PORTLAND GETS THE BENEFIT ENDLESSGRASPING CHIEF OF POLICE POLICE PUZZLED BY LIMITED DISTRICTS CHORUS GIRLS IN

Big Brewery Company of San Francisco Is Transferred Here-Move Means Much for City and State

One of the results of the San Francisco disaster will be to build up at Portland the largest brewery plant west of St. Louis. In one move a boer business amounting to \$100,000 annually has been shifted from San Francisco to the Weinhard brewery of this city, and the management is now preparing to install a 500-barrel brew kettle, the largest west of the Mississippi river with the exception of the Anheuser-Busah plant.

M. A. Lang, one of the best-known brewery man on the Panific coast, is in Portland today to confer with the weinhard management, with which he has become chanceted since the earth quake. For sight years he was in Arizona, California, New Mexico and Newarda as representative of the San Francisco diseases. He has allied himself with the Fortland trewery, to which the beet trade of the four states has in the main been transferred. In response to the demand put upon this plant, Paul Wessings, the manager, has begun the expenditure of about \$250,000 in the coast provents of the Course of the coast of the co

Mr. Lang said:
"Destruction of the San Francisco breweries has brought about the great opportunity for the Weinhard brewery. To the progressiveness of Mr. Wesninger is due the fact that this establishment will meet the occasion. Mr. Wesninger will spend a quarter of a

TANNER CITED TO APPEAR SUES FOR DAMAGES FROM IN DISBARRING CASE STEVEDORING FIRM

Partner of the Late Senator Carl Amons Demands Twenty-Mitchell to Go Before Supreme Court.

(Special Dispatch to The Jeurnal.)
Salem, Or., Oct. 18.—Albert H. Tanner
Portland, formerly the law partner
the late United States Senator John
Mitchell, was today cited to appear
fore the supreme court November 12
show cause why he should not be disread from practice in the courts of
regon. The charge against Judge Tanr is perjury growing out of his efrts to save Senator Mitchell from disace and was preferred by the State
or association.

ar association.

An order was made citing George H.
mall to appear before the court Noember 13 to show cause why he should
iot be held in contempt of court for
libregarding and violating an undertak-

the control of appeal in the suit of Hough against S. A. D. Puter.

The suit of Frank Wilmot against the O. R. & N. Co. for damages, appealed from Multnomah county, is being argued in the supreme court today.

CURRENCY REFORM IS REFERRED TO COMMITTEE

St. Louis, Oct. 16.—Comptroller Ridge-ley, in talking to the trust company section of the National Bankers' asso-ciation convention today, advised managers not to place unsupported trust in any official, even if they had known him all their life. He said that trust companies had increased their resources

companies had increased their resources 200 per cent in 10 years.

The ourrency reform conference adopted a resolution referring to a committee all plans. The committee was instructed to meet in Chicago November 20 to consider the subjects offered and draft bill or bills to be submitted to congress at the next session for enactment.

HEARST IS SUSTAINED BY COURT OF APPEALS

(Journal Special Service.)
Albany, N. Y., Oct. 16.—The court of appeals today decided in favor of W. R. Hearst's contention that the supremental had the right to enjoin the Consolidated Gas company of New York from shutting off consumers who re-fused to pay more than 50 cents for gas.



Is extra quality what you want?

Or is it only comfort, durability and style?

The extra quality costs an extra dollar, but here are comfort, durability and style for \$2.50 and \$3.00.

We have the Thoroughly Waterproofed Footwear for out-of-door people for \$3 and \$3,50.



Men's and Boys' Outfitters. 166 and 168 Third Street. Mohawk Building.

Five Thousand Dollars From Firm of Brown & McCabe.

Brown & McCabe, stavedores, are defending themselves before Judge Cleland in the circuit court today in the suit of Carl Amons for 25,000 damages that he was employed as a longshore man in loading lumber on the ship Tottenham at Inman, Poulsen & Co.'s mill on January 10 of this year.

The lumber was loaded into slings and hoisted into the vessel by a donkey ensine, says Amons. The steam from the oxhaust of the engineer to see the lumber as it was being swung aboard.

