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

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OF TRAINS AND NEWS STANDA. FIVE CENTS.

BROWN MURDERED BY DOGS

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.

Swain, assisted by the chief of police and several deputy sheriffs and citizens set the hounds upon the trail of the murderers early this morning. The dogs took the scent immediately and followed it to the railroad tracks. The trail doubled back there and led toward a lumber yard near the railroad depot. At the lumber yard the scent was lost and the dogs could not pick it up again. However, the officers have secured valuable clues and are confident of the conclusion that there were three men instead of two in the crime. They expect to trace the criminals and hand them in jail before many hours.

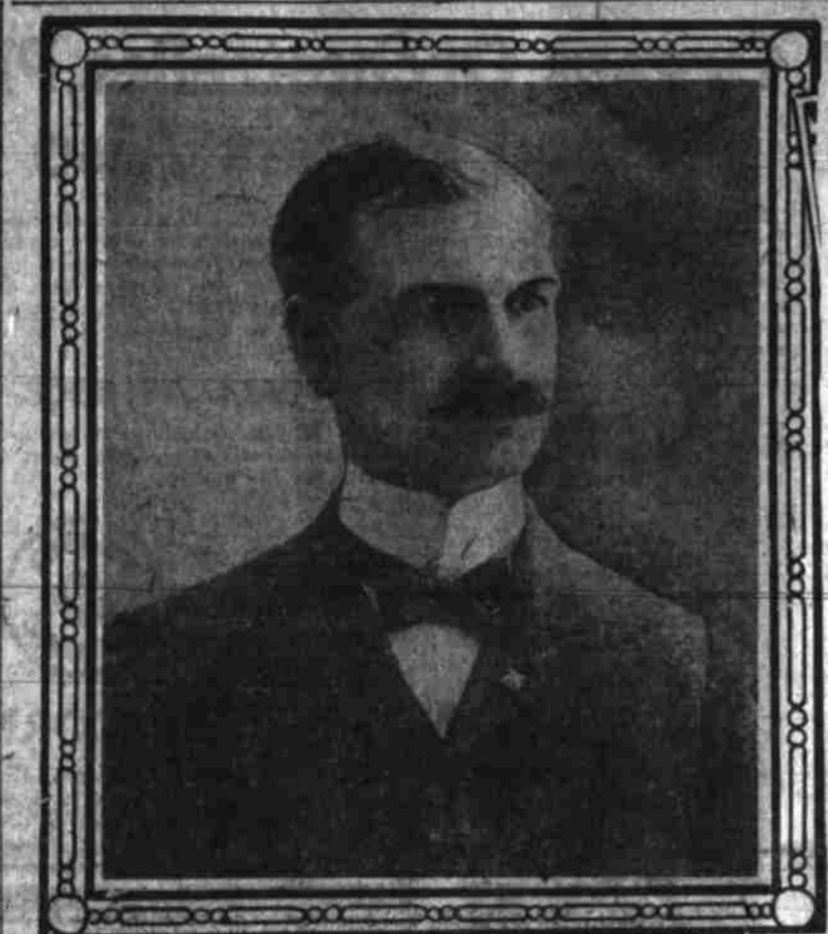
There were three. Swain said that there were many persons about town among the rough element who might have been capable of just such a terrible crime. He was working on the theory that some three or more of these desperadoes had plotted against Brown. In his dying statement Brown had mentioned that it might have been either the friends of Steve Adams who were implicated in his belief. Brown was questioned with difficulty as he was weak and his mind wandered under the terrible strain. His statement was not so clear as the district attorney wished it to be.

Important clues were developed this morning when the police learned that one of the men suspected of the murder was blackness as a negro. Another wore a woman's dress and a third, or the man who is supposed to have pulled the wire that fired the bomb was in the ordinary garb of a workman. The latter was in a barber shop in the early part of the evening, and the "negro" stood outside as if ready to give warning. The barber noticed the black man, but did not think much of the incident at the time. The station agent noticed two men running from the lumber yard toward the railroad tracks. A regular train had just pulled out, but the fellows were

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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. Coburn, 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



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: Statement 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 Jaroy Eomax, 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 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. Q. Did you ever get any threatening letters from anyone? A. Yes, but that is in connection with that gambling business. Q. Never got any letters about the Orchard business? A. I never got any 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? A. 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

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 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 Waymire 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 Tuesday last in order to be a witness to something which was to happen there.

By the testimony of C. M. Haby, A. N. Willis, Mandelay and possibly Thomas C. Devlin, the state will show that Radding first made the proposal to Willis and Devlin to entrap the mayor and 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 uncovering 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 which has now narrowed to Radding and Mrs. Waymire is bending every effort to throw discredit on the motives of Mayor Lane and by the testimony of Radding and his alleged woman accomplice, and by rapid fire cross-examination attempts to show injury of motive for 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 gaze at the woman in the case. Many were first 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 of 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 attempt 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 different times.

