

TEN YEARS FOR ROBBER

BOY BANDIT IS MADE AN EXAMPLE OF BY COURT.

Charles Hoehn, Who Helped Hold Up O. R. & N. Train, Receives a Severe Sentence.

Ten years in the penitentiary was the sentence pronounced by Judge Cleland yesterday on Charles Hoehn, the boy who was concerned in the holdup of a train of the O. R. & N. Co., near Corbett in September last.

Hoehn pleaded guilty to a charge of assault with intent to rob H. L. Stevenson, the fireman of the train, and in the meantime admitted to him in which he was accused of attempting to rob O. L. Barrett, the engineer, and Smith, the brakeman, were dismissed with the consent of A. L. Mohler, president of the O. R. & N. Co.

E. J. Tracy, attorney for Hoehn, addressed the court, stating that there were extenuating circumstances connected with the case. "He was attending school in the State of Washington where there is a cooperative colony," said Hoehn's counsel.

"When he met Miner, who was the leader of the party, Miner proposed a trip to the Columbia River and he agreed to go. They came to Globe, where they met Harshman, whose true name is Williams. Afterwards they came to Portland and purchased some powder, the boy not knowing for what purpose. Next they went up the Columbia River for a few days.

On the night of the train robbery they went to Corbett, where Miner placed the rifle in Hoehn's hands and told him what to do. This was the first time the boy was aware of the intention to hold up a train. He was instructed not to let the passengers come out and the boy, "why don't you do something?" and took his rifle and fired it off several times to frighten the passengers. After the failure to rob the train he proceeded with Miner as far as Watson, where he left him and returned to his old home at Samsliff Flats and went to work in a shingle mill. He is only 15 years old and did not realize what he was doing.

"He was overcome by the superior will of Miner, with whom he severed his connection after the attempted robbery just as soon as he could.

Deputy District Attorney Spencer contradicted the statement of the case made by Mr. Tracy in several particulars. Mr. Spencer said that Hoehn had pleaded guilty to one information and that he would be dismissed. This action was taken by the District Attorney's office with the approval of President Mohler, of the O. R. & N. Co., and counsel said this was as far as they should go in extending leniency to the prisoner.

"Statements made by him in the County Jail," said Mr. Spencer, "would convict him if he was tried before any jury. He was not let into the county jail. He was held up the brakeman, Smith, Stevenson, the fireman, was covered by Harshman, and Barrett, the engineer, and he was shot. After the shooting of Harshman, and when he was supposed to have been killed, the weapons he had were taken by the boy, who also took from Harshman what he had in his pocket. Four charges could have been preferred against this prisoner. In view of the fact of the nature of this offense and that the punishment should serve as a warning and have a deterrent effect on others, both young men and old men, I think a severe penalty should be imposed."

Judge Cleland, in passing sentence, remarked that the offense was a serious one and that in dismissing two informations all the clemency had been extended which the court ought to allow when the magnitude of the offense was considered. In conclusion, Judge Cleland said: "The court believes its duty to the public requires that you shall be punished and punished severely. The sentence of this court is that you be confined in the penitentiary for a period of ten years.

The sentencing of Harshman is postponed for the reason that he is still under the care of County Physician E. P. Geary. The court ordered the release of James McGuire and James E. Bryden, who were held as witnesses. The men stopped at McGuire's place at Government Island. McGuire was brought to the County Jail several days ago for the reason that he was then said to be charged as a principal, but there was not enough evidence to hold him.

LAWYERS COME HIGH.

Many Attorneys Testify as to Value of Services in Land Case.

Numerous attorneys testified in Judge Geary's Court yesterday in the case of Bauer & Greene against William M. Bray and Marshall J. Kinney, as to what the services of Bauer & Greene were worth for examining the title of 100,000 acres of land, which was the subject, which took months of constant work.

W. T. Muir said a reasonable fee would be \$500 to \$750. Fred N. Holman considered \$500 the lowest fee which should be charged. Judge C. H. Carey placed the amount at \$500 to \$10,000. Robert T. Platt's figures were \$500 to \$500.

J. C. Flinders testified that \$500 was a reasonable fee. J. V. Beach also considered \$500 a reasonable sum. H. H. Northrup, who has practiced law for 23 years, said \$500 to \$800 was about right. Judge Thomas O'Day calculated \$500 to \$600 reasonable for the case.

E. C. Cronaugh's figures were \$450 to \$500. E. B. Watson, ex-justice of the Supreme Court, who is familiar with the history of the land, expressed an opinion that the work of examining the title was worth \$300, but would not say how much additional should be charged for a guaranteed abstract of title.

