

NELSON AND DANIELSON GRANTED NEW TRIAL

Deputy District Attorney Moser, Who Secured Conviction of the Men Accused of Lindgren's Murder, Believes in Their Innocence—Will Probably Ask Court to Dismiss.

The opinion that the murderer of Oscar Lindgren is still at large and that Ed Nelson and C. H. Danielson are absolutely innocent was expressed today by Deputy District Attorney Moser, who was instrumental in securing a verdict of guilty against Nelson and Danielson last month.

Moser further stated that he expects to have the real criminal in the toils soon and that it is only a question of a few days before the convicted men will walk from the county jail into perfect freedom.

Ed Nelson, a handsome, clean looking big Swede in his early twenties, and C. H. Danielson, another Swede 10 years younger, were convicted by a jury of the murder of Oscar Lindgren, proprietor of the Garfield hotel at Fourteenth and Baxter streets on the evening of January 8, 1907.

Nelson and Danielson were found in the crowd which gathered about the saloon immediately after the tragedy and Nelson was wearing a red sweater. Later information was brought to light to show that Nelson had that day applied for a job of Lindgren and had been refused and that a row had resulted.

What was more natural than that, partly out of revenge, he should have returned under cover of the night to rob his former employer?

The case was made stronger for the state by the fact that Nelson and Danielson could not explain their presence soon after the killing except simply to say that they had gone with the purpose of paying a friendly visit.

All these incriminating coincidences must have so prejudiced the minds of the jury against the accused that when it came to the testimony of the defense it was absolutely disregarded. The defense was an alibi, but the only witness who could speak positively was a man named Harold Johnson. Johnson swore that he saw Nelson and Danielson get on a car at Third and Couch at 11:30 o'clock on the night of the murder. This car arrived at the scene of the murder at 8:15, while the fatal shot was fired at 9:15.

Moser believes in innocence. The matter came up in Judge Fraser's court today, as it was the time set for hearing the arguments on the motion of the defense for a new trial. Moser

WASHINGTON COMMISSION ASKED TO RATE MILLS SEVEN THIRTS AND SO SOOTHING IN HIS CLOTHES

Lumbermen Propose This as Partial Solution of Car Shortage Evil.

(Special Dispatch to The Journal.) Tacoma, Wash., April 27.—Western Washington lumber manufacturers are today meeting with the state railway commission here in an effort to find a solution of some of their troubles. The conference is taking up the rating of mills as to capacity and demand for cars and the alleged discrimination of the roads against lumber shipments, resulting in the preference being given to wheat, raw products and general merchandise.

As it would have difficulty in backing up a rating owing to many elements entering into the question of the relative number of cars to which any given mill may be entitled, the commission is disposed to avoid the issue, though the millmen are anxious that a rating be made.

The proposed car record book to be kept by the railroads, the primary object of which is to prevent discrimination, is also being considered.

PIER COLLAPSES

(Continued from Page One.)

It is estimated that the dead and injured will number at least 30.

Sixteen injured have been taken to the hospital, some of whom are fatally hurt. Between 40 and 50 workmen went down with the structure and it seems certain that they are beneath the water dead. The rescuers are working to clear the wreckage and get the bodies. About 50 men were at work when it collapsed. The pier was being built for the joint use of the B. & O. and North German-Lloyd Steamship company.

It is supposed that the materials were too heavy for the mud site, the piles and supports not being deep enough to reach bedrock. The accident came without the slightest warning.

At 3 o'clock this afternoon there were 25 bodies in the mud site.

Among the identified dead is Howard L. Ellender, civil engineer for the McLean Construction company. The police say there is no reason to hope the number of dead is less than has been estimated, but the Construction company hopes to account for many of the missing and says it is possible that not as many as thought were at work at the time of the collapse.

NO BUCKSKIN

(Continued from Page One.)

Jacket and plain skirt, it has been decided, is all that is necessary in the way of dress between Portland and the exposition city.

Meet With Their Mothers. This was the decision reached at the meeting held this morning by some of the young women and their mothers at the Portland hotel, and in consequence there will be many busy trips between the homes of the respective members of the party and the dry goods stores from now until the date of starting some weeks hence.

