

CALLS IT ILLEGAL

Breyman Asks to Have Indictment Set Aside.

PICKS OUT FLAWS IN PAPER

He Declares the Grand Jury Caused Him to Give Evidence Against Himself Without Giving Him the Proper Warning.

A. H. Breyman, who is jointly indicted with his partner, John Somerville, for leasing the Paris House property for immoral purposes, yesterday, by his attorneys, Carey & Mays, filed a motion to set aside the indictment.

It is alleged that the indictment is not found indorsed and presented as prescribed in chapter 7, title 18 of the code; second, that the jury found an indictment against the defendant on his own testimony, which was incompetent and illegal, and third, that the constitutional right of the defendant was violated in that he was compelled to testify before the grand jury as a witness against himself.

Files an Affidavit.

In connection with the motion, Mr. Breyman has filed an affidavit which states: "I was subpoenaed before the grand jury on November 25, 1904, and required to bring with me the lease to my property mentioned in the indictment. I was required to produce the lease and was interrupted by members of the grand jury touching my ownership of the property and was required to testify as a witness concerning the occupancy of the property, its use by the tenant, and the lease and other matters relating to the character of the place and pertaining generally to the subject matter in the indictment. I did not intend to testify voluntarily, but solely because I was required to. I was not informed of my rights nor permitted to seek the advice of counsel and was not advised by the grand jury that my testimony would be used against me, nor was I told I need not answer the questions propounded to me, or that I could not be required to testify against myself, and I did not know I could not be required to testify against myself. The indictment was based upon my testimony."

WOULD SELL SEASIDE HOUSE

Petition to That End Filed in County Court by Charles H. Carey.

A petition to sell the Seaside House property, comprising a Summer resort hotel and several hundred acres of land at Clatsop Beach, was filed in the County Court yesterday by Charles H. Carey, administrator of the estate of Joseph Holladay, deceased, and the property was appraised at \$11,500, but the administrator says this is too high a figure and that \$20,000 is a reasonable valuation. The administrator reports that since the date of the last report the receipts of the estate have been \$33,500, which includes \$19,000 received from the sale of Oregon Transfer Company stock and \$19,000 balance due of the purchase price of property on Fourth street.

There are a large number of claims against the estate. There is one of United States ex rel. G. McKay, caused by Joseph Holladay signing a bond for \$15,000 on a lightship-building contract. The claim was \$15,078 in 1898 and there has been paid on it \$11,378, leaving a balance, including interest, of \$3,700 still due. J. C. Epperly holds a claim for \$4616, James Gleason for \$2390, C. H. Carey for \$1873, Carey & Mays for \$3551, Mary Hughes for \$1854, William Miller, \$15,041; Kelly, Dunne & Co., \$7562; Mary T. Strong, executrix will of Fred R. Strong, deceased, fees due her late husband for services rendered as executor will Joseph Holladay and moneys advanced, \$14,025. There are numerous other claims. The principal legatees are Mary S. Hughes, Joseph Holladay, New Holladay and Linda H. Holladay, Borey. There will be nothing left after the claims of creditors have been paid.

TRUE BILL AGAINST GOODWIN

Grand Jury Returns an Indictment Charging Him With Infidelity.

An indictment charging Edward H. Goodwin with adultery on November 14, 1904, with Jane Doe, whose true name is unknown, was returned by the grand jury yesterday.

The witnesses who appeared against Goodwin were his wife, Alice R. D. Goodwin, Mrs. J. Coyan, N. K. Clark and Emma Schultz. Goodwin was arrested several weeks ago on a warrant sworn to by his wife, who had been chasing him all over the county. He sent her to Nome to get rid of her, and when she found him here he was living with another woman at the Portland Hotel. The parties are all prominent in New York society circles, and are well known in San Francisco. Mrs. Goodwin, who is an attractive woman, made the complaint against her husband.

SAID SHE WAS CLUMSY.

Therefore, Gladys J. Shaw Got a Divorce From Her Husband.

