

SUES POLICE FOR \$10,000

Action in United States Court Filed as Result of Patrolman Suitt's Arrest of Herman Burkhardt November 5—Latter Shot and Permanently Injured.

Alleging that he had been illegally, maliciously assaulted and beaten and wounded by a revolver bullet, arrested and handcuffed and otherwise abused, Herman G. Burkhardt of Minnesota, a caterer, filed papers in the United States district court this morning asking \$10,000 for personal injuries sustained at the hands of Nathan H. Suitt, a Portland policeman.

The suit is the outcome of the patrolman's attempt to arrest Burkhardt early in the morning of November 5. The trouble occurred at Tenth and Morrison streets.

Furthermore, the plaintiff states that he had been treated wrongfully in the first place with gross recklessness and without cause or right on the part of the defendant. He sets forth that as a result of the mixup he was permanently injured, that his right arm was broken, cut and contused and mangled and that

he was sick and sore for some time afterward.

As a result of the shooting he maintains he will be lame permanently and compelled to go through life carrying several disfigurements.

Burkhardt states that his hospital fees amount to \$22,000, doctors charged him \$100, and that through loss of work he will be compelled to forfeit \$500. Consequently he asks that the defendant be ordered to pay all \$10,000.

Suitt is a civil service policeman and had only been in the business a short time when the arrest took place. When Suitt found Burkhardt he followed and a scuffle followed and the policeman used his revolver to protect himself, he claims. Three shots were fired.

Early in the morning some one reported to the policeman that Burkhardt was attempting to harm his wife. When Suitt found Burkhardt he followed and a scuffle followed and the policeman used his revolver to protect himself, he claims. Three shots were fired.

ARGUE WAYMIRE CASE TOMORROW

Judge Cleland to Hear Demurrer to Defense in Blackmail Charges.

Whether or not Mrs. Belle Waymire and E. E. Radding are to be held in court for trial on the charge of attempting to blackmail Mayor Lane and ruin his personal reputation will be determined tomorrow morning at 9:30 when the demurrer in the case will be argued before Judge Cleland.

During the long holidays the case against Mrs. Waymire and Radding has been allowed to rest because of the inability of the prosecution to bring the trial to bar.

At the present time, however, an agreement has been entered into between District Attorney Manning and R. W. Montague, attorneys for the state, and Mayor Lane on the one hand, and W. R. McGarry and Seneca Potts, attorneys for Mrs. Waymire and Radding, by which the demurrer is to be argued at once.

This will enable the court to have time to prepare his ruling ready for announcement as soon as the holidays are over. If the ruling should be for the state it will enable the case to be brought to trial as soon as possible after the courts resume the trial of cases.

After the two conspirators were bound over to the circuit court by Judge Cameron in the municipal court, the attorneys for the defense filed a demurrer to the complaint setting out the argument that the state had not shown facts sufficient to constitute a crime, and also that the testimony at the preliminary hearing did not show facts sufficient upon which to hold the defendants for trial in the higher court.

If the defense should be able to sustain this ground it would of course result upon a writ of habeas corpus. It is the argument of these questions which will be heard by Judge Cleland tomorrow morning.

OREGON RED APPLES TO MENLO PARK WIZARD

Thomas A. Edison, the Wizard of Menlo Park, says that Oregon apples are finer than any he ever saw in the east. The box of apples which called forth this encomium was sent to Mr. Edison at Orange, New Jersey, by Fred W. Graves of Graves & Co. of this city. The apples were Spitzenbergs, raised by M. O. Lowndes at his orchard on the Red hill, Lafayette, Oregon. Mr. Edison, in acknowledging them, says: "Many thanks for the apples. I have never seen as fine apples here east. They came in good shape and we had some on Thanksgiving day. Very truly yours, Thomas A. Edison."