As to deciding upon the traveling costume, opinion favored a drill costume, to be used at the exposition during the military drills, to be made of army cloth, short skirts and leggings will be worn. The hats will be, perhaps, one side turned up a trifle, and tan shoes. The hats will come from Hawaii.

The meeting this morning which resounded with costume and fashion expressions unknown to mankind, was attended by Mrs. J. C. Cooper, McMillin; Mrs. George H. How, Sheridan; Mrs. J. C. Ardrey and Mrs. H. W. Manning, Portland; Miss Mabel Hunstuck, McMillin; Miss Mettelmeier, Milwaukie; Miss Gardner, Newberg; Miss Key, Ferryside; Miss Idel Woodworth, Hood River; Miss Manning, Miss Zoe McClung, Miss Dell and Miss Katherine George, Portland.

COUGAR EXPIATES LONG CAREER OF SLAUGHTER

(Special Dispatch to The Journal.)

Tacoma, Wash., April 27.—A white, a Henderson, Bachelor, killed a cougar measuring seven feet, two inches, and weighing 133 pounds. For three years the animal had been a terror to farmers and poultrymen of that locality. Pigs, calves and chickens have been constantly commandeered for its commissary, and dogs that have disappeared are thought to have received a call from the Henderson.

It killed two calves on the White ranch. White had been gunning for it for weeks and Thursday his dogs followed the bloody trail of one of the dead calves and returned with the Henderson. White found the animal perched in a tree and shot it dead. The cougar is a very large specimen, having powerfully developed muscles and being 34 inches high.

ESCAPED PEORIA SAFE BLOWER IS ARRESTED

(Journal Special Service.)

Chicago, April 27.—Edwin Tate, a burglar and a convict, who had escaped from the Peoria jail, was arrested here this morning. Tate escaped from the Peoria police, where he was being held on suspicion of blowing off the safe of the Peoria board of education and destroying papers that were necessary to return further indictments against Dougherty and the possible conviction of Dougherty's associates.

PRESIDENTIAL PARTY GOES UP JAMES RIVER

(Journal Special Service.)

Norfolk, Va., April 27.—The president, Mrs. Roosevelt and a party of friends, including Assistant Secretary of State Bacon, went up the James river on the Slyph today. It was a private excursion, newspaper men not accompanying them. The weather is disagreeable. It rained heavily last night and threatens to do so today. The streets are filled with miniature lakes.

GUATEMALA AND MEXICO MAY ENGAGE IN COMBAT

(Journal Special Service.)

Mexico City, April 27.—Repeated meetings of the cabinet on the last 24 hours have given rise to rumors that trouble with Guatemala is brewing as a result of the assassination in Oaxaca of General Barrillas, former president of Guatemala. The minister of war denies the report that Mexico is massing troops on the border of Guatemala.

MORMON TABERNACLE TO BE DEDICATED IN JUNE

(Journal Special Service.)

La Grande, Or., April 27.—Sunday, June 18, is the date set for the dedication of the new \$50,000 Mormon tabernacle, which has been in the course of construction for a period of two years. Many of the leading church officials will be present from Salt Lake City, including President Joseph Smith and many of the apostles.

Hood River Man, Distrusting Banks, Carries Wealth Back to the Fatherland.

(Special Dispatch to The Journal.) Hood River, Or., April 27.—With \$7,000 in United States currency in his inside pocket Peter Kopke, for 37 years a resident of Hood River, last evening started on the overland train, bound for Germany. Expostulations from his friends as to the inadvisability of carrying so large a sum in cash with him were of no avail. Checks or drafts wouldn't do with Mr. Kopke on his trip to the fatherland. After having spent 27 years in America he wanted something with Uncle Sam's stamp on it to show his relatives in Hamburg and convince them of his material success.

Before starting Kopke had the money counted by the clerk at the Mount Hood hotel, fearing his own count was not quite correct, but finding it was, he started on his long journey satisfied.

