just and Mr. Malarkey had not yet commenced. The attendance "The first had Just commenced. The attendance with his inside pocket, and Mr. Vetruba. He was first, so protect himself from Mr. Hicks commenced trying to get this automatic revolver out of his pocket, He had it in his inside pocket, and Mr. Vetruba. Hill. Wortman appeared to be trying to hold Hicks' coat and was going backwards at the time this shot was first, going backwards at the time all willone from Mr. Hicks and kept on backing at him. Mr. Wortman was after him. "Sailf Mr. Davis. "He was after him." As all Mr

of arming the men who took the place of strikers, and inciting them to acts of violence against the picketers, and declared that Hicks had wrought him-When the gun was given to me two magazines carrying seven builets each were delivered with it." said the donuty clerk. "The magazine in the gun (the one from which the builet which killed Wortman was fired) was empty but there was one hullet tied up in a package and tied to the gun. I presume that this builet came from the most unreasonable man to work for is one who wins his way up from the ranks. Wortman, the attorney declared, was a retiring and modest man who was subject to epileptic fits, and who had been debarred for that reason

to the jury as proof that the defendsant had not gone forth deliberately to
do murder.

"It is the same sry of jobbery" which
came from the District Attorney's office in the Wilde case," said Mr. Logan.

STATEMENTS DIFFER WIDELY

STATEMENT DIFFER WIDELY

the lift, and murder him white he slept.

"We want no compromise," said Mr. Malarkey in conclusion. "We will ask you either to find this defendant guilty of murder in the first degree as charged or acquit him. Nothing clse will satisfy us. The state has thrown down the challenge and we have accepted it just as it stands in the shape of the charge contained in this indictment."

Mr. Malarkey also referred to the presence of Special Prosecutors Davis and Jeffrey, saying that they were not in the case to see justice done, but were there at the instance of the labor unions to convict the defendant if there was any way of doing it. Mr. Davis had said in his statement that his ipstructions were not to seek to do an

atructions were not to seek to do an injustice to the defendant, but to se-cure a conviction only if it was merited.

EAST SIDE TRANSFERRED.

Hill Lines Believed Certain as Buyer of \$1,500,000 Property-Annonneement Expected.

With the purchase yesterday of a half block on the north side of East Salmon street, between East First and East Second streets, by Attorney W. c.

Thomas for a client, there have been most certain that furnished within the past four alleged graft cannot continue with another parcels in the East Side shipmonths parcels in the East Side shipmonths parcels in the East Side shipmonths are continued with alleged graft cannot continue with some district aggregating 12 full blocks.

Probably Klingel's case would not have been brought to notice yester-have been brought to not been shaded to be a second street and that the past of the past four alleged graft cannot continue with the past four alleged graft cannot cannot cannot be past four alleged graft cannot canno and involving a total consideration of approximately \$1,500,000. The larger part of the activity has been confined to a compact area bounded by the river front, Hawthorne avenue, Union ave-

nue and East Yambill street.
A. C. Bruun, of the Oregon Realty Company, has been the estensible purchaser of nearly all the parcels, Mr. Bruun maintains absolute secrecy as to the reason for the big buying move-ment in this district, but it is now virtually assured that the Hill interests are the real purchasers. Gray, president of the Hill lines in the Northwest, intimated yesterday that an announcement would be made soon in regard to the railroad's plans on the East Side. It is common rumor now that the property that has been taken over will be used for terminal pur-poses by the Great Northern. The half block purchased yesterday

was acquired of the Logus estate, of Oregon City, for \$50,000. The property is vacant. The sale was negotiated by Mail & Von Borstel. This firm has sold for owners in this district parcels epresenting a total consideration of

\$5 SENDS A PIANO HOME

balance \$5 per month, Rush & Lane Piane Co., 355 Washington st.

WILL CELEBRATE HIS SEVEN-TIETH BIRTHDAY TODAY.



F. S. Akin, prominent for many years in business and philan-thropic circles, will celebrate his 70th birthday today. Having crossed the plains when a small boy, Mr. Akin has lived in Port-land or cicinity for more than 60 years. During this time he has won a host of friends, who will extend him congratulations

# SEEKS PATROLMAN

Charges to Be Filed Against Officer C. C. Klingel by Chief Slover.

LEAVE OF ABSENCE IS UP

Probing of Alleged Graft Cases Halted, It Is Said, by Man's Disappearance-Bid to Wreck City Jail Turned Down.

Failure of C. C. Klingel, a patrolman, to report for duty at headquarters led yesterday afternoon to the
issuance of an order by the police commilitee of the Executive Board to Chief
of Police Slover to file formal charges
against him.

Chief Slover probably will file
charges of being absent without leave,
as Klingel's six months' leave of absence, granted by the civil zervice
commission, has expired and the policeman is missing. He is hadly wanted

commission, has expired and the po-liceman is missing. He is badly wanted by the department, as it is said by those high in authority in police ad-ministration that without him it is al-most certain that further probing of alleged graft cannot continue with success.

other requests for leaves of absence by policemen. When these were read, re-marks of members of the committee and by Mayor Rusblight, who chanced to be present, recalled the fact that Klingel's leave had expired.