It came out at the trial yesterday that Bray and Kinney lost the \$5,000 option they had on the land by not paying the balance of the purchase price, \$25,000. The day they expected to make full payment. They had the option extended six months, but still could not succeed in making things go as they had anticipated. They intended to sell the land to other parties at a large profit. Cooper & Stapleton, attorneys for Bray and Kinney, endeavored to make the point that in making out their bill Bauer & Greene should have considered the fact that their clients never finally purchased the land.

Wasn't Asked to Go.

A nonsuit was granted by Judge George yesterday in the \$10,000 damage case of P. M. Massey against M. Seiler & Co. Massey expressed an opinion that an elevator shaft and the place was viewed by the Judge and jury. In granting a nonsuit Judge George said he was convinced from the evidence that if Massey had not walked into a dark place in the store he would not have met with the accident, and he was not asked to go there, but went of his own accord.

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A business man says: "For 30 years I smoked on an average of 10 or 15 cigars a day and then my nervous system collapsed and I had about made up my mind that it was all up with me for other than many times to break off from the tobacco, but it always failed.

"Last May I was so run down I only weighed 113 pounds, and I realized that I must stop smoking and stick to it for about 10 days, but was so nervous to get out of sorts my family told me I had better go back to smoking, as it was impossible to live with my family and about this time my wife brought a package of Grape-Nuts on the table one morning, and as I could eat nothing else, she induced me to try a little of that. So I took a teaspoonful of it and, strange as it may seem, it tasted good, and by the time I had it down I knew it had gone to the right spot, so I took some more, and it was the first food I had relished for weeks.

"So I kept up the use of Grape-Nuts and as my appetite came back added other foods and I am now back to my old weight of 152 pounds, never felt better in my life and, strange as it may seem, I have no further craving for the tobacco and I thoroughly believe that only the courage and ambition I got out of the food Grape-Nuts has given me the strength to quit smoking. If anyone knew the power of this wonderful food you would not be able to build a factory big enough to supply it." Name given by Postum Co., Battle Creek, Mich.

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FORD'S Auction Sales

Tomorrow, 10 A. M. Sharp, at 182 First Street. Only visit our Auction Rooms at 182 First Street and view the grand display of white enameled metal beds, many varieties, from the low priced to the very richest in design and finish. Also some very swell oak bedroom suits, best Y.Y. springs, common and hair mattresses, oak extension tables, buffet in polished oak chairs, rockers, center stands, mantel beds, Windsor folding bed, kitchen treasures and a lot of choice fruit preserved in sugar in half-gallon jars, cook stoves, heaters, etc., etc.

NEW TODAY.

HARTMAN THOMPSON AND POWERS 3 CHAMBER OF COMMERCE

Homes in Irvington and Holladay Add. We will build a home to suit you in the best part of Irvington and Holladay's Add. Installment payments if desired.

\$2500 For modern, convenient home of six rooms, with porcelain bath and sink, wash trays in basement, high ceilings, on West Side, 21st and Vaughn streets.

\$2700 For 3-room new modern cottage, with bath, hot and cold water, in two corners; 25 fruit trees, grapes and other small fruits; near Williams-ave. car line.

\$1200 2-acre, near Portland boulevard, low blocks from Arbor Lodge station, on St. Johns electric car line.

\$1600 For 6-room modern dwelling, on East 20th street; modern conveniences.

\$1800 For 5-room cottage, new and modern; lot 50x100; East side, on corner good soundings; near Williams-ave. car line.

\$1000 For quarter-block, with four-room house, on corner of East 7th and Skidmore streets.

\$1400 For new 1 1/2-story 6-room cottage, with bath, hot and cold water, in the Mount Tabor district; all conveniences.

\$2750 For 6-room low, modern house, on East 20th and Salmon streets; porcelain plumbing fixtures; street improved; high and stylish.

\$4400 For 2 new 6-room houses, with 2 1/2-bath, on Holladay ave.; porcelain plumbing; cement walks, within 1 block of two car lines; rent for \$40; a good investment.

\$2600 For 2-room modern house, with 3 1/2-bath, on East Ninth and Ash; walking distance of center of city; a very good buy.

\$2350 For 6-room new modern home, with 2 1/2-bath, on East 10th and 50th; near car line.

\$2650 For new 7-room modern dwelling, with 2 1/2-bath, on East 10th and 50th; blocks from Ankeny car line; all modern conveniences.

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AUCTION SALE

Tomorrow, at 2 P. M. Sharp at Residence, 275 Hassalo St.

Mr. De Host has given as the privilege of selling, WITHOUT RESERVE, all his household goods, which are almost new, and include a very fine oak room set, bedroom, a fine Brussels and Ingrain carpets, matting, lace curtains, new upright heater, with cast-iron top, kitchen tray, couch, Y.Y. springs, fine feather mattresses, pillows, dining chairs, walking distance of center of city, are: ware, laundry, etc. These goods are almost new.

Take a car for No. 275 Hassalo st., at 2 P. M. tomorrow.

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