He expects to be gone two months. Formerly Kopke owned what are now two of the most valuable fruit ranches at Hood River and recently sold 10 acres of trees for \$4,000. Before leaving he made another purchase and on his return will make his home on that tract.

WHAT I EXPECTED

(Continued from Page One.)

little weight, as the jury considered that much of the evidence giving the inference of fraudulent deals by Hermann had no bearing on the question of whether government records had been destroyed by him.

When the deliberations of the jury had continued for six and half hours before they were locked up for the night, last night, and it was feared that they would eventually disagree.

Verdict Not Guilty.

At 12:45 they again filed into the courtroom and Judge Foreman announced that a verdict had been agreed upon. The attorneys for both sides were sent for, and Hermann himself appeared in the courtroom.

When it became known that the verdict had been not guilty, Hermann's friends crowded about him, offering congratulations. Hermann leaned forward in his chair and listened closely while the verdict was being read. When the words announcing his acquittal fell from the lips of the clerk he leaned back with a perceptible sigh of relief.

RYDE-ELSON CASE GOES OVER.

Hermann's anxiety over the outcome of the trial has been indicated for several days by the care-worn expression that has been upon his face almost constantly. Mrs. Hermann, who was in the courtroom, was being read several times under the strain, was not in the courtroom when the verdict was announced, being nearly ill this morning. She was informed of her husband's acquittal by telephone.

The Benson-Hyde-Dimond land fraud conspiracy cases that were to have followed the Hermann trial were postponed today until October, the attorneys representing the state insisting that the trials through the summer vacation.

NEW ROAD

(Continued from Page One.)

the most difficult pieces of construction found in any of the Oregon extensions of the Hartman lines. It traverses a rough, swampy and heavily timbered stretch of country along the north bank of the Columbia river. About 2,500 feet of trestling is required at different points.

As to placing the right of way is so thickly timbered that a cow could not be driven through it. Some of the stumps that have been blown out of the right of way are 12 feet through, and weigh 30 boxes of powder in one charge removed a stump that is alleged that when the heavy charge is set off the stump sometimes soars half a mile high, and alights in the adjoining township.

The new line will eliminate all the old troubles of operation consequent upon the tides. In former years the passengers on the boat had to accommodate themselves to any schedule on which the boat could reach the landing at the Ilwaco connection, and the summer resorter never knew when or how he was going to reach his destination, either going or coming.

It is said the Hartman lines will develop large plans for the improvement of service and entertainment at the north beaches, in view of the Hill acquisition of the Astoria & Columbia River road, and its extension to various resorts on the Oregon side. The competition will result in much improved service on both lines and will be welcomed with delight by the public. The contractors now at work on the new line graded, and track laying was begun from the Ilwaco end Monday of this week.

FORBIDS STORY

(Continued from Page One.)

respondents, and it is probable that very little information on these matters will ever reach the public as every effort has been made by the attorneys for both sides to keep the proceedings secret by telephone.

The hearings were held behind closed doors, and it is said the lawyers will ask the court to order all the papers in the case except the judgment sealed, so that not even the county clerk will have access to the papers that were filed in the contents.

WEEK

(Journal Special Service.)

have a torpid liver when Herbine, the only liver regulator, will help you. There is no reason why you should suffer from Dyspepsia, Constipation, Chills and Fever or any liver complaint, when Herbine will cure you. It was used for a month with chills and fever, and after taking two bottles of Herbine am well and healthy. Sold by all druggists.

FOSTER & KLEISER SIGNS

FOR SALE BY ALL DEALERS. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name — DOAN'S — and take no other.

COURT GIVES AGENT COMMISSION ON SALE

C. K. Henry, Entitled to Sum He Would Have Received Had Harker Kept Word.

Engaging an agent to sell your property and then, when he secures a customer at your price, holding out for a still higher amount, does not always pay. It did not pay Dr. George A. Harker of Mill Valley, California, who owns real estate in Portland.

Last November Harker placed a downtown lot in the hands of Charles K. Henry, asking him to secure a customer for \$45,000. In a few weeks Henry had found buyers in the persons of Frank C. Baker and A. E. Massey. But Harker refused to enter into the bargain on the ground that he believed the property was, on second thought, worth more. Baker and Massey did not believe the Harker offer, and Henry brought suit for his commission at the regular rate and yesterday afternoon Circuit Judge Gantenbein handed down a judgment in his favor. The sum Henry will collect is \$1,250.