Klingel Leaves City.

Klingel occupied a confidential position under Captain of Police Bailey, who commanded a relief at headquarters for years, and who now is under indictment of a grand jury and charges of misconduct by his Chief. In this connection, it has been pointed out, the policeman had ample opportunity to know of transactions said to have taken place and which would have bearing one way or the other and might lead to startling revelations.

When Klingel was supposed to be in Montana, proving up a homestead, he suddenly appeared on the scene early Kilngel Leaves City.

When Klingel was supposed to be in Montana, proving up a homestead, he suddenly appeared on the scene early one morning when he went to the assistance of a brother officer who was having a big fight with some rowdies. Klingel was wounded in the combat, but not seriously. His presence in the city was therefore made known, but at the time he was not wanted as he is now and, as he was on leave, nothing was done. He explained his presence here by saying he had been obliged to remain because of non-receipt of funds he had expected.

Chief Slover told the Mayor and members of the committee yesterday afternoon that he wants Klingel and is looking for him, but it is not known whether or not the Chief will go to the length of asking police departments throughout the country to search for

roughout the country to search for

Leaves of Absence Denied.

Leaves of absence sought by Patre en Croxford, Wilson and Brothe men Croxford, Wilson and Brothers were discussed and it was decided, upon suggestion by the Mayor, to grant no more long leaves of absence, unless the applicants must have it for their health's sake. Therefore, Croxford's request was referred to the Chief for a report, as he did not state what his reason is; Wilson's was granted, as he is fil, and Brothers had decided not to ask for any, after having made formal application. Miss bella Reed, a department stemographer,

decided not to ask for any, after having made formal application. Miss Della Reed, a department stenographer, was granted an indefinite leave, as she is in poor health and had to leave for a change of climate.

One bid for wrecking the old City Jail at Second and Oak streets was opened, but Mayor Rushilpht refused to accept it. The price bid was \$2000. The Mayor declared this is too much, as there is considerable salvage. New bids will be sought.

Dick and Prince, old horses of the department, were ordered sold at auction by the City Auditor. They are in fairly good condition and can work at many kinds of business, but are no longer fit for pelice service.

onger fit for police service. Officer Agrees to Shifn Liquor.

H. C. Coleman, who was given a spe-cial star for duty on Portland Heights recently and got drunk the second night, was before the committee asking morey. He said he would never drink again, as it was in this that he of-

nded. "Don't say you will never take an-ther drink," said Chief Slover. "I other drink," said Chief Slover. "I (Muitnom would advise you to qualify your March 16.

statement by saying you never would take another drink unless you were standing on your head at the time, or something like that."

The committee decided that the young man may have a star if Portland Heights people in sufficient number petition for him.

### CANDIDACY TOO EXPENSIVE

W. O. Powell Retires From Race "in Favor of Less Conscientious."

That the campaign expenses allowed by the corrupt practices act are not sufficient to permit a successful campaign and that he will therefore "leave the field to those whose conscientious scrippes do not prevent them from rescription to the subterfuge necessary to meet the expenses of such campaigns as are now being conducted in this county" is the statement of William O. Powell in a letter to County Clerk Fields yesterday. Mr. Powell had filed his petition as a candidate for state Senator from the 13th district. Jonathan Bourne, it is understood, is furnishing a fund of \$500 for the prosecution of those who violate the corrupt interferes art. Mr. Powell lives at \$24½ Williams avenue, in his letter he says: Herewith I request the withdrawal of my petition for nomination for State Senator on the Republican ticket from the Thirteenth Senatorial District.

I find that the expense nacessary to a successful campaign for State Senator in this county is so much greater than that intended by the law governing the caudidates for nomination at the primaries that defeal of my efforts is sure from the beginning.

Therefore, I desire to leave the field to scruples do not prevent them from re-

oning. Therefore, I desire to leave the field to

## PERSONAL MENTION.

Henry Wilson, a Tacoma merchant, is

James R. Miller, a Denver merchant, is at the Carlton.

George S. Davis, a Medford newspa per man, is at the Imperial.

N. Matlock, of Pendleton, is at the Multnomab. W. H. Easter, a Lafayette merchant, is at the Perkins.

Frank C. Woodford, a Belse business man, is at the Cornellus. F. B. Currie, of Hot Lake, is regis-

tered at the Imperial Brooke Hartley, of Alameda, is reg-Arthur Clarke, a Corvailis banker, is registered at the Oregon.

J. R. Preble, a Tacoma engineer, is registered at the Bowers. R. H. Goddard, a Minneapolls lum-

K. D. Relin, of Helsingfors, Finland, registered at the Carlton

S. M. Gallagher, a business Astoria, is at the Imperial, H. M. Ritard, a Pendleton in is registered at the Perkins.

C. E. Fowler, a Seattle contractor, registered at the Imperial. G. M. Shimpf, a sheepralser of Hepp-er, is registered at the Perkins.

M. Housh, a contractor of Pay is registered at the Oregon. D. D. Hail, a fruit grewer of Mo-sier, is registered at the Portland. Mr. and Mrs. V. Slater, of San Francisco, are registered at the Carlton.