One of the loads struck the side of the hatch, causing the lumber to fall into the hold. It struck Amons charges that the stevedore firm were negligently fersponsible for the accident, and asks \$25,000 damages, \$250 that he paid for surgical attendance, and attorneys' fres.

Brown and McCabe assert that the exhaust pipe was part of the ship's equipment, and that they were not responsible for any accident that might result from it. It is also alleged that the sling carrying the lumber was selected by the workmen, and if it were defective, no negligence could be charged to the firm. Amons is represented by Attorney distinct on the list of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm. Amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct on the late of the firm amons is represented by Attorney distinct of the late o

After an investigation District Attor-ney Manning has decided to file an in-formation in the circuit court making a formation in the circuit court making a charge of arson against William C. Gibson, of the printing firm of Gibson. Smith company, who was discovered in the act of setting fire to the premises of the Kreidt Printing company. A complaint has already been filed in the police court, but Attorney Ferrera waived a preliminary hearing on this charge today and the matter will now be tried in the upper court. In the meantime Gibson is confined in the county jail in default of \$2,500 bail.

Frank E. Smith, the partner of the

county jail in default of \$2,500 bail.

Frank E. Smith, the partner of the accused man, thinks that Gibson is also guilty of embesslement. He claims that an examination of the books reveals that his partner collected a number of bills due the firm and falled to turn over the money thus collected. He also gives it as his opinion that Gibson was demented at the time he endeavored to set fire to the rival printing shop last Sunday evening.

CASE IS CONTINUED FOR INDEFINITE TIME

Mrs. Georgiana Anstey, who was arrested on complaint of Nettie Klum, landlady of a Salmon street lodging-house, on a charge of using abusive language, was before Judge Cameron in the police court today. It was decided to continue the matter indefinitely and Mrs. Anstey was discharged. A telegram was received by Chief Gritzmacher yesterday from Frank Finlayson, a prominent Los Angeles attorney son, a prominent Los Angeles attorne; and brother-in-law of Mrs. Anstey, ask ing the police to treat her considerate ly as she has been ill for a number

SENTRY IS REWARDED FOR SLAYING GIRL

St. Petersburg. Oct. 16.—The sentry who killed Mile. Semenova, a young medical student, while the girl was in prison, has been given a reward of 55 and held up in the general orders as an example of heroic devotion to duty. The girl showed herself at the cell window and the sentry shot.

Forty-nine terrorists were arrested today in Warsaw, charged with many murders.

OF MONOPOLY SWINGS THE AX

Argument in Ohio's Case Against Octopus.

ROCKEFELLER'S TRIAL TO **FOLLOW THAT OF TRUST**

State Proves Its Case and Submits Facts to Jury-Oil King May Get a Prison Sentence for Violating Anti-Trust Law.

(Journal Special Service.)
Findlay, O., Oct. 16. — Prosecutor
David closed his argument in the case
of the state against the Standard Oll

"The only big thing in this case is the endless outstretching of the grasping creature known as the Standard Oll company," said Prosecutor David.

He said that the state had established the connection of the Standard, the Buckeys pipe line, the Ohio Oll and other companies, and had proved that Rogers, Archbold and Flagler were in them all, and that Rockefeller headed them all. Four more speeches will be made. The case will probably go to the jury tomorrow.

them all. Four more speeches will be made. The case will probably go to the jury tomorrow.

"The Standard Oil trust," David said, "was organized in 1852 by John D. Rockefeller. William Rockefeller. Henry M. Flagier, H. H. Rogers, John D. Archbold and a number of associates. The object of the trust was to control the oil business, and 30 per cent of the capital, skill and property engaged in the oil business in the United States was gathered into the trust, which was controlled by nine trustees.

"This arrangement continued for ten years, during which time 19 companies subsidiary to the trust, but controlled by it, were organized."