SO SOOTHING ITS INFLUENCE HAS BEEN FELT BY SO MANY PORTLAND READERS.

The soothing influence of relief. After suffering from itching Piles, From Eczema or any itches of the skin, Makes one feel grateful to the remedy.

Doan's Ointment has soothed hundreds of our Portland citizens say: R. B. Long, driver, of 348 Second street, Portland, Oregon, says: "In the summer of 1907 my body was all broken out with eczema, later or something of the kind. The torture I endured was fierce. I was very much alarmed about it and anxious to know what it was and what was the cause, so I went to a doctor, and then to several others, but none could do much good. When I got the least bit of relief, I bought Doan's Ointment and it cured me. I was especially grateful and it kept me from itching and scratching. I was in bad shape when I noticed the advertisement in our paper about Doan's Ointment, and I got a box and tried it. It proved to be just what was claimed for it. Less than two boxes made a complete cure of my case and later it cured my younger brother. I just had the same trouble. I know that Doan's Ointment is one remedy that can be depended upon, and would give me dollars for a box of it any time rather than suffer the way I used to for one day."

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COMPLETE WORK ON CITY HALL

St. Johns Officials Take Over Unfinished Job Abandoned by Missing Contractor.

The city of St. Johns has today taken over the construction of the city hall and it will be completed at once under the supervision of Cleanth L. Goodrich, city engineer. Notices have been posted and it is reported that a satisfactory arrangement has been made with Hartman & Thompson, bondsmen of L. Youngford & Son, the contractors who failed to complete their contract. It is estimated that the city will be able to complete the Youngford contract for a few hundred dollars less than the last contractors will be able to begin their work and finish the building.

There are a number of embarrassing difficulties to be adjusted in regard to the office and moral calibre and these have not yet been made public, but the St. Johns authorities are bravely attacking the perplexities as fast as they arise. It is impossible at this time to determine just how much of the completion of the city hall will cost.

DIVERS SEIZED

(Continued from Page One.)

restored in the vessel to the extent of about \$225,000. It was thought at first that the vessel would prove a total loss, but the British Columbia Salvage association took the contract to float the hull and now is engaged in the attempt.

Everything went swimmingly until the divers began working. The first one to go down had been wandering about for a few minutes, getting his bearings, when a dark shadow came across his path. On investigating the cause he saw hovering above him like a huge hawk, a great flabby mass, surrounded by a halo of tentacles, each tentacle provided with a business-like hook. As the mass approached, the diver signalled frantically to be hoisted up, and when the helmet was taken off his blanched face told of the terror that the sea monster had inspired.

One of the divers was attacked by a cuttlefish 14 feet in diameter. He was hoisted up in time to save his life. After resting he decided to return, but went down armed with a great hook. The cuttlefish had disappeared when the diver reached the depths again. The water in the vicinity of the wreck is said to be awarming with the monsters.

Wife Dear Old Mother.

"My dear old mother, who is now eighty-three years old, thrives on Electric Bitters," writes W. B. Brunson, of Danville, Va. "She has taken them for about two years and enjoys an excellent appetite, feels strong and sleeps well." That's the way Electric Bitters affect the aged, and the same happy results follow in all cases of female weakness and general debility. Weak, puny children, too, are greatly strengthened by them. Guaranteed safe for stomach, liver and kidney troubles, by Red Cross Pharmacy, Inc.

COFFEE

The doctor comes occasionally, the cook is here all the time.

Your grocer returns your money if you don't like Schilling's Best; we pay him.

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DIGNIFIED CREDIT FOR ALL FIRST AND TAYLOR

EASTERN OREGON GRANGE VIEWS ON REFERENDUM

Canyon City Letter Writer Says Majority of East Oregonians Favor It.

