

BEHIND TIME LIMIT

Idaho Men Aver Statute Limitations Has Run.

WANT CASES THROWN OUT

It Is Expected, However, That Judge Beatty Will Overrule Demurrer Set Up by Men Indicted for Land Frauds.

BOISE, Idaho, March 30.—(Special.)—Today in the United States Court a demurrer was filed in the land-fraud charges against L. M. Pritchard, Pat Downs and John I. Wells. The main contention of the demurrer is that the statute of limitation has run. It is set forth in the indictment that a conspiracy was entered into by these men, John Kinkaid, three others named in the Doe family and divers other persons to the prosecution not known, and that in September, 1901, entry of timber lands was made in pursuance of the conspiracy.

The contention of the demurrer is that the law of conspiracy attached when that first overt act was committed, and that the statute of limitation then begins to run. As it bears a case in three years, it is claimed these cases are therefore outlawed.

The indictment narrates various other acts continuing through several years, which, it is supposed, will be relied upon to hold the alleged offense within the limit. The attorneys for the defense expect to win on the demurrer. It is announced by Judge Beatty that he will not hear it.

The same demurrer will be filed in the case of John Kinkaid when he reaches Boise. He was arrested at Woster, Nev. on a warrant from the United States Commissioner's Court here. Taken to Reno, he received a hearing and expected to arrive here tomorrow. He was closely associated with Frank Steunenberg in a number of timber transactions. Leaving Boise some time ago, he went to Nevada and opened a law office for the practice of law.

There was nothing of consequence before the grand jury today. John Steunenberg, administrator of the estate of his brother, the former Governor, came up from Caldwell, bringing a lot of papers belonging to the deceased. It is understood he was not before the jury, but was examined by the District Attorney.

NO INFECTED SHEEP THERE

Polk County Growers Resent Statement Sent From Salem.

INDEPENDENCE, Or., March 30.—(Special.)—Polk County sheepmen were surprised to read in a Portland paper that 5 per cent of the sheep in Polk County were affected with scab. A number of them have been approached in regard to scab affecting the sheep in the county, and the universal expression is that the statement is false. "Not one case of scab exists in Polk County at the present time to my knowledge," said one of the principal sheepmen in the county today, and further, he said that the regularly-appointed and acting sheep inspector knew of no cases. The report originating from the capital city is entirely discredited.

Polk County has for years been recognized as the home of the best-bred sheep and goats in the state. Breeders for years have been adding the best obtainable blood to their flocks, and by careful methods in breeding and by the excellent attention given their flocks they now raise a class of sheep and goats a market for which is had all over the Western range country.

SUES TO RETAIN RICH LAND

T. R. Sheridan Avers Southern Pacific Occupies His Holdings.

ROSEBURG, Or., March 30.—(Special.)—T. R. Sheridan, president of the First National Bank of this place, has instituted suit in the Circuit Court of Coos County against the Southern Pacific Railway, claiming ownership and right of possession of 34 blocks of the marsh lands near Marshfield, on which is located the depot, yard tracks, warehouses and other buildings occupied by the Southern Pacific except the round-house and repair shops.

Upon being interrogated regarding the suit, Mr. Sheridan confirmed the report, but declined to enter into details, claiming the action was purely one of record. The value of the property involved is upwards of \$250,000 and, in addition to possession of the property, damages for its occupancy are asked.

REGISTERS AND DROPS DEAD

E. C. Stevens Dies Under Peculiar Circumstances in Tacoma Hotel.

TACOMA, Wash., March 30.—(Special.)—E. C. Stevens dropped dead at the Grand Central Hotel about 9 o'clock last evening, just after he had written his name on the hotel register.

He arrived on the Northern Pacific train from Gray's Harbor, and was killed at once by the hotel, apparently in his usual health. He had scarcely written his name when he threw up his hands and sank to the floor, expiring in a few seconds.

It was thought death resulted from heart disease or apoplexy, but an autopsy will be held by Coroner Stewart. Stevens was about 40 years of age, unmarried, and so far as known had no relatives here.

AN EPIDEMIC OF SUICIDE

Women of Tenderloin in Aberdeen Swallowing Much Poison.