"You are as handy as a bird they call an elephant; if I were as clumsy as you I would sell out. If I didn't have any better judgment about managing a house than you have, I would crawl into a hole."

Gladys J. Shaw, who was granted a divorce from her husband, James Shaw, by Judge George J. Foster yesterday, testified that Shaw addressed her in this way, and used epithets in addition. She said

be called her a thief, a dirty old fool, and said that she was of a very sensitive disposition, all of this was very trying to her nerves. Mrs. Shaw further testified that since their marriage, on April 3, 1901, at Vancouver, Wash., her husband bought for her but one dress and a pair of shoes. Her mother purchased all her clothing.

Once when she was sweeping the sidewalk she let her glasses fall, she said, and they were broken. The defendant refused to buy her another pair, and her mother was compelled to procure them for her. Shaw is employed by Dr. Gley will be received \$20 per month, but the plaintiff said he would not properly provide for her, although well able to do so. He brought his dogs into the kitchen just as she had scrubbed the floor, and told her if she did not like the dogs she could move out. The plaintiff's maiden name was Thorpe.

Court Notes.

Cecilia Kagi yesterday commenced suit in the State Circuit Court against Henry Kagi for a divorce because of desertion.

The warrants for judges and clerks and other expenses of the November election are ready for delivery by the County Clerk.

Mrs. William Stark, who was dissuaded from jumping into the river with her baby by neighbors, was brought before the County Court yesterday, and the child, 5 years old, was adjudged an imbecile and will be sent to the Insane Asylum at Salem for treatment. The mother had become almost a mental and physical wreck in her efforts to care for the child and work to provide for her own wants, her husband being often unable to find anything to do. Mrs. Stark would not consent at first to part with her offspring, but finally consented to do so.

In the suits of George T. Myers and A. A. Kaddery and others against the City of Portland Judge George yesterday decided that the city must answer the charges of fraud alleged by the plaintiffs on the part of the City Engineer and other officials in accepting defective asphalt pavement. The pavement complained of is on Third street, from Yamhill to Giesse. This is the case. In the Kaddery case the improvement of East Burnside street is complained of. The demurrer to the complaint in the Myers case was overruled, and in the Kaddery case it was sustained. Attorney R. R. Dunning gave notice of appeal of the latter case to the Supreme Court.

"BOB" PATTERSON ARRESTED

Is Taken Into Custody Because Minor Is Found in His Resort.

His mother died three years ago, his father deserted her two years before death, and George Hisko, aged 19 years, cared nothing as to where he went, what he did or what became of him. Worn and weary from a tramp all the way from Oak Grove, he fetched up in Portland last night, and shortly afterwards was seated in a box of beer with Besse Kruger. Policemen Baly and Burke, with Sergeant Hogeboom, descended on the dive, which is at Fourth and Couch streets, arrested "Bob" Patterson, one of the proprietors, took the boy and the woman and marched them to police headquarters and locked them all up.

UNCLE REUBEN'S CHRISTMAS

"Now then, ma," said Uncle Reuben, "I have sold my crop of prunes; We've a party on Christmas; That will last for many moons; And the hope has helped a little, So we're ready to spare; Now suppose we go to Portland— Maybe Santa Claus is there."

Two Special Waist Bargains

\$3.50 Choice of 200 Waists of fine grade Peau de Cygne or Taffeta Silk; colors brown, navy, red, cream, light green and black. Very best \$5.00 values.

\$1.50 Pretty Waists of French Flannels, Brilliantine and Albertine, all the most desirable colors and every size from 22 to 42. Regular values up to \$2.25.

Special Values in Walking Skirts

\$2.98 Women's Skirts of plain cloth or fancy mixtures, made slightly flaring in fitted effects; great many colors to select from. Values up to \$4.50 each.

\$4.25 Fine grade Cheviot, Broadcloth and Scotch Cheviot Skirts; latest knit effects; excellent quality and manufactured throughout. Values up to \$5.50.

Why Not a Glove Certificate for a Christmas Token?

