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The weather—Fair tonight. Tomorrow fair; northerly winds.

# Oregon Journal

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PRICE TWO CENTS.

OF TRAINS AND NEWS PAPER, FIVE CENTS.

# BROWN MURDERED BY ROUGHS

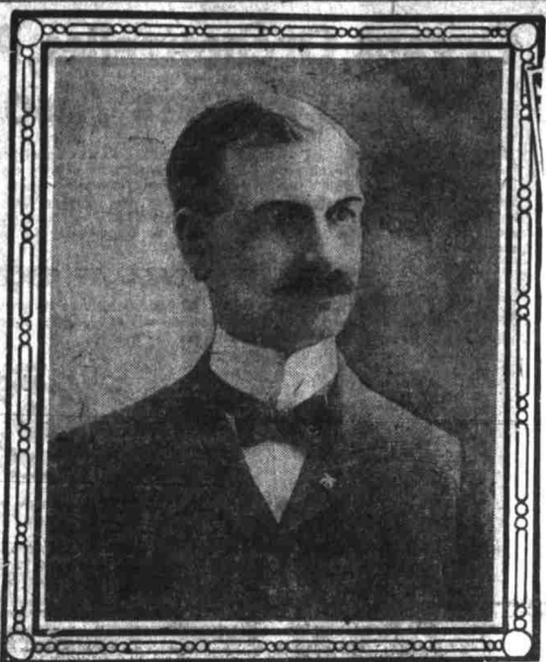
## CLOSE FRIEND OF EX-SHERIFF ADVANCES NEW THEORY IN CASE

### DOGS LOSE THE TRAIL

Follow Scent to Lumber Yard Near Depot—Three Men in Plot—Disguised as Negro, One of Them Keeps Watch.

(Special Dispatch to The Journal.)

Baker City, Or., Oct. 2.—Russell Swain, for many years a close friend of ex-Sheriff Brown, who died yesterday afternoon from wounds received at the hands of dynamiters, has taken the trail of the murderers with Draper's bloodhounds. Swain does not believe that the Western Federation had anything to do with the committing of the dynamite outrage. He thinks that Harvey Brown had many enemies who have bitterly detested him for his campaign against the gamblers and bad men of the town. Brown, according to Swain, had kept up his crusade against the toughs and there were many of the most desperate of them who had silently held a deep grudge against the ex-official.



CHARLES A. JOHNS, MAYOR OF BAKER CITY.

### NEUHAUSEN NOTIFIED BROWN WAS "IN THE SHADOW"

That Harvey K. Brown was afraid of his life while in Portland last week, Thomas B. Neuhausen, special inspector of the interior department and a warm personal friend of Brown, saw the murdered man on Sixth street one evening last week and stopped to speak to him.

"I noticed a peculiar twitching of Brown's eyes," said Mr. Neuhausen, "and remarked about it. Brown laughed and said it was probably the result of a strain he had received while lifting a heavy weight at Salem where he had been attending the state fair.

"But to me it seemed he wore a haunted look. He glanced nervously from left to right as if he were vigilantly watching for some one. His look was that of a man who has been continually under shadow and was momentarily expecting to be assaulted."

### MURDERED MAN'S DYING STATEMENT IN FULL

(Special Dispatch to The Journal.)

Baker City, Oct. 2.—The dying statement of murdered Harvey Brown was in full as follows: State ment of Harvey K. Brown at St. Elizabeth's hospital in Baker City, Baker county, Oregon, made October 1, 1907, at the hour of 11 o'clock a. m. of said day. Examination conducted by Leroy Lomax, district attorney of the judicial district of the county of Baker in the state of Oregon.