(Special Dispatch to The Journal.) Albany, Or., April 27.—Cyrus H. Walker of the Linn County grange desires to contradict the statement that the eastern Oregon granges are opposed to the referendum on the university appropriation. Secretary Walker has received a letter from a prominent attorney of Canyon City, Grant county, wherein it is stated that out of 50 interviewed he readily signed the petition and he believes that with a canvass 1,000 signatures could easily be obtained in that section. The signers

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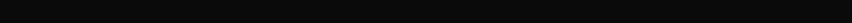
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Have you considered our advantages by being in the low rent district and the saving it is to you when furnishing your home?



PARADE AND INITIATION OF WOODMEN AT SALEM

(Special Dispatch to The Journal.)

Salem, Or., April 27.—The Modern Woodmen of America held a grand fraternal rally here in the form of a class initiation at which 60 candidates were introduced to the mysteries of woodcraft. Neighbors were in attendance from the camps at Brooks, Silverton, Independence, Amsville, Chesham and Woodburn and the affair proved most successful. Early in the evening a monster parade was held and more than 200 Woodmen paraded the streets of the city displaying a banner headed M. W. A. 48400 Strong. The parade was headed by the Salem Military band followed by the local Foresters' drill team in uniform under Captain L. B. Hixon.

The initiatory exercises continued until an early hour next morning and a banquet was served to the neighboring woodchoppers. In the feast the Royal Neighbors of this city assisted materially.

The exercises were conducted by District Deputy J. W. Shears of Portland. Among the guests who took part in the ceremonies were M. W. A. 48400 city and Full Grand of Chemawa. The local camp was highly praised by the visitors for the royal entertainment tendered.

SHIPPERS' ULTIMATUM TO LONGSHOREMEN OF SOUND

(Special Dispatch to The Journal.)

Seattle, Wash., April 27.—At a meeting of committees from the Puget Sound Shipping association and the Longshoremen's union held yesterday an ultimatum was issued by the association stating that 40 cents per hour was all that would be paid for labor, either day or night, except when loading lumber in lots of more than 200,000 feet, when the rates would be 50 cents an hour. The result of the issuance of the ultimatum will be known next Monday, when the committees will meet again.

FRANK HOWARD WAS MAN KILLED BY N. P. TRAIN

(Special Dispatch to The Journal.)

Samuel Cliffords, a fireman employed by the Columbia Digger company, has cleared up the identity of the unknown man who was run over at Newaukum bridge near Chehalis, by a Northern Pacific train on an early hour Wednesday morning. Cliffords states that the dead man was Frank Howard, who formerly was employed by the Columbia Digger company. Howard is said to have left Portland four weeks ago on the steamer Sampson for San Francisco as an officer. His relatives reside in Boston, Mass., where he owned considerable property.

MISS HEALEY VICTOR IN ORATORY CONTEST

(Special Dispatch to The Journal.)

Corvallis, Or., April 27.—Winner of the first prize in oratory in the interstate contest held here last night is Miss Fern Healey of Washington state college at Pullman. She is entitled to \$50 worth of books of her own selection, in virtue of her excellent handling of the topic "Supply and Demand." She defeated Mark V. Weatherford, the O. A. C. champion, with his "Patriotism Par Excellence," and Walter C. Ellis of Whitman college, Walla Walla, who showed up King Leopold of Belgium and his policies as "The Curse of Africa."

The judges were: Composition—Professor Padelford, University of Washington; Professor Robinson, University of Oregon; Luella Clay Carson, University of Oregon; Delivery—President P. L. Campbell, University of Oregon; Attorney-General Crawford, Judge Harris of Eugene.

Officers of St. Helen's Club.

(Special Dispatch to The Journal.)

Chehalis, Wash., April 27.—At the meeting of the St. Helens club this week the following officers were elected for the coming year: President, Mrs. Annie Irquhart; vice-president, Mrs. Hattie Thompson; recording secretary, Mrs. Maude Coffman; corresponding secretary, Mrs. Carlotta Sigmond; treasurer, Mrs. Elsie Coffman; article Mrs. Jean McCutcheon.

No bad after effects

from drinking all you want of

POSTUM FOOD COFFEE

"There's a Reason"