A time-saver for you, and better for the recipient, because the Gloves may be leisurely selected to suit her individual taste, and then properly fitted when our fitters are not hurried with Christmas selling. We can make the certificates good for one pair or as many as you wish.

Christmas Gloves

We think of no popular-priced article for a woman's Christmas present so universally appropriate and acceptable as are neat and correctly-styled Kid Gloves. In selecting Kid Gloves from us, both the makers' and our positive guarantee goes with every pair. All styles and shades at \$1.00, \$1.25, \$1.50 and \$2.00.

Roberts Bros Portland's Fastest-Growing Store THIS IS DOLLDOM And surely there is not a little girl in Portland who does not know it. Who ever saw such a variety of doll beauty? Can you grasp the extent of this display? Thousands of dolls! Some with real eyelashes—some with long, natural hair—all with moving eyes—mostly dressed and handsomely, too; but many undressed, and they are the best of their kind. Nearly every doll we show is jointed, making them capable of occupying the most life-like position, and ALL ARE ABOUT HALF PRICE

FASTER AND FASTER GROWS THE SELLING OF Books, Toys, Games, Dolls All on grand display in our Basement Toy Department. More Dolls, Toys, Books and Games on display here than at any other store in the city. FIFTY TABLES stacked with bargains at prices that will make this a never-to-be-forgotten event. Come tomorrow. Don't wait another day. Buying now means the biggest kind of money saving for you.

Big Sale of Dolls Monday and Tuesday Jointed Dolls, with curly wig and sleeping eyes, 15 inches high; special 39c Jointed Dolls, with flax hair and sleeping eyes, 18 inches high; special 79c Rag Dolls, of every kind—in most pleasing assortment, you can't break them; special values from 10c UP TO \$1.37. Kid Body Dolls, 15 inches high, with bisque head and sleeping eyes; shoes and stockings; special at 27c Kid Body Dolls, 19 inches high, with fine bisque head and curly wig, sleeping eyes, shoes and stockings; special 59c Dress Dolls, the greatest variety shown anywhere, at prices ranging from 10c UP TO \$5.00.

Our Pretty Neckwear For women is coming and going so constantly that with every repeated visit you may be sure of seeing new and desirable effects. All the latest ideas developed in all sorts of dainty washable material. This week we will show a large new line of embroidered Turnover Collars, also new Stocks, Jabots and Collars of the latest approved materials and effects. Prices are all along from 15c, 25c to \$1.00 each. Sale of Children's Coats 150 Children's Coats, ages 4 to 14 years, made of Kersey, fancy Zeveling and Melton, all nicely trimmed with fancy braids and buttons; some with capes, others military effect; regular \$2.50 and \$4.00 values; all colors, full length; Monday and Tuesday \$2.98

500 New Coats and Jackets At a Saving of One-Third Our New York buyer secured from overstocked makers some of the most extreme price concessions that good fortune has yet brought to Portland. Every garment is guaranteed fully up to the standard represented in these figures: \$3.50 Women's Kersey and Cheviot Coats, 27 inches long, black, castor and Oxford, loose and fitted backs; regular \$5.50 values. \$5.90 Kersey Coats, 28 inches long, box pleated back, tan, custom, brown, black; regular \$9.50 values. \$7.50 Fine Kersey Coats, 28 inches long; loose back, belted styles or half-fitted; all the best colors. Regular \$10.50 values. \$6.90 Heavy or Medium-Weight Scotch styles, medium color, 42 inches long; regular \$10.00 values. \$9.50 Three New Styles in Kersey and fancy Scotch Tourist Coats, 42 inches long, belted and box effects. Regular \$14.00 values. \$12.50 Fine Quality of Fancy Scotch styles, large, full sleeve. Regular \$18.50 values. \$10.50 Cravenette Raglan Coats, full-length, in pretty shade of Oxford gray, box-pleat back and belted. \$15.00 values.