C. T. Camplan, a merchant of Golden-nie, is registered at the Cornellus. L. Goldbolt, a merchant of Winnipeg, is registered at the Multnomah. S. L. Boyd, a lumberman of Coeur d'Alene, is registered at the Portland. Guy Willard, a railroad contractor of pokane, is registered at the Perkins. B. F. Hechter and L. R. Kellogg, of

okane, are registered at the Multno-B. S. Gordon, a wholesale grocer of Spokane, is registered at the Multno

George E. Moore, connected with the eclamation service, is at the Oregon. Mr. and Mrs. W. G. Merryweather, of

Mr. and Mrs. George Casside. of Dea Moines, Isa, are at the Hotel Lenox for a few days.

W. E. Amond, manager of the Standard Oil Company at San Francisco, is at the Oreson.

No. Sunken To Fat Lie Oreside.

at the Oregon Charles V. Brown, an Astoria mer-chant, is at the Imperial, accompanied y Mrs. Brown

H. G. Perley, manager of the Union Ment Company of Hoquiam, is regis-tered at the Oregon. CHICAGO, March 14.—(Special.)— The following from Portland, Or., are registered at Chicago hotels; Edgar Frank, at the Congress; A. J. Lewth-waite, at the La Salle.

NEW RAILWAY OFFICE.

The new home of the Canadian Pa-ific Railway passenger and freight lepartment, corner Third and Pine department, corner Third and Fine (Mulinomah Hotel), will be opened

Spokane Man Declares Growth · Is Substantial.

BUSINESS NOW INCREASING

R. J. Maelean, Secretary of Power City's Chamber of Commerce.

his first visit to Portland in three years, and the growth Portland has made since that time evoked from him expressions of astonishment.

On the occasion of his former visit he was president of the Board of Trade of Wilmington, bel. Mr. MacLean's experience in promotion work has given him some decided views on various kinds of people encountered in this kind of work among them the "knocker." of work, among them the "knocker. As to this particular personage he ex-pressed himself very pointedly yes-

"The knocker," he said, "Is the failure in the community. He is the one who has falled to experience as much success as he perhaps would like it his particular affairs, or perhaps has met with failure and because this is so, he thinks the whole community is deteriorating. He is the man who has not made good, who lacks business or executive ability who is deficient in executive ability, who is deficient in

executive ability, who is deficient in some personal quality.

"We have him in Spdkane and suppose you have him in Portland. He professes to think that the city has reached its maximum growth. We had him with us when the city had reached a pepulation of 50,000 and now that we have more than 100,000 he will keeps. have more than 100,000, he still keeps

have more than 100,000, he shift keeps knocking.

"The optimist, differing from the pessimist, is the successful business man, the man of ability and good personal characteristics. He says business is good because business is good with him. He is in a line of business for which there is a public demand and because good present to ie has a good proposition to present to

the public."
In speaking of the commercial assets and the business of Spokane, Mr. Mac-Lean said they were such as insured a bright future for the city. "Spokane is in the heart of a large territory," he said, "in which there abound agricultural, horticultural, min-

ing and timber resources of vast magni-tode. For 150 miles on every side, the country stretches. A railroad proj-ect from Spokane into Canada will further increase the resources of Spo

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That those who are seeking health and strength for themselves, children, relaves or friends may experience the lifegiving properties of this exclusive Norway gold medal ozonized cod liver oil medicinal food emulsion-as well as to know Ozomulsion superiority—in being most palatable and easy to take—a gen-erous 3-oz, bottle will be sent by mail to those who send addresses by postcard or letter to Ozomulsion, 548 Pearl St., N. Y.

Cravenette Cloths for your Spring Coat can be had at the House of Coats in all leading styles, shades and materials for men,

women, boys and girls.



These \$2.75 Coats are made of tan and gray rubber art plaidlined, high storm collars and entl's. Specially priced for Saturday and today.

Alterations Free of Charge Open Saturday Night Until 10:30

You will find here a complete line of Rubber Coats and Hats for all kinds of work at prices that are right.

RAINCOAT COMPANY 343 WASHINGTON 343

tane. Some idea of the commercial sta-tus of Spokane may be conceived when it is remembered that her jobbing busithe course of a year amounts

# he Diamond

Any curbstone will stop a skid -but only

The Diamond Safety Tread Tire will prevent a car starting to skid on slippery, greasy streets.

It is based on a scientific principle worked out by Diamond Engineers. You know how a squeegee window cleaner works. The Diamond Safety Tread works the same way, and it will not skid.

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COMPANY OF THE PROPERTY OF

## GOLD DUST makes dish water that digs

Gold Dust offers the shortest cut from the drudgery of dish washing. Just a little Gold Dust shaken in your dish water will remove the grease and dirt.

Gold Dust digs deep into cracks and corners-purifies and drives out every bit of dirt or hidden germs which soap and water will not reach. Gold Dust sterilizes as well as cleans.

If you spend two hours a day washing dishes, Gold Dust will enable you to save one hour -and your dishes, too, will be spotlessly white, wholesome and sanitary.

emmonia or kero-sene with GOLD DUST. GOLD DUST has all desir-



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