Rockefeller's trial will follow that of the Ohio oil company, in the event of a conviction in this preliminary skirmish. Rockefeller is under indictment on the identical charge for which the subsidiary company is being tried. This charge is conspiracy to restrain trade, and that offense constitutes a violation of the Valentine anti-trust law of Ohio. The penalty prescribed is a fine of \$56 to \$5.000, or from six to twelve months imprisonment.

The oil company cannot be sent to

the firm. Amons is represented by Attorneys Gittner and Sewall and John F. S. that I had decided upon Mr. Malcolm Logan. Attorneys William D. Fenton for the place. I have been considering the appointment and some time ago de-McCabe.

The jurors who will decide whether man to be chosen for the place. The The jurors who will decide whether Amons is entitled to damages are: P. A. Christensen, John Strucken, E. T. Deem. Sideration upon the recommendation of a large number of prominent men and is one that will bind the party closer to one that will bind the party into harmony. "I will not make the recommendation for Mr. Malcolm's appointment until I reach Washington, but I will leave here for that city about November 1. 'After having become settled into the harness there I will place Mr. Malcolm's name before the president."

"Is there any danger that the selec-tion this time will meet with any oppo-sition in Washington?" the senator was asked. "No," he replied, "I think there is absolutely no danger of any opposition being shown. I think the recommenda-tion will result in the speedy appoint-ment of Mr. Malcolm."

ARRESTED FOR TRESPASS ON HIS FATHER'S LAND

B. R. Nichols, son of a prominent Portland attorney, is under arrest for trespassing on his father's land. Nichola went shooting on the Columbia slough last Sunday and while walking across a farm leased by his father to a man named A. J. Morgan, the rester, Morgan, appeared and ordered him off. Nichols refused to go and Morgan came to town and swore to a complaint against him, Nichols was arrested today by Constable Lou Wagner, but immediately gave ball in the sum, of \$50.

W. C. T. U. Mosts at Boston, (Journal Special Service.) Mass., Oct. 16.—Women world-wide note are gathering in Bos-ton in anticipation of the convention of the World's Woman's Christian Temperance Union, which begins its sessions tomorrow. In the absence of Lady Henry Somerset, the president, the convention will be presided over by Mrs. L. M. N. Stevens of Maine.

Paces Serious Charge. Albert Christensen was arraigned in the circuit court this morning charged with a statutory offense against 15-year-old Josie Capps. Christensen 'Is about 18 years old. He was allowed until next week to enter a plea.

CURES WINTER COUCH. J. E. Gover, 101 N. Main St., Ottawa, Kan., writes: "Every fall it has been my wife a trouble to catch a severe cold, and therefore to cough all winter long. Last fall I got her a bottle of Horehound Syrup. She used it and has been able to sleep soundly all night long. Whenever tre cough troubles her two or three doses stops the cough, and she is able to be up and well." Isc, 50c and \$1.00. Sold by Woodard, Clarke & Co.

Foster & Kleiser-Signs

TWO CASES

to the Ranks Because of -

PATROLMAN SMITH ALSO SECOND TIME GERVAIS INCURS IRE OF CHIEF

Under Suspicion for Not Being Active in Suppressing Gambling in Chinatown-John Price Is Promoted to Detective's Position.

His Poor Service

Aroused to action by the adverse criticism of press and public. Chief Gritsmacher swung his official ax this afternoon, and when the dust has cleared away several changes are

of the police department brought about in the Chinatown and "moral" squads.

"Purist" E. Burke, Tom Kay's partner on the "moral squad." like Humpty Dumpty, has fallen off his perch with a dull thud and is relegated to the obscurity of the stable. Henceforth he is to occupy the menial position of municipal coachman in charge of the Gritamacher hotel 'bus.

Burke's fall from grace was not unexpected. Ever since he was promoted from the ranks to be a partner of Tom Kay there have been a multitude of complaints lodged against him. His star blunder, which unquestionably bore the greatest weight with Chief Gritamacher in reducing him from detective to hostier, was the attempt to have inserted in a weekly paper a scandalous story reflecting upon a local newspaper man for the purpose of causing trouble between the man and his wife. Charges were filed with the police commission as the result and a decision was rendered ordering the chief to reprimand Burke.