Aprons for Christmas Presents A large assortment of dainty Tea Aprons, beautifully trimmed with fine embroideries and lace, 25c, 35c, 50c, 65c, 75c, 85c and \$1. Large Aprons with hemstitched tucks or plain hem, 25c, 35c and 50c. Maiden Aprons, made of sheer lawn, trimmed with embroidery, insertion or hemstitching, 50c, 65c, 75c and 85c. Blanket Department \$2.00 Comforts, full size, silkoline \$1.75 \$1.75 Comforts, full size, saten covering, fluffy white cotton filled \$1.50 \$1.40 Comforts, large size, silkoline covering, yarn tied, cotton filled \$1.10 \$2.25 Blankets, full size, pretty gray color, two-thirds wool, full weight \$2.90 \$4.50 Blankets, 11-4 size, mostly all wool, medium gray color, splendid bargain at \$3.75 \$5.00 White Wool Blankets, large size, pretty color borders, fine fleecy wool \$4.25 for

Toys, Books and Games At Saving Prices 10c for Drums, 25c values. 30c for Drums, 50c values. 10c for Trunks, 25c values. 30c for Trunks, 50c values. 10c for Wooden Boats, 25c values. 12c for Wheelbarrows, 25c values. 30c for Wheelbarrows, 50c values. 6c for Shooty, \$1.00 values. 9c for Rocking Horses, \$1.25 values. \$1.13 for Rocking Horses, \$1.50 values. \$2.80 for Swinging Horses, \$3.50 values. \$3.75 for Swinging Horses, \$4.50 values. 50c for Steel Wagons, \$1.25 values. 80c for Steel Wagons, \$1.25 values. \$1.12 for Steel Wagons, \$1.50 values. BOOKS—Assortments are the very best. Prices are the very lowest. GAMES—Presents suitable for all and always very acceptable. This is the best of all times for selecting.

Useful Holiday Goods Mosaic Rolls in cowhide and suede, also burnt leather, in fancy shapes, from 50c to \$3.50. Leather Hand-Bags—These are new shapes with riveted frame and fancy lining, fitted with a coin purse and card case, big assortment to choose from; colors black, brown, tan, gray, from \$1 to \$7.50 each. Holiday Stationery makes a useful gift, put up in pretty boxes, from 25c to \$1.50 box. Corsets and Petticoats Good values for correct styles. New Models in straight-front R. & G. Corsets, high bust, long hip, at 75c, \$1.00, \$1.50 and \$2.00. Girdles and Short Corsets in drab, pink, blue and white, steel-boned through 50c New Black Satteen Petticoats, full mercerized cloth, deep accordion-pleat flounce, finished with small ruffles and straps, \$2.00 regular \$2.25 values, \$1.90 New Taffeta Silk Petticoats, black and colors, made with accordion pleat or deep circular flounce \$5.00 Choice of beautiful Silk Petticoats at \$6.50, \$7.50, \$9.50 and \$10.50. Children's Dresses, large variety of styles and materials. Prices always the lowest, ranging from 50c up to \$4.50. Furs of all kinds at right prices, starting at \$1.25 and all the way up to \$15.00 each.

New Mufflers Many Styles Muffler weather is with us. There is pleasing warmth and comfort and safety to health to be found in these little wearables. They are here in a nice assortment of Beavers, square and made-up styles. Excellent values and styles at 50c, 75c, \$1, \$1.50 and \$2. Silk Department Extra Values The near approach of the Holidays naturally brings into prominence the silks that are in the greatest demand during this period. Silks for fancy work, silks for waists, kimono and dresses, presents suitable for all and always very acceptable. Extra values in the best Jap silks, all perfect and guaranteed in every respect. 20-in. Jap Silks, white and colors, 25c and 35c 27-in. Jap Silks, white and 25 different colors 25c 23-in. 50c quality Crepe de Chine, at 40c 20-in. Wash Taffetas, black and colors, 50c Fancy Silks, large assortment, 30c up to 85c. The very latest weaves, in the newest colors for full costumes and waists. We offer you choice of silks worth 25 per cent more than prices quoted: Grand Values in Black Silks 85c quality 21-in. Good Black Taffetas 40c 75c quality 24-in. Good Black Taffetas 60c 85c quality 24-in. Guaranteed Black Taffetas 70c \$1.00 quality 27-in. Guaranteed Black Taffetas 85c \$1.25 quality 28-in. Guaranteed Black Taffetas 90c UNUSUAL VALUES IN CHRISTMAS RIBBONS—6-inch wide Dresden Ribbon, beautiful patterns in French novelties, suitable for opera bags, yard 75c New Ombre Ribbons, shading from 25c dark to light colors, in all shades, yd 25c 4-inch wide, a splendid quality of Taffeta, in all colors, yard 15c