FRIDAY AND SATURDAY WERE NOT HOLIDAYS

Oregon had a little rift in the holiday chain on Friday and Saturday and did not know it. Consequently there was no change in the general conditions and the last week's blanket was put over the business of the state yesterday morning by the governor.

What would have been done by the people had they known that the holidays had lapsed is a matter of speculation, but it seems to be the consensus of opinion that no advantage of the open season would have been taken.

YOUR HEALTH IS AT STAKE

When you go on, day after day, entirely ignoring Nature's call for assistance, sooner or later you must pay the penalty. Take a hint in time and get a bottle of the Bitters today. It will do you good.

Hostetter's Stomach Bitters

has been the means of preventing much sickness during the 54 years it has been before the public and its popularity is therefore not to be wondered at. It cures and prevents

PLAN TO REDUCE COSTS OF LIVING

Mineowners, Besides Lowering Wages, Will Whip Merchants Into Line.

(United Press Leased Wire.)

Goldfield, Nev., Dec. 10.—Members of the mineowners' association today declared that they are not bluffing in saying that they will fight the unions to the last ditch. They are determined to reduce wages and keep open shop, and are equally in earnest in reducing the cost of living.

Official notice has been served upon merchants and landlords that their prices must be reduced.

If the merchants refuse to reduce prices the mineowners' association threatens to open and run stores of their own.

The scale of wages to be offered by the mineowners will be posted and work will be offered to everybody. The workmen will be passed upon by W. E. Swain, a strikebreaker, and no work will be given to men who have not renounced allegiance to the Western Federation of Miners and the Industrial Workers of the World.

The two camps of United States troops expect to receive orders at any time to move to the heart of the mining camp. Advances have been received from Governor Sparks of Nevada to the effect that he will be here Wednesday or Thursday, or before the time that the effort is made to reopen the mines.

Gold-headed canes at Metzger's. 25 per cent discount on Navajo blankets, 10 days only. Xmas gifts. 265 Washington.

FACTIONS WILL FIGHT

(Continued from Page One.)

allowing the other members enough say. Then in June the executive board, at Mrs. Royal's suggestion, voted to hold the annual meeting in the fall instead of in June as is usually done. The society holds an annual meeting and a semi-annual meeting each year. Usually the June meeting is made the annual one for the closing up of accounts and election of officers.

Change Time of Meeting.

Mrs. Royal's suggestion was made in order that the branch might have time to complete its silver offering then being taken all over the country to make up the general board's arrears.

The general treasurer extended the time until the end of July, but Mrs. Royal pointed out that August was a bad month to hold a convention because everyone was out of town and September was too late for the opening and other activities in preparation for the winter.

By consent of the board it was placed in November or early December.

But Mrs. Royal's opponents meanwhile worked out their own scheme of action. This was merely a ruse, they said, to prolong her term because she knew she would not be reelected; this was breaking the regular custom of having the annual meeting in June.

They overlooked the fact that the constitution said nothing about the time of the annual meeting, so the change was not unconstitutional, that it had at different times been held in July, September and October.

However, after the recommendation of the executive board the opposing side called an independent meeting on their sacred date, June 26, and elected and installed an entirely new set of officers, with Mrs. P. W. Jones as president.

Trouble Spreads Like Fire.

Then the trouble grew and filled the mails. To Cincinnati went statements from both sides of the difficulty, and while the parent society there decided at first to leave the settlement to the Oregon conference, it later took the inevitable course of siding with the side of Mrs. Royal's side and pronounced the action of the other side unconstitutional.

This only added fuel to the flame. The opposing side was defeated, but not cowed. The fight has since progressed through a series of angry answers.

Now Mrs. J. D. Lee, the recording secretary, sends out notices that an annual meeting for which all have been waiting so long will be held in Salem. Instantly comes an uproar from the other side that the original plans placed it in Portland, and that Mrs. Royal had changed the place of the meeting after hearing of the concerted efforts of her opponents that would be brought to defeat her reelection. In Salem, it is said, she would not find so many unfriendly delegates, for many cannot attend from here.