Burke

"Buttinsky" Smith Gets Ax.

Patrolman B. F. Smith, commonly known as "Buttinsky" Smith by the terms of the official order has also been hit in a vital spot. His failurs to suppress gambling in Chinatown has earned for him a reduction to the ranks and from this date he will have an opportunity of counting the are lights on the second night relief under the guidance of Captala Balley. Smith and Detective Hill have constituted the Chinatown squad with Smith in command. Hill has made an earnest sudeavor to suppress the gaming which is being conducted openly and notoriously in Chinatown, but was handleapped by not having a wideawake, energetic partner.

John F. Price, who has been day patrol driver, for strict attention to duty and several clever captures made, is elevated to the bursau of criminal investigation, Patrolmen Mallet and Klienlen with Hill will in the future preside over the destiny of the Chinese quarter. Detective H. A. Circle is deposed from plain clothes duty and ordered with Smith to report for duty on the second night relief. Patrolman J. Burke is taken from patrol duty and given a pinin clothes assignment in the place of E. Burke.

Chief Gritamacher makes no comment. Chief Gritzmacher makes no comment on the changes ordered other than they are for the best interests of the service. Burke's partner, Tom Kay, is believed to be tettering in his position and may soon join his fellow reformer in the

BEING SUED

Seattle Lawyer to Force Pacific Corporation to Deliver His Package.

(Special Dispatch to The Jerral.)
Seattle, Wash., Oct. 16. — Frederick Bausman, a lawyer who was denied delivery at his home of a package, on which the forwarding charges had been prepaid, by the Northern Pacific Express. company, began suit today to compel that corporation to complete its contract and deliver his package.

Mr. Bausman resides at 424 Harvard avenue north. The express companies have arbitrarily fixed the delivery limits that end at Broadway, just north of Madison street. Outside these limits the system securing the delivery of an express package is as complicated and expensive as the procurement of a shipment from Tacoma.

ment from Tacoma.

ment from Tacoma.

Without any warning to customers the express company accepts a contract to deliver packages in Seattle, receipts for the prepayment charges, then holds up the shipment in Seattle until another toll is wrung from the consignes on the pretext that delivery feel must be paid here. The practice of the express company is to send out postal cards notifying customers that a package awaits them at the express office.

BOYS CONFESS TO **ROBBING HUNTERS' CABINS**

Five Woodlawn youths have confessed to breaking into hunters' cabins on Columbia slough. Early in the summer they banded together and ever since have made periodical raids on the cabins. They stole cartridges, game and shooting and boating outfits. The five hoys range from 16 to 15 years of age. Their names are William Huth, Homer Oberg, Frank Smith, Henry Cubar and Lawrence Gay.

Oberg. Frank Smith, Henry Cubar and Lawrence Gay.

The young offenders were arraigned this morning before Justice of the Peace Reid. They were arrested last night on warrants sworn out by E. Shelley Morgan, one of the victims of the thieves. Among other sufferers are Circuit Judge Gantenbein, Otto J. Kreamer, C. O. Pick and Casper Roth. The boys were represented in court by Councilman Vaughn. Preliminary examination was waived and the bail was reduced to \$500, which was furnished by Gay and Cubar.

Doctor Favors Brouwer.

(Special Disputes to The Journal.)

Toms River, N. J., Oct. 16.—Dr. Foreman testified in the Brouwer case this morning that he thought that Mrs. Brouwer died of ptomains poisoning, and that he didn't believe the ingredients of glass found in her stomach could have caused her death.

If you are looking for a furnished room in a nice private family, read the classified columns under "Furnished

appeared and Aged John **Huber Is Reported Missing**

WOMAN HAS VANISHED

Eight Years Ago She Was Found Hiding in Ditch Near Her Home in Dazed Condition and Unable to

(Special Dispetes to The Journal.)

Salem Or., Oct. 18.—Mrs. Rose Bierward, an estimable woman of Gervais, Or., aged 58. left her home near Beathat place Sunday evening and has mysoutail Or., aged 58. left her home near that place Sunday evening and has mysteriously sunk from view. There is no trace left of the woman's flight.