Black and Colored Dress Goods Our tables and shelves are overflowing with great values awaiting your inspection. Xmas shoppers will find it profitable to inspect our prices for this week commencing December 12: 42-inch Lambsdown—Just received a full line of styles and colorings, consisting of plain, check and shot effects. \$1.29 Reg. \$1.50 value. Special, yd. 62-inch Broadcloth, dress weights, with wide, lustreous navy, cardinal, tan, gray, green, cardinal, Regular \$1.40 value. Special, yard 99c 60-in. Fancy Tissues—Something very stylish, plain colors, with fancy weaves, cardinal brown, tan, navy, green. Regular \$1.25 value, special, per yd. 95c 40-in. Crepe Egyptian, materials in light-weights, for shirtwaists and house gowns. We consider the best fast colors; we handle a full line of colors, extra values, ranging in price from 50c to \$1.00. Priestley's Cravenettes We will make to your measure a Cravenette Coat, any style, of Priestley's celebrated Cravenettes, guaranteed to fit and strictly water-proof, for one week at following prices: Regular \$2.75 quality Coat to measure \$1.00 Regular \$2.50 quality Coat to measure \$1.50 Regular \$2.00 quality Coat to measure \$1.425 FUR ADVANTAGES OF THIS OFFER: 56-inch Priestley's Black Cravenette, strictly water or rainproof. The only good plain black waterproof cloth made. The trademark is stamped on every yard (Priestley's guaranteed Cravenette). Regular price \$2.50, special Monday, Tuesday and Wednesday, 44c 50-inch Iron Frame Sicilian, very lustreous finish. The kind that is used for the foundation of drop skirts or petticoats. The black is a perfect dye and will not rub off. Regular value \$1.25, special for Monday, Tuesday and Wednesday, 68c per yard 40-inch plain, smooth finish Black Imported Nunavelling, a very desirable cloth for shirtwaists and house gowns. Regular \$1.25, special for Monday, Tuesday and Wednesday, 44c 52-inch Cream Ocean Serge, shrunken and sponged, made from choice clean selected wools; no flaws or black threads woven in it. One and a half yards makes a full shirtwaist. Regular \$1.25 value, special Monday, Tuesday and Wednesday, 68c per yard

Special Suit Values \$12.50 Choice of Women's Suits in all-wool Cheviots and fancy mixtures, jacket or Tourist coat length, fitted or box styles, every new color, strictly manufactured. Regular \$16.50 values. \$15.00 Over 100 Suits in great many new styles in Broadcloth, Cheviots and jaunty Scotch materials, fitted, box and Tourist styles. Regular \$18.50 values.

Women's Shoes \$1.00 We recently closed a deal for a large quantity of Women's Patent Corona Calf Lace Shoes which we place on sale Monday morning. These are Shoes worth \$3.00 for any purpose you may use them, for they are guaranteed perfect in every way. We gladly refund your money if they are not all we claim. A Christmas present of this character is always acceptable and is easily obtained. 672 pairs Patent Leather Shoes. 1002 pairs fine Vici Kid Shoes. 840 pairs Box Calf Lace Shoes. 321 pairs Velour Calf Shoes. 3125 pairs in all at \$1.00 pair—breaking all previous price records, giving you an opportunity you will never get again; they can't last long. Holiday Gifts for Men Men's Extra Good All-Silk Neckwear in English squares, a line of swell patterns, an elegant Christmas present; \$1.00 and \$1.50 \$1.50 Fancy Silk Suspenders—Men's fancy Silk Suspenders with fancy buckles, 50c Men's Fine Silk Suspenders with silver or gold-plated buckles, one pair in a box; a very suitable Christmas present. Prices \$1.50 to 75c Silk Handkerchiefs—Fine hemstitched Silk Handkerchiefs, with fine embroidered initial in corner, at 25c and 50c Men's Fine Japanese or Twilled Silk \$1.00 Handkerchiefs from 25c to 50c Men's fancy Japanese Handkerchiefs with colored center or fancy border at 25c and 50c Silk Mufflers—Men's Silk Mufflers, in black or white with fine brocaded figures, at 50c Men's All-Silk Brocaded Mufflers, large size, in white, black and fancy fig. \$2.50 urea, from 75c to 50c Stylish Neckwear—Men's large shape English Squares, Four-in-Hand and Ties, made of fine silks, in a beautiful line of patterns and colors; a very useful Christmas present. Special 50c