ABERDEEN, Wash., March 30.—Another attempted suicide of a woman in the tenderloin district calls attention again to the epidemic among the outcasts the past few months. At least a dozen girls have taken anti-gout tablets, two have died and three are in the hospital. The police have driven all of those who have attempted suicide, without serious result, from the city, but the continued attempts upon life by the tablet plan is causing alarm even among the class of persons who live in that district. Efforts have been made to keep the milder cases from the public.

Hardware Store Looted.

from there to a shed roof, breaking through a window on the second floor. It is evident that the midnight prowler was new to the game, as the safe was untouched. He did not molest the money drawer, containing change, but went through three showcases, securing about 150 knives.

DAMAGE VERDICT SET ASIDE

Washington Supreme Court Says Accident Was Victim's Fault.

OLYMPIA, Wash., March 30.—(Special.)—The State Supreme Court today set aside a \$2000 judgment recovered by Lafayette Skinner against the Tacoma Railroad & Power Company for injuries received by being knocked down and dragged by a car on K street, Tacoma. The court found that Mr. Skinner had lived near the carline for years, and was familiar with car movements. In spite of that fact, he walked out on the track at night in front of a lighted car and before the car headlight showed him to the motorman, it was too late to stop the car. It was the victim's own fault, says the court, and the case is ordered dismissed. The fact that the car was running at speed permitted by city ordinance was one element considered in setting aside the verdict.

HIS BODY TORN TO BITS.

Winlock Young Man Killed by Accident in Sawmill.

WINLOCK, Wash., March 30.—(Special.)—Ben Fleischman, a young man here, was caught in a shaft at the Capitola mill today and instantly killed. The body was horribly mangled, parts being thrown the entire length of the mill. Charles Keista, who was standing near, was struck by the flying body and severely injured. The two men were attempting to put a belt on the pulley when Fleischman was caught.

FATES WITH THE ACCUSED

CHIEF WITNESS IN MURDER CASE DIES SUDDENLY.

Aged Woman Had Made Long Trip Through Snow to Give Her Testimony in Case.

LEWISTON, Idaho, March 30.—(Special.)—Mrs. Sylvester Scott, the principal witness for the state in the Swan-Knudson murder case at Grangeville, died suddenly early this morning at her daughter's home at Lawyers Canyon. Her death was due incidentally to the hardships she underwent last winter while traveling from her ranch to Grangeville to testify against the men accused of the murder. The snow was so deep that her horse could not wade through it, and Mrs. Scott, who was then 70 years of age, put improvised shoes on his hoofs and rode on into town. It was her first trip to Grangeville in 35 years. Miss Rose Scott, her daughter, the second most valuable witness for the state, is dying of typhoid pneumonia at the Willam Hotel at Grangeville. With both witnesses gone, it is likely that the state will abandon its case.

Mrs. Francis Justice, one of the principal witnesses for the Government in the subornation of perjury case against William Dwyer in the recent land-fraud cases, had a narrow escape from being cremated in her house, which was destroyed today. She accidentally upset a lamp, and instantly she and the room were enveloped in burning oil.

Mrs. Justice had presence of mind sufficient to wrap a blanket around herself and leave the building, which was entirely destroyed. She was badly burned about the lower limbs.

HORSE SHOW AT BAKER CITY

Affair Such a Success Another Will Be Held in June.

BAKER CITY, Or., March 30.—(Special.)—Baker City's first horse show was held this afternoon on Front street, and for more than an hour held the attention and excited admiration of the large crowd which lined the street to see the many beautiful animals. The procession, which was headed by the White Swan band, started from the appointed place at 2:30, and about 40 of the finest horses ever seen in Baker City were in the parade.

This is the first event of the kind ever held in this city, and so great was the interest of the spectators and the participants that it has been decided to hold a similar event in June.

WOUND MAY PROVE FATAL

Young Man Who Resisted Arrest Shot by Officer at Weston.

WESTON, Or., March 30.—(Special.)—Justice Read, 21 years old, was shot in the hip by town Marshal Dave Laxsted this afternoon, and badly wounded. Read and another young man, Jess Mitchell had been creating a disturbance on the street. Read was on horseback when the Marshal attempted to arrest him and rode rapidly away. The officer fired four shots, intending only to frighten Read, one killed the horse, and another wounded the rider.

The doctors in attendance regard the case as critical, a bullet having perforated the intestines.

DEFEATED BY DEAF MUTES

Portland High School Baseball Nine Loses at Vancouver.