Q. Did you see anybody that you think might have done this?  
A. There was a fellow here that appeared to be following me.  
Q. How long had he been here?  
A. I have seen him for the last few days. I passed him once and spoke and he passed on and did not speak, and I met him in front of Romig's there and I spoke to him and he never answered at all, but went right on.  
Q. When was it that you saw him, was that yesterday or when?  
A. That was last night about 7:30; I went up across there to McCulloch's office to talk to Mac for a while.  
Q. He was going down toward your house then?  
A. Going that way.  
Q. You met him going up town?  
A. I met him as I was going up town and then I met him again up town. He is a man that I would know if I saw him, but that is all.  
Q. What connection has this with the Orchard business?  
A. I think that is what it is. I picked up Orchard and these people are feeling angry about it. The central people are commencing to find it out. Did you ever get any threatening letters from anyone?  
A. Yes, but that was in connection with that gambling business.  
Q. Never got any letters about the Orchard business?  
A. I never got many threatening letters, only about three and a couple on a horse-stealing case. I never got any out of the other, but I have heard them all talk.  
Q. How about that Idaho timber business up there; was there anything of that kind or have you had anonymous letters from there?  
A. Whereabouts?  
Q. The Senator Borah matter.  
A. Nothing; I was not connected with that in any way. Of course they have been feeling radical, these Orchard people. I can realize that this is nothing but the Orchard business, because I have had fellows say right out that I did wrong in having arrested him, and

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### ETHEL LEVEY MARRIES STAGE HERO EDESON

(United Press Leased Wire.)

Chicago, Oct. 2.—The romance of Ethel Levey, formerly Mrs. George M. Cohan, has been uncovered. She is found to be the wife of Robert Edeson, the stage hero of romantic plays. Miss Levey was married in Chicago

several days ago, after months spent in denying positively that she had any intention of ever marrying again, and certainly of marrying "Bob" Edeson. She tried to keep it a secret until she left the city, but she whispered it to a friend, and now everyone may know.

### HOPGROWERS RAISE FUND; WILL SUE S. P.

A fund is being collected by the hop growers of Oregon for the purpose of testing the new railroad commission law in the matter of furnishing cars. The dealers claim they have had orders for cars of hops for some time which could not be filled because the railroads would not or could not fur-

nish transportation. They claim they are very much damaged on this account and will band together and bring suit against the Southern Pacific at once. The dealers say that not only are they injured by the lack of cars, but it puts the hop industry in a tight place, inasmuch as there is a demand now and may not be later.

### MANDELAY TO TESTIFY FOR MAYOR

Charges Against Alleged Co-Conspirator Dismissed—Will Tell on Stand of Radding's Part in Plot to Blacken Mayor's Name.

Hearing Begun This Morning—Lane Tells of Scene in Hamilton Building—Thought at First Woman Was Having Fit.

By the dismissal today of the charges against L. L. Mandelay, accused jointly with E. E. Radding and Mrs. Belle Wymire of a conspiracy to defame the mayor's good name and bring him into public disrepute, the state was able to draw still closer about the defendants the net of guilt which is enveloping them.

Mandelay will be a witness for the state in the preliminary hearing which commenced this morning at 10:15 o'clock in the municipal court, and it is expected that he will tell of Radding's having come to him to secure his presence in the Hamilton building on Thursday last in order to be witness to something which was to happen there.

By the testimony of C. M. Haby, N. Wills, Manning and possibly Thomas C. Devlin, the state will show that Radding first made the proposal to Wills and Devlin to entrap the mayor, that he afterwards told Haby he had a "deal" on in which a prominent man was to be associated with a woman and for the recovering of which he was to receive \$1,000, and then by Mandelay that he had planned the coup and desired a witness to it.

The defense with hand now narrowed to Radding and Mrs. Wymire is bending every effort to throw discredit on the motives of Mayor Lane and by the testimony of Radding and his wife, a woman accomplice, and by rapid fire cross-examination attempts to show impurity of motive on the part of Mayor Lane.

The preliminary hearing was commenced this morning with the stuffy room of the municipal court packed and jammed with a grinning crowd of the morbidly curious gathered to hear the testimony and gasp at the woman upon the stand and his statement and cross-examination filled the session until a few minutes before noon, when a recess was taken until this afternoon at 2 o'clock. At the conclusion of his direct examination Judge Cameron ordered the court room cleared of all persons except attorneys and representatives of the press.

McGarry Gets Muddled. Nothing much new was brought out at the morning hearing, the time being taken with the mayor's story of the attempted badger game, and with the strenuous efforts of Attorney McGarry to inject the taint of suspicion into the evidence given on cross-examination. It was the mayor's morning, however, for the scope of McGarry's examination became so wide of the issue that the court stopped him three times.