Priestley's Cravenettes We will make to your measure a Cravenette Coat, any style, of Priestley's celebrated Cravenettes, guaranteed to fit and strictly water-proof, for one week at following prices: Regular \$2.75 quality Coat to measure \$1.00 Regular \$2.50 quality Coat to measure \$1.50 Regular \$2.00 quality Coat to measure \$1.425 FUR ADVANTAGES OF THIS OFFER: 56-inch Priestley's Black Cravenette, strictly water or rainproof. The only good plain black waterproof cloth made. The trademark is stamped on every yard (Priestley's guaranteed Cravenette). Regular price \$2.50, special Monday, Tuesday and Wednesday, 44c 50-inch Iron Frame Sicilian, very lustreous finish. The kind that is used for the foundation of drop skirts or petticoats. The black is a perfect dye and will not rub off. Regular value \$1.25, special for Monday, Tuesday and Wednesday, 68c per yard 40-inch plain, smooth finish Black Imported Nunavelling, a very desirable cloth for shirtwaists and house gowns. Regular \$1.25, special for Monday, Tuesday and Wednesday, 44c 52-inch Cream Ocean Serge, shrunken and sponged, made from choice clean selected wools; no flaws or black threads woven in it. One and a half yards makes a full shirtwaist. Regular \$1.25 value, special Monday, Tuesday and Wednesday, 68c per yard

Women's All-Wool Cashmere Stockings Special Sale Monday Only Tomorrow your pick of any of our regular 50c or 60c Wool Cashmere Stockings, at a large saving for you. Our fashionably made, soft fabric, of medium weights, double soles and spliced heels, strictly all wool. Your choice tomorrow, one day only, the pair. 39 cents

Doctors of the St. Louis Medical and Surgical Dispensary SPECIALISTS IN DISEASES OF MEN VARICOCELE, HYDROCELE NERVOUS DEBILITY BLOOD POISON, RUPTURE, KIDNEY AND URINARY DISEASES and all diseases and weaknesses of men, due to inheritance, habits, excesses, or the result of specific diseases. Every man who is afflicted owes it to himself and his posterity to get cured safely and positively, without any delay, and without any unnecessary expense. We make no misleading statements or unbusinesslike propositions to the afflicted in order to secure their patronage. The many years of our successful practice in Portland prove that our methods of treatment are safe and certain. Call our office and write, and if we find that you cannot be cured we will NOT accept your money UNDER ANY CONDITIONS; and if we find you are curable we will guarantee a SAFE AND POSITIVE CURE in the shortest possible time, without injurious after effects. Our charges will be as low as possible for conscientious, skillful and successful service. Consult us before consenting to any surgical procedure upon important blood vessels and organs. SPECIAL HOME TREATMENT. If you cannot call write us. Always inclose 2-cent stamp for reply. OFFICE HOURS: 9 A. M. to 8 P. M.; SUNDAYS 10 to 3 ONLY. THE DR. KESSLER St. Louis Medical and Surgical Dispensary Cor. Second and Yamhill Streets, Portland, Or.

GIVERS OF BEST VALUES Roberts Bros MOHAWK BLDG. Third and Morrison