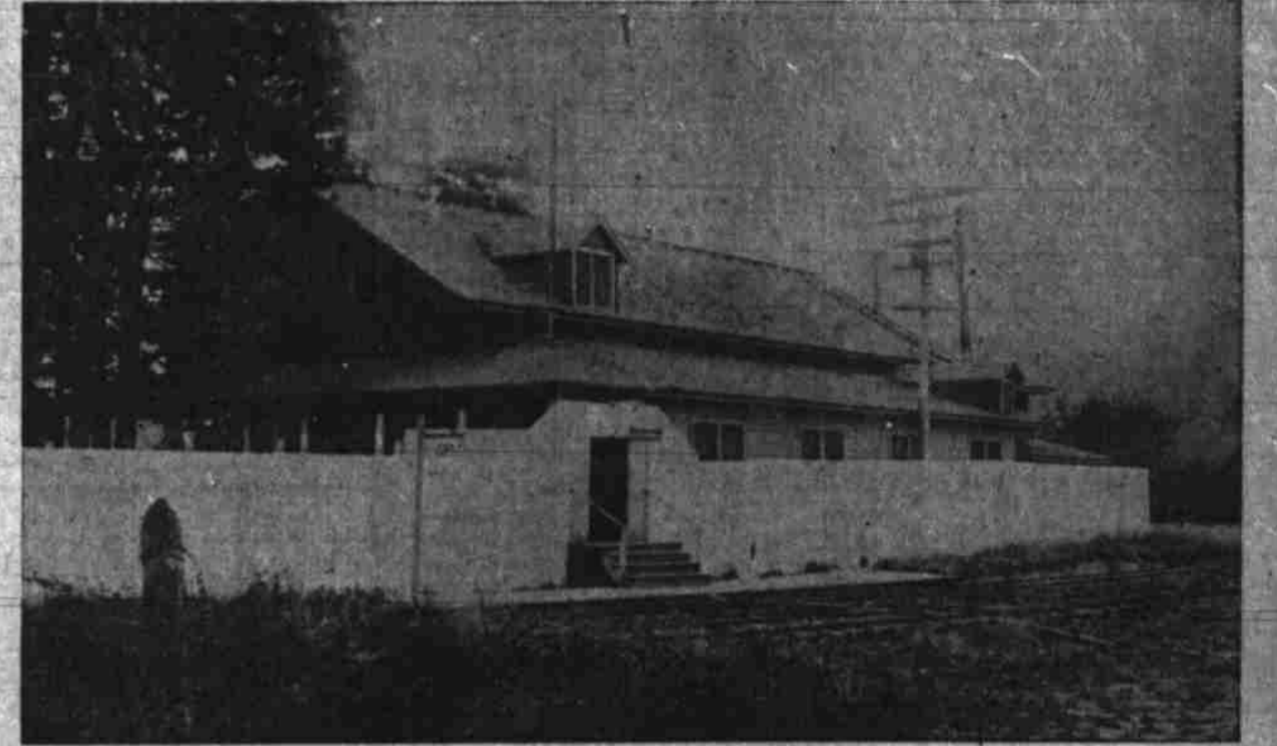
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HAPPY BECAUSE HE HELD ON TO OREGON LANDS

(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 her 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 bequests made 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 household 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 1/16, and the daughter, all the remainder after \$4,000 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, Mrs. Jennie Zan, all the household goods and furniture, except desk, bookcase and books. To the son, D. A. Zan, \$5,000. To a cousin, Nick Planchic, the desk, bookcase, books, watch, gun, fishing tackle and similar articles. To St. Vincent's hospital \$2,500, to be used for tuberculosis poor. To the board of hospital trustees of the Oregon division of the Protestant Episcopal church, \$2,500, 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 Milwaukee club gambling house in Milwaukee is again being operated in direct violation of the law. Last night there was a crowd of 30 or more men, most of them evidently working 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. Hodges 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 open," said the sheriff, "but I have to confer with District Attorney Hodges first. These gamblers 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 operators started the roulette table, dusted the wheels off them and prepared to revive the golden age of the club again. District Attorney Gilbert L. Hodges and Sheriff E. B. 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 hall, 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, says that the full season would only last as long as it took the agitation to blow over and re-

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CHARTERS MAY BE VAGATED

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.

(Called 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 forced their terms so that there was

no competition, so far as they are concerned. All states of the Union, especially the far western states, like Oregon, California and Washington, have been sufferers by the rates Western Union Postal Telegraph companies are said to be distributing among the states, as rates are involved, and the rates being much in excess of the reasonable price. It is believed that Attorney-General Jackson will request that state courts get the case and force the companies to the state and judicial tribunals, and that the state and judicial tribunals will be satisfied with the result.