Seattle does not allow any saloons outside the fire limits. There are no fire limits whatever on the east side of the Willamette, and on the west side teriously sunk from view. There is no trace left of the woman's flight.

She left early in the evening, about 7:30 o'clock, and if the earth had opened and swallowed her, the mystery would have been no greater. It seems impossible that she could have walked out of town at that time of the evening without being seen by some one.

Mrs. Blerward had been out calling with her husband and her son Sunday afterneon, and seemed in unusually good spirits. On their return home she went to the dining room to set out some lunch and was never seen again.

Although no evidences of it were noticeable at the time, friends believe that Mrs. Blerward is suffering from mental aberration.

Found in Ditch.

Found in Ditch.

Found is Ditch.

About eight years ago she disappeared from home and was found soon afterward near her home, hiding in a ditch. At that time she could give no explanation of her conduct and seemed to be in a dazed condition.

She has hive eyes, is 5 feet 6 inches high, has no teeth, leaving her false set at home, wore a black dress, hat and coat with a gray waist and speaks French. The sheriff has been apprised and a \$60 reward is offered.

John Huber, an eiderly man of this city, has mysteriously disappeared and has not been heard from since Saturday. He recently moved to the city from the Glibert and Patterson farm, near here. No clue has been found of the missing man. His wife is frantic about his disappearance.

THEATRE MEN ARE ARRESTED

Hellig, Baker, Seamans and Logan Have to Explain About Posting of Bills.

Warrants were issued this afternoon for the arrest of Calvin Hellig, Milton W. Seemans, George L. Baker and At-torney John F. Logan, the officers of terney John F. Logan, the officers of the Greron Theatre company, which con-ducts the Empire theatre, on charges of causing bills announcing a decrease in prices at that playhouse to be posted on buildings in the business portion of the city without first securing the nec-essary permit. Patrolman Goltz is the complainant in the case. Considerable complaint has been caused by the action of advertising agents of the various local playhouses in posting show bills on buildings and fences throughout the city without per-mission. The work is generally done in the early hours on Sunday mornings.

In the early hours on Sunday mornings.
The bills secured by Golts as evidence
were affixed to a building on Fifth
street and were put up some time before, 7 o'clock last Sunday morning.
Deputy City Attorney Flingerald declares his intention of vigorously

clares his intention of vigorously prosecuting the cases.

"I believe in arresting the officers of the company employing the men who are defacing the city by posting gaudy lithographs on the main thoroughfares. This practice must cease, and it makes no difference to me who the responsible parties are, I intend to do all in my power to have the ordinance enforced."

Calvin Heilig is president of the Oregon Theatre company, George L. Baker is the manager, Milton Seamans, the secretary and John F. Logan the attorney. The warrants will be placed in the hands of the pelice for service this afternoon and the cases will come up in the police court tomorrow morning.

PUBLIC SAFETY BOARD CONTINUES INSPECTION

The buildings of the Boys' and Giris' Aid society were inspected by Fire Chief Campbell, Building Inspector Spencer and Fire Marshal Roberts this morning, As in St. Helen's Hall and St. Vincent's As in St. Helen's Hall and St. Vincent's hospital, visited yesterday, a few minor changes were recommended, but no flagrant violations of the building ordi-nance regarding fire risks were found. Public safety officials consider it within their province to inspect such public and semi-public institutions as private schools and hospitals. The last to be inspected will be the churches.

Dr. J. J. Kinyoun, America's forement mosquito expert, was talking in Wash-ington about the mosquito's coming ex-

ington about the mosquito's coming extermination.

"It will come," he said, "but, to hasten its conling, the public must be drawn into the fight. It is on the public that we must depend for the mosquito's extermination, and, to interest the public, all surts of methods, the finest diplomacy, must be used.

"Diplomacy, you know, is a remarkable agent. The other day a lady said to her husband:

"James. I have decided to do without a new fall street dress, and with the money I shall have mother here for a nice long visit."

"James turned on her excitedly.