All this in spite of the fact that the executive committee ordered the meeting and place of meeting, in spite of the fact that Mrs. Royal is in the east and does not expect to return for the meeting, and in spite of the fact that she has declared openly that she will not accept a second nomination.

WATTS OWNED HANDKERCHIEF FOR SUE

Salvation Army Member Testifies That Defendant Confessed to Him.

(Special Dispatch to The Journal.)

Bellingham, Wash., Dec. 10.—A sensation developed in the Watts murder trial this morning when S. M. Wile, a member of the Salvation Army, was placed on the witness stand and swore that Harry Watts had confessed to him that the handkerchief found in the mouth of Addie Roper belonged to him.

Wile said he went to Watts' cell and talked to him about the Roper murder. During the conversation he said he told Watts he should lead a better life. After talking in that impressive strain for a while, Wile said Watts stated if his life had been better he would not now be in the fix that he was in. Then Watts confessed that the handkerchief used as a gag was his property.

Speaking of the handkerchief, Wile said that Watts remarked:

"The handkerchief is a give-away."

Wile declared that Watts told him in reference to the murder of Addie Roper that "hell was not there."

Cross-examination of Wile failed to shake his testimony.

TRAINS RUN NEAR TO REGULAR SCHEDULE

◆ Northern Pacific No. 1, due at 7 o'clock, is running in two sections. The first arrived on time and the second is scheduled to arrive at 9 o'clock tonight.

◆ Southern Pacific No. 16, due at 7:35, arrived on time.

◆ Southern Pacific No. 15, due at 11:30, arrived on time.

◆ O. R. & N. No. 2, due at 8 o'clock, arrived on time.

◆ O. R. & N. No. 5, due at 9:45, arrived 15 minutes late.

◆ Astoria & Columbia River No. 21, due at 12:15, arrived on time.

THIRD TERM TALK

(Continued from Page One.)

gation promises to be divided between Taft and Foraker. If conditions in those two states are not composed, the chance is that the presidential nominee will fall from neither of them.

The most telling word just now, it is believed, is being done by the adherents of Senator Knott of Pennsylvania. The state is united and enthusiastically back of him and with the big Pennsylvania delegation to start with the Knox people are taking every advantage of the difficulties of the other candidates.

The Cannon boomers from Illinois are also in the hay. Already they are using second place on the ticket for what it is worth in getting support, and such combinations as Cannon, Hughes and Cannon are frequently heard suggested.

If New York were satisfied with second place on the ticket, the state delegation could be used for trading purposes it would be in a position to come pretty near determining the result.

The holding of an early convention is likely to have an accelerating effect upon congress. The work of the session will have to be pushed along in order to adjourn before convention date. There is nothing written in the law, of course, that would prevent congress and the nation being in session at the same time, but there isn't any probability the congress is going to stay here beyond the date set for the convention.

If precedent is followed, the Democratic convention will be set for a date about a month later than that chosen by the Republicans. The belief is generally expressed that the Democrats will take their convention to Chicago.

SCHOOL BOARD YARNS DISCONTINUED

One momentous question was decided by the city school board at its meeting last night and that was to meet at 4 o'clock in the afternoon hereafter instead of 7:30 at night.

For more than 20 years the school board has held its meetings at night. In the days of the past what business came up and then sat around until midnight, deciding what business to do. Now all is changed. Any stories to be told will have to be narrated in a hurry because the board has selected such a time as will necessitate the curtailment of the stories in order to sit down to dinner with their families.

District Officers

(United Press Leased Wire.)

Washington, D. C., Dec. 10.—The following nominations were ordered reported favorably today:

District attorneys—Wm. E. Todd, Washington; Timothy Burke, Wyoming.

Piles Cured Free

Get Rid of Your Piles Right Now Pyramid Pile Cure Can Do It Quickly and Painlessly.