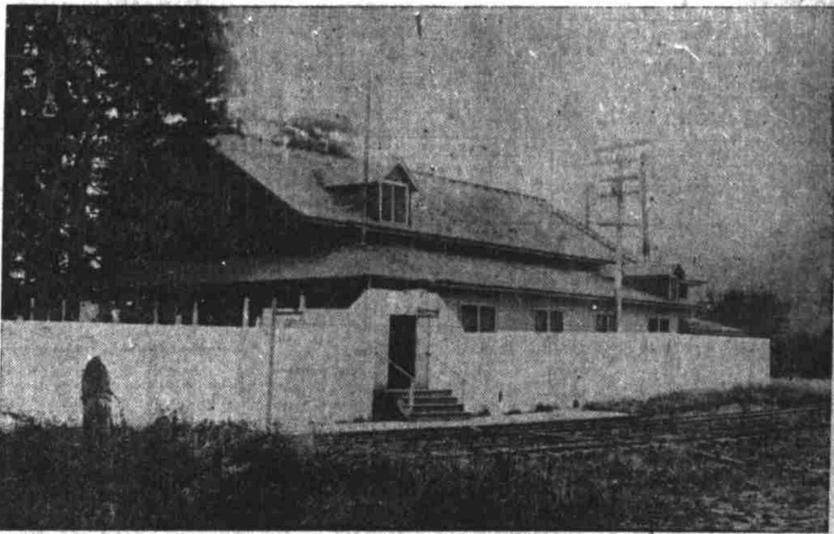
### HAPPY BECAUSE HE HELD ON TO OREGON LANDS

(Washington Bureau of The Journal.)

Washington, Oct. 2.—Henry Gilfrey, chief clerk of the United States senate, will leave soon for Oregon to look into his realty holdings on the peninsula, and perhaps effect a sale of them. Mr. Gilfrey's experience has proved the strength of Portland and vicinity realty. Only 18 months ago he offered his tract on the peninsula for about \$200 per acre, and negotiations were begun to dispose of the land at that figure. Something occurred to delay the carrying out of the transaction, and the owner decided to hold it. He claims that today he can get \$1,000 an acre, and that he will not lose sleep if he holds it sometime longer. Mr. Gilfrey was calendar clerk of the senate until the death of Chief Clerk McDonald, when he was promoted to the chiefship. He has been connected with the senate for more than a quarter of a century. He is a resident of Salem.

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### CLINK OF COINS AND RATTLE OF CHIPS AT MILWAUKIE CLUB



MILWAUKIE CLUB, WHERE THE CHIPS RATTLE FOR ALL EARS BUT THOSE OF THE OFFICERS OF THE LAW.

SHERIFF BEATTIE, WHO HEARS RUMORS, BUT IS DEAF TO NOISES THAT SOUND LIKE A FARO BANK.

### WEBSTER SETS ASIDE ZAN WILL

County Judge Holds Testator Was Not Sound in Mind.

Holding that Frank Zan, when he made his will, was mentally incapacitated and had an unreasonable delusion concerning his wife, Judge Webster in the county court this morning set aside the will, causing an entirely different disposal of the \$25,000 in property than Zan had directed in the will. The contest was made by the widow, Mrs. Jennie F. Zan, and the son, Dominick A. Zan. There is but one heir besides the widow and son, a daughter, Regina, aged 12 years. The will being set aside all bequeathed by Zan are ineffective, and the property will be disposed of as if no will had been made. All the property is of a personal nature, so that the widow as dower will have absolute title to half of the \$25,000, instead of having only the homestead goods and furniture as provided by the will. She was also to have \$100 a month for six years to enable her to support her daughter. The remaining half of the property will be divided equally between the son, D. A. Zan, and the daughter, Regina. Under the will the son was to have had only \$5, and the daughter all the remainder after \$4,500 had been paid for tuberculosis poor. Since the will was probated the property has been held in trust by John Kelly and Fred S. Dresser. The disposition of the property as directed by the will was: To the widow, case books, watch, guns, fishing tackle and similar articles. To St. Vincent's hospital \$2,250, to be used for tuberculosis poor. To the board of hospital trustees of the Oregon diocese of the Protestant Episcopal church \$2,250, for the same purpose, and all the remainder to the daughter when she reached the age of 18 years.