"Wear that old brown ciquh thing another season? I guess not, he excialmed. You so down town to your isilor's today and order something handsome. Remember, please, that as my wife you have a certain position to maintain.

"The wife bowed her head in submis-alon. On her lips played a peculiar smile."

The ministe was shocked when the young ledy declined an introduction to some of his parishtoners. "Why, my dear young lady, did you ever think that perhaps you will have to mingle with these good people when you get to heaven!" she exclaimed, "that will be

FOR SALOONS

Out and May Take Steps to Bring It About,

CANNOT FOLLOW THE EXAMPLE OF SEATTLE

Saloons Are Restricted to Fire Dis-trict There, but Such Scheme Is Not Practical in Portland, Say

A limited district for saloons is one of the municipal possibilities for next

of \$1.000."
"Then we have no right to make it \$1.000," declared Mr. Gray.
Some one brought up the Seattle plan and this was discussed. If Portland's fire limits came anywhere near applying a solution to the problem as they stand the scheme might be lifted in its entires."

ALBINA TOUGHS DISPOSED OF

Judge Cameron Forces Ringleaders to Sign Stipulations and Then Releases Them.

After several lengthy hearings the cases against the youths charged with having participated in the riot at Williams avenue and Russeli street were finally decided this morning by Judge Cameron in the police court. Carl Wil-liams, Henry Plattenburg and Oscar Holmes were required to sign a stipe tion agreeing to a continuance of their cases and in the event of further dif-

cases and in the event of further difficulty to have sentences on the present charges passed at any time.

George Boggs, Nick Zepz, Marks Jassman, Pete Crieger, Sylvester Domanasse and G. Dienes were discharged from custody owing to the insufficiency of evidence. Williams testified in his own behalf and denied that he had struck either of the policemen during the melec. Nick Zens also testified that, aithough in the crowd, he took no part in the disturbance. Plattenburg took the stand and declared that he had seen Williams deliberately strike Patrolman Keller. A number of the others on trial gave their versions of the

trouble.

The action of Judge Cameron is expected to have a salutary effect on the Albins gang. The police are determined to prevent any further disorder in that district and at the first sign of trouble wholesale afrests will be made. It was Judge Cameron's first intention to keep all of the boys in custody until they decided to tell the truth about the part they played in the assault, but he finally decided spon the stipulations from the ringlesders of the crowd.

ELEVATOR BOY BADLY INJURED

Arthur Jesson Caught Between Moving Elevator and Shaft and His Leg Crushed.

Arthur Jesson, an 18-year-old elevator boy employed in the Abington building, was seriously injured this afternoon by being caught between the moving elevator and the shaft. Jesson had on roller skates and was performing for the edification of some other boys who were ascending with him. The boy suddenly slipped and before the car could be stopped his right less was herribly mangled and cut to the bone. H. was hurried to St. Vincent's hospital and, as no bones were broken, it is thought that he will not lose his leg. The left's parents reside at \$49 Sherman street.

INSANE PIONEER IS VICTIM OF OWN HAND

Prosecutor David Closes His Reduces Acting Detective Burke Mrs. Rose Bierwood Has Dis- License Committee Figures It Deserted in Portland by the Maid and the Mummy Aggregation.

> FORCED TO APPEAL TO COUNTY FOR HELP

Officials Refuse to Send Them Home and They Must Either Work in Store or Else Do Vaudeville Turn on Local Circuit.

Miss Derethy Luken and Miss Zella Doran, chorus girls who assert that they were left here by the manager of the "Maid and the Mummy" with only 85 cents because they asked for money to pay a hotel bill, are trying to decide whether to accept positions in a department store or do a turn in vaudeville.

The girls have been at the Chlumet hotel since last Thursday. They say they are living there, not from choice, but because their trunks are being held there, and they have no other place to so. Miss Luken said this morning that her companion had nothing to cat for two days until yesterday.

They were sent to the county board of relief, where they were offered half rate tickets to Los Angeles, but no funds were available to buy them tickets. Commissioner W. L. Lightner was appealed to and he told the girls he could get them employment in a store if they wanted it.