FREE PACKAGE SENT TO PROVE IT.

Piles is a fearful disease but easy to cure if you go at it right.

An operation with the knife is dangerous, cruel, humiliating and unnecessary.

Pyramid Pile Cure has cured the worst form of piles known. We prove it.

By every mail we get letters like this:

"Wishing to give credit where credit is due, I feel it my duty to humanity—as well as to myself—to write you regarding your pile remedy. I have not finished my first box and am now well. After the treatment of Pyramid Pile Cure, the soreness left, and the swellings have kept decreasing. I also used your pills and am feeling like myself again. Thanking you kindly, I am, yours truly, C. Crowley, 170 7th Ave., Seattle, Wash."

We do not ask you to take our word. We are willing that you should try our treatment and decide for yourself. Send to the Pyramid Drug Co., 33 Pyramid Building, Marshall, Mich., and you will receive a free trial package by return mail. After you have used the contents of this package you can secure exactly the same medicine from any druggist for 50 cents or, on receipt of price, we will mail you same ourselves if he should not have it.

HARRY WATTS' HANDKERCHIEF FOR SUE

Salvation Army Member Testifies That Defendant Confessed to Him.

New State Treasurer Probable—Not Believed Present Incumbent Will Be Able to Furnish New Half Million-Dollar Bond.

A new state treasurer is almost a certainty, according to the belief of those who are watching the efforts put forth by George A. Steel to raise the \$500,000 new surety bonds requested by Governor Chamberlain.

Mr. Steel has 20 days in which to find those who will become his surety in that amount, but grave doubt exists in the minds of most of those who have considered the question and the obstacles raised by general conditions as they are to be found at present.

The American Surety company, by its cancellation of the \$500,000 bonds given by it, in so far as any future contingency might arise, has placed Steel in a very difficult position.

Because of this he has been forced to undertake the task of finding sureties for more than half a million dollars, and this in the face of conditions which have tied up money in every direction and put business men and financial institutions throughout the state practically on the defensive.

There are only two other surety companies besides the American Surety company. Both are small concerns and it is believed, and with some reason, that neither of them will undertake to stand sponsor for Steel in finding the remainder of his three years in office.

Half Million Bond Required.

Mr. Steel, by the mutations of fate and the failure of the Title Guarantee & Trust company, has been left in his office without any surety at all, other than the small one of \$50,000 given at the time he qualified for office.

He has been required by Governor Chamberlain to furnish a new bond, the total of which shall be \$500,000. The old bond of \$50,000 signed by J. Thurston, H. C. Lewis, J. C. Burke, J. L. Peterson, W. J. Clark, M. H. Rankin, and Wallace McCamant still stands in effect and it will be necessary therefore for the treasurer to find one who will back him to the extent of \$450,000.

There is considerable doubt whether Mr. Steel will be able to find bonds men for so large an amount within 20 days. The elimination of the American Surety company from consideration leaves the matter practically in the hands of personal, political or business friendships.

Whether or not can be found a group of men whose assets are sufficient and whose inclination is strong enough to become surety in such a sum is a matter of serious conjecture and speculation.

Little Hope From Banks.

It has been suggested that Mr. Steel might be able to raise the amount of his bond from among the banks of the state, the banks to go on the bond with the tacit understanding that a certain proportion of the state funds put on deposit would fall to their lot.

In view of the existing financial conditions, and the object lesson just given by the failure of the Title Guarantee & Trust company and the suspension of the Merchants National, to say nothing of the \$25,000 loan by the collapse of the Oregon Trust & Savings bank, it is believed the banks which would obligate themselves for so large a bond would, by the action, impair their credit.

Business men on the other hand are carrying about all the liabilities they can. They are unable to furnish the new bond he will become unqualified to hold office and would in certainty be compelled to step out.