VANCOUVER, Wash., March 30.—(Special.)—In an interesting game of baseball on the Washington grounds this afternoon the Washington State School for Deaf Mutes defeated the Portland High School by a score of 1 to 0. Hunter, who did the pitching for the deaf boys gave no free passes to first base, struck out eight men and allowed but one hit. The Portland boys did not get beyond second base during the entire game. Kane, of the Washington team, made a home run in the fourth inning, the only score in the game.

STATE SHORT ON READY CASH

Washington Has but \$162,000 to Meet \$5,000,000 in Expenses.

OLYMPIA, Wash., March 30.—To meet the more than \$5,000,000 in appropriations made by the last Legislature for state expenditures for the two years beginning next Monday, there is only \$162,000 in the State Treasury General fund less than \$162,000. All told, the Treasury at the close of business tonight holds about \$2,500,000 according to a statement issued by Treasurer George G. Mills, but of this a considerable portion is the permanent school funds, which the state cannot touch.

Schooner Salina Breaking Up.

IF YOU WANT TO KNOW WHAT SMARTLY DRESSED MEN WILL WEAR THIS SEASON, ASK BEN SELLING



BEN SELLING LEADING CLOTHIER

JUST TO REMIND YOU

That our SPRING CLOTHES---the CLOTHES of the HOUR--- are ready for your inspection. IN A CLASS BY THEMSELVES, they have an air of elegance and exclusive individuality, approximating perfection. YOU ARE INVITED TO SEE THEM.

MEN'S SUITS and TOPCOATS \$15 to \$40

OUR JUVENILE DEPARTMENT

Carries the same HIGH STANDARD as the men's. THE MOST COMPLETE assortment of JUVENILE wear on the coast. THE MOST COMFORTABLE SHOPPING PLACE in Portland.

HEATED CONTEST ON

Eugene Wrestling With Municipal Ownership.

HOLD ELECTION TOMORROW

Purchase of Water System Is the Problem—Public Meeting Hears Messages of Encouragement From Other Oregon Cities.

EUGENE, Or., March 30.—(Special.)—Five hundred men met at the Court-house here tonight to discuss city ownership of the Eugene waterworks, the issue which will be decided Monday, April 1.

The preliminary election work has not been carried on to any great extent in the papers, but both sides have been busy with individual workers all over the city for the past week.

The speakers tonight were not radical, but fair. There was no abuse, but there was a spirit of determination with the speakers and listeners that promises to continue until the closing of the polls Monday evening.

Telegrams were read from Oregon towns owning their own water systems, and each message spoke unequivocally in favor of city ownership from financial and every other standpoint. The messages were from Oregon City, Pendleton, Union, Baker City, Corvallis and Ashland.

A considerable fund has been raised to fight the city's battle, and while the election Monday will be most stubbornly contested in recent years.

Taken East to Stand Trial.

ASTORIA, Or., March 30.—(Special.)—Sheriff Burns, of Knox County, Nebraska, arrived here today after Dan-iel Westerman, who is wanted at

Creighton, Neb., to answer to a charge of forgery. Westerman was arrested by Sheriff Pomeroy a few days ago at Fort Stevens, where he was serving as an enlisted man in the Army. He is accused of forging a check for \$700 and has confessed his guilt.

BANKER BARNETT SELLS OUT

Disposes of His Wasco Holdings to La Grande Capitalists.

WASCO, Or., March 30.—(Special.)—The largest financial transaction in the history of Sherman County has just been consummated. W. M. Barnett, the pioneer merchant of Wasco, has disposed of all his city holdings, consisting of flouring mills, grain warehouses, general merchandise stock, and store buildings. The deal also includes his banking business, which together with his other holdings makes the deal in round numbers amount to \$100,000 Hamilton & Scroggins, capitalists of La Grande, are the purchasers. It is given out that the new firm will establish a National bank at Wasco.

CITY GETS \$5000 TAX MONEY

Circuit Court Renders Decision in Favor of Eugene.

EUGENE, Or., March 30.—(Special.)—Judge Hamilton today handed down his decision in the case of the City of Eugene against Lane County, the result of which will give the city \$5000 in road tax that had been collected by the county.

Some time ago the city brought suit against the county for road tax collected in the city limits and spent outside Eugene. Eugene being an independent road district. The case was decided by Judge Christman, of the County Court, against the city.