"They would keep us about 10 minutes in a store, then tell us to go," said one of the girls, Some one class suggested that they try a vaudeville turn and this met with more approval, but they faced the difficulty of having no costumes.

Miss Luken is from Toledo, Ohio. She says she has a sister in Bakbrafield, California, but is unable to get to her, Miss Doran's home is in Los Angeles.

SUE TO RECOVER THEIR COMMISSION ON DEAL

The suit of O. C. R. Ellis and W. E. Kahler to recover \$675 from Cord Sens-stake as commission on the sale of property is being heard by a jury in Judge Gantenbein's department of the circuit court today.

Gantenbein's department of the circuit court today.

Eilis and Kahler are real, estate agents. They allege that they were amployed by Sengstake to sell his property at Holladay avenue and Larrabee strests for \$25,000. They secured O. W. Nelson to buy the property, they assert, and after the transaction was completed Sengstake refused to pay their commission. Suit to collect it was then brought in the circuit court.

The jurors who are hearing the evidence are: H. D. Lensch, Gus P. Keller, Antone Schantins, Andrew M. Anderson, F. H. Kearney, W. S. Lauthers, Martin Oleson, T. W. Cook, D. W. Butler, Sydney A. Baker, B. F. Rainey and Simon Bayer. Testimony is being heard this afternoon.

HELD TO AWAIT THE **ACTION OF GRAND JURY**

Frank Royal, who is charged with Frank Royal, who is charged with murderously assaulting R. W. Nelson, an 18-year-old lad, waived a preliminary hearing this morning and was bound over to await the action of the grand jury. Royal was represented by Attorney Walter Wolfe. His bonds were fixed at \$500, in default of which he was remanded to the custody of the sheriff. Clifton Rhinebari, the 18-year-old high school student, who was greested by Patrolman Craddock several nights ago on a statutory charge, was bound over to the circuit court today by Judge Cameron. Mabel Howard, a 14-year-old girl, with whom he is alleged to have been intimate, has been sent to the Home of the Good Shepherd by the juvenile court.

NOTED JAILBREAKER IS TAKEN TO PENITENTIARY

Frank Gordon, alias Smith, alias, Bodwell, the notes jailbreaker who has been in close confinement in the county jail for several days to guard against his effecting a jail delivery, was taken to the penitentiary this morning to serve an indeterminate sentence of from one to five years for larceny. Mike Potato, who was sentenced to serve 10 years after conviction of a statutory offense against 10-year-old Mabel Maze, was also taken to the penitentiary this morning. The prisoners were guarded by Sheriff Stevens and Chief Deputy Sheriff Jacob Proebstel.

UNKNOWN MAN DIES UNDER TRAIN WHEELS

(Special Dispatch to The Journal.)
Tacoma, Oct. 15.—An unknown man was run over and instantly killed at Prescott, three miles east of Tacoma, this afternoon. He stepped off one track and onto another to avoid a train when a passenger train from behind ran over him. The body is that of a middle-aged man wearing rough clothing.

BANQUET TO BE GIVEN TO REV. E. P. MURPHY

(Special Dispatch to The Journal.)

Tacoma, Wash., Oct. 16.—Henry Krueter, a German 50 years old, who disappeared from his home on Long vention at Philadelphia, will be ban-Branch last night, was found dead, hanging in the amokehouse at noon today. Krueter was a pioneer of Pierce county. A number of years ago he was the leaders of the home rule movement, sent to the asylum and was cut on parallel in the leaves a wife and large family.

PEOPLE MAY VOTE ON FOURTH STREET FRANCHISE QUESTION

Up to a vote of the people by the referendum will go the question of repealing the "perpetual" franchise on Fourth street, in all probability.

There seems little chance that the council will repeal the franchise. City attorney McNary reported to the judiciary committee yeaterday afternoon that further time would be necessary for him to complete his investigations into the various awnerships of the franchise, to operate the road it is probable that an ordinance repealing the franchise and also of its legal status.

Mayor Lane called the attention of the council to the fact that cold franchise ordinance granting rights to the