The constitution of the state provides that whenever the funds on hand in the treasurer's office exceed three fourths of his bond, or whenever the bonds secured insufficient in the opinion of the governor, the latter shall require an additional bond with such security as he may deem proper. Failure to furnish any bond of course would incapacitate the treasurer from further holding his office.

Under the neglect and malfeasance statute also it is provided that whenever an officer of the state fails to perform the duties of his office in any manner that he may be tried for contempt in the circuit court and not punished by being ousted from office and imprisoned or fine as the court may deem advisable.

Steel Is Hopeful.

It is apparent that should the state treasurer fail to secure his bond and refuse to vacate the office he could be tried in the circuit court, and if convicted be ousted from office.

Mr. Steel went to Salem this morning to look after the duties of his office. He expressed confidence in being able to furnish the security now required by the governor within the specified time. He says he anticipates no trouble in securing the necessary \$450,000 additional to make his bond good.

PEACOCK MILL SUIT COMES ON TODAY

(Special Dispatch to The Journal.)

Frederick, Or., Dec. 10.—The water right suit which involves the Peacock Mill company, the city of Milton, the Kings Bay company, and about 200 private individuals in litigation, is to come up today at this place.

The state has made a survey of the entire river where the water runs, in view of the possibility that the only settlement that will restore amicable relations among the users of the water will be for the county or state to take it over and allow each irrigator a stipulated number of inches.

The case will be heard before Judge Bean, who will come up from Pendleton for this purpose.

BODY OF RANCHER SHERIDAN FOUND

(Special Dispatch to The Journal.)

Pendleton, Or., Dec. 10.—The dead body of Barney Sheridan has been found at the bottom of the Columbia river. He had been drowned while attempting to swim his horse across the river.

He was a resident of Switzler's Island Friday night. The horse was overcome. Sheridan was a resident of the island and a highly respected rancher of the Butte creek country. He was 30 years old.

Reduce Canned Rate.

(Special Dispatch to The Journal.)

Milton, Or., Dec. 10.—That a reduction of 25 cents on the shipping rate on canned goods from Walla Walla and Idaho to Portland will be made in the near future has been announced by Robert Burns of the O. R. & N. The new rate will be 30 cents instead of 55 cents.

About 10 cars of canned apples have already been shipped from Milton this season.

Hanan shoes sold at Rosenthal's.

Imperative Clearance

OF THIS HIGH-CLASS STOCK OF LADIES' READY-TO-WEAR GARMENTS

Supplementing our previous announcement we again desire to impress upon the minds of the people of Portland and vicinity

That We Must Have Money

Select from the largest assortment, including every desirable grade from the strictly serviceable to the most elaborate

Coats Your choice of any Coat in the house marked \$25 and below

Extra Special! 'KERCH'FS for Xmas Gifts 15c, 20c and 25c Values

Suits Your choice of any Suit in the house marked \$40 and below

\$9.75 **5c** **\$15.00**

New and Fresh Goods

EVERY ARTICLE REDUCED

Wholesale and Retail **J. M. ACHESON CO.** Fifth and Alder Streets

THE SELZ ROYAL BLUE SHOE

Best QAK SOLE Leather Used in All Our Shoes

\$3.50

Also \$4.00 and \$5.00 Values

ASK FOR THEM

For Sale Only by

Rosenthal's

Corner Seventh and Washington Streets

PORTLAND'S BEST SHOE STORE

"If It's Shoes It's Rosenthal's"

HENNEY SAYS BANKING LAWS ARE TOO LAX

(United Press Leased Wire.)

San Francisco, Dec. 10.—The following statement was made in regard to the banking system by Francis J. Henney:

"The state banking laws are entirely too lax in regard to the handling of funds. For instance as our law now stand the only penalty imposed upon a director of a bank who loans money to himself is his disqualification as director. With the profits that he possesses he can immediately reelect himself a director at the next election. It should be made a criminal offense for any director to borrow money from his bank. It should also be made a criminal offense for any bank to loan money to a corporation which is composed of directors of the bank."