General Booth in Seattle.

SEATTLE, Wash., March 30.—General William Booth, founder of the Salvation Army, arrived in Seattle tonight on the way to Japan. He will embark Monday on the steamer, Minnesota. General Booth is well and will deliver three addresses here tomorrow.

Fatally Crushed in Gravel Pit.

ABERDEEN, Wash., March 30.—Joseph Hawkins, who was a terribly injured by a cave-in of a gravel pit, is dead from the shock and internal injuries. His mother, who lives in New York, has been notified.

THEATERS CAN OPEN SUNDAY

COURT HOLDS CLOSING LAW IS DEFECTIVE.

Judge Snell, of Tacoma, Renders Sweeping Decision in Effort to Enforce Blue Laws.

TACOMA, Wash., March 30.—(Special.)—That the law regarding the closing of theaters on Sunday is unconstitutional and that the various theaters of the city may continue with their performances each Sunday, is the ruling made by Judge W. H. Snell in the Superior Court today, when the cases of the State against Manager Herald, of the Tacoma Theater, Manager Dean Worley, of the Grand, W. J. Timmons, of the Crystal, and Managers A. Engel and Worley, of the Star, were brought up for assignment.

Judge Snell dismissed the entire list of cases on the grounds that the law as adopted is against the mere opening of the theater, not against giving the performance.

The court held that the state has no right to say whether a place shall be opened when the character of the performance is not stated.

"If a church were next door to a theater and a lecture was to be given, it could not be closed," said Judge Snell, "and I don't believe the law which says the theater doors shall not open on Sunday is constitutional."

Prosecuting Attorney Rowland will appeal the cases to the Supreme Court.

Addressed by Dr. H. D. Sheldon.

SALEM, Or., March 30.—(Special.)—At the regular monthly session of the Marion County Principals' Association, held this afternoon at the State House, nearly 50 educators from all parts of the county were present, and an interesting programme was participated in. The assembly was addressed by Dr. Henry D. Sheldon, professor of philosophy and education at the University of Oregon, Eugene.

City Receives \$1441 in Fines.

ASTORIA, Or., March 30.—(Special.)—According to the records of the Astoria police department the collections from fines and forfeitures during the month of March amounted to \$1441.

The receipts of the department from sundry licenses during the three months ending tonight were \$3221, and of the latter amount \$297.50 was from licenses on slot machines.

Judges at the State Fair.

SALEM, Or., March 30.—(Special.)—The judges for the livestock and county exhibits at the coming state fair, to be held here September 15, have been appointed by the board as follows:

President, N. A. Givin, of the Angora Goat Association of Lawrence, Kansas; Goat Association of the Government Horse Breeding Station, of Fort Collins, Colo., the only institution of its kind in the country; W. H. Dodson, of Macon, Iowa, who had charge of the horse section of the livestock exhibit of the Lewis and Clark Fair, and Ed Carlisle, of Portland, the well-known authority on poultry.

Carpenters Want Increase.

VANCOUVER, B. C., March 30.—While there is no immediate prospect of a general strike of the trades con-

nected with building operations in Vancouver, it is understood that there will be no carpenters belonging to any of the brotherhoods or unions at work in this city on Monday. The men are asking for higher wages.

Falls With Lighted Lamp.

OREGON CITY, Or., March 30.—(Special.)—Miss Maud Moran had a narrow escape from a terrible injury last night. She made a misstep while descending the stairs at her home and fell down eight steps, Miss Moran was carrying a lighted lamp in her hands, but it was luckily extinguished when she fell, and she sustained no injury beyond a few bruises.

Grant County Taxes Paid.

SALEM, Or., March 30.—(Special.)—State Treasurer Steel today received the first half of the year 1907 tax collections from Grant County amounting to \$4715. The payments of tax collections are now beginning to come in daily, keeping the office force very busy.

Advertisement for Rose City Park, featuring text: 'HUNDREDS OF MEN ARE NOW AT WORK IN ROSE CITY PARK' and 'Graded streets, cement sidewalks, boulevard system, small parks, building restrictions, 15 minute car service, speedway, direct road to the heart of the city, Bull Run water, high elevation and magnificent scenery, are a few of the features that make Rose City Park superior to any other residence location in the City of Portland.'