### Sheriff of Clackamas Neither Sees Nor Hears the "Direct Evidence" That Gamblers Operate Under His Nose

With black-jack and poker games running full blast, a faro bank robbing dupes of their savings and roulette tables standing invitingly open, the Milwaukie club gambling house in Milwaukie is again being operated in direct violation of the law. Last night there was a crowd of 30 or more men of the poorer class and a liberal sprinkling of "professional" gamblers crowded into a second story room in the rear of the "club." There were two games of black jack and poker running and about 25 men were crowded around the faro table, passing their money over to the dealer. Sheriff Beattie of Clackamas county will confer with District Attorney Gilbert L. Hedges today, he says, to see about "getting evidence" against the gamblers.

"I have heard rumors that the club was running again for several days and if it is still close it," said the sheriff, "but I have to confer with District Attorney Hedges first. The sheriff has a deputy in Milwaukie whose business it is to see that the laws are enforced, including the one against gambling. This deputy, however, has been unable to secure any direct evidence yet. Sheriff Beattie said. There was plenty of direct evidence at the club last night, however, and there has been for several weeks. Passes the Lookout. A visitor at the club last evening made his way past the "lookout" man at the little gate and into the bar. Inquiries as to whether there was any chance of placing a little money brought directions to go to the rear of the bar, pass through the card-rooms and go upstairs. The second story room was well filled with residents of Portland, Oregon City and Milwaukie, most of them playing faro. Ike Grattan, better known as "Frenchy," was in charge as of yore, and with a full force of "cappers," was raking in the coin. When the offer of a dollar bet was made to the banker of the faro game he replied that nothing less than \$10 would be accepted by him. "Times have been too hard for us to fool with small bets," he said. On each of the other card tables from \$50 to \$100 was piled up. The money changed hands in the same old way—the cappers raking in bet after bet from the young fellows and working men who were foolish enough to play. Although the big blackboard for the information of pool buyers was not running, it is said that those who want to place money on the ponies are being accommodated by the managers of the club to as great an extent as they dare, with the assurance that within a few weeks they will be able to reopen full blast. Bets on the races are again being taken in the downtown saloons for the Milwaukie club.

Journal Closed Club. The club was closed through the efforts of The Journal and the decent, law-abiding element in Clackamas county on August 3. Early in September the bar was reopened, and some quiet little card games began to be pulled off in the rear rooms and the poolroom. These games merely took the form of black-jack or twenty-one and poker at first. This week, however, emboldened by their apparent freedom from restriction, the owners started the faro bank full blast, hauled out the roulette tables, dusted the coppers off them and prepared to revive the golden age of the club again. District Attorney Gilbert L. Hedges and Sheriff R. E. Beattie gave orders in August that the place should be closed and should remain closed. E. H. Hildebrand of Spokane, representing the chief owner of the gambling hell, Colonel Applegate of Kentucky, came here in August and after a conference with the sheriff and district attorney of Clackamas county agreed that his place should be closed. Hildebrand, however, through "Frenchy" Grattan and other of his representatives here, gave the tip that the dull season would only last as long as it took the agitation to blow over and re-

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### CHARTERS MAY BE VACATED

Attorney-General of New York Asks Supreme Court's Permission to Bring Suit to Put Western Union and Postal Out of Business for Rate Fixing.

(United Press Leased Wire.) New York, Oct. 2.—Attorney-General Jackson today applied to Justice Ford of the supreme court for permission to start suit in the people's name against the Western Union and Postal Telegraph companies to vacate their charters and put them out of business, so far as New York is concerned. Jackson maintains that the companies have entered into agreements to fix rates on messages within New York. The same contention may be brought up by attorney-general in other states, as it is well known that the two corporations have a rate agreement and have formed their tariffs so that there will

be no competition, so far as rates are concerned. All states of the Union, especially the far western states, like Oregon, California and Washington, have been bothered by the joint Western Union-Postal tariff, the rates being exceedingly high for commercial messages and the "flat" rates exceeding those of the "pay-as-you-go" rates. It is believed that Attorney-General Jackson will request that other states get in line and force the corporations to maintain in the complaint to the state and interstate commerce commission, which it is suspected, they are violating with impunity.