"As it now stands the directors of the bank can organize a company for \$100,000.00 and borrow the money from their bank and give the stock of the corporation for security. Now the loans in many instances is worth nothing. If the confidence of the people is to be retained it is imperative that such acts as these be stopped."

MANIAC KILLS ONE AND WOUNDS ANOTHER

(United Press Leased Wire.)

Los Angeles, Cal., Dec. 10.—While temporarily insane Joseph de Platt pelted a rooming house on Maple avenue, shot and instantly killed A. B. Weather, and wounded A. B. Hartman in the hip with a revolver which he took without removing it from his coat pocket. The killing was committed on the street in front of the Hippolyte Screen company.

Leppert to Keep Coburg Dry.

(Special Dispatch to The Journal.)

Coburg, Or., Dec. 10.—The temperance element here has high hopes of a dry future. Leppert, city marshal-elect, who has a record in the line of sobriety.

TEA

shoveled out of a bin is a child without parents; no name, no fame. Schilling's Best is in packages.

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

La Grande Eagles' Officers.

(Special Dispatch to The Journal.)

La Grande, Or., Dec. 10.—La Grande No. 255, F. O. E., has elected the following officers for the ensuing year:

The antiseptic qualities of ~Mexican~

Mustang Liniment

insure its being the best for use in all cases of Burns, Scalds, Cuts and all Open Sores.

It expels all dangerous and foreign matter before beginning to heal the wound. Inflammation is kept down and the injured parts rendered painless. It soothes and relieves promptly and positively.

Insist on getting what you ask for—substitutes disappoint.

For sale by all Druggists, 25c, 50c, and \$1. per bottle.

DEPOSITORS TRYING TO SAVE TREASURE

(United Press Leased Wire.)

San Francisco, Dec. 9.—In the midst of criminal prosecutions of the leading officials of the California Safe Deposit and Trust company the committee of depositors is striving to sustain the credit of the institution in order to save as much as possible from the wreck. Attorneys for the depositors believe that if suit is brought against the directors and stockholders on a civil basis the depositors will recover at least 50 per cent on the dollar, but if criminal suits are brought the best the depositors can expect is 10 per cent.

Loans on insufficient security have reached fully one million dollars. These securities are still of marketable value. These values will be destroyed in the event of an entire dissolution of the bank.

BARBER MONOPOLY CLAUSE IS KILLED

Olympia, Wash., Dec. 10.—A part of the state law which requires the registration of barbers and the issuance of a license before they can follow their trade within the state has been declared unconstitutional by the supreme court. The unsond passage is that prescribing as a prerequisite before a license can be obtained that the applicant "has studied the trade two years as an apprentice under or as a qualified and practicing barber in this state or other states." This was declared to be unreasonable and arbitrary.

Kelso Defeats Klamath.

(Special Dispatch to The Journal.)

Kelso, Wash., Dec. 10.—The Kelso Y. M. C. A. football team defeated the high school team from Klamath Saturday within the field 40 yards for 4 to 5. The game was a close and exciting one and was either team's game at any stage. Kelso scored in the first half by a long run by Fullback Moon. In the second half Klamath scored by a fake play. Left End Byrnes tackled within the field 40 yards for a touchdown. In the second half Kelso had the ball on Klamath's two-yard line, but was unable to force it over.

Shingle Weavers AT KELSO STRIKE

(Special Dispatch to The Journal.)

Kelso, Wash., Dec. 10.—Seventy-five shingle weavers in the employ of the Metcalf Shingle company's mill at this place went on strike this morning on account of the reduction in wages, which took effect last Thursday.

The reduction in wages affects all departments and amounts to from 1 cent to 1 1/2 cents per 1,000 shingles handled, meaning a difference of from 75 cents to \$1 on a day's labor. The company has sent to Tacoma for a nonunion crew.

He Fired the Stick.

"I have fired the walking-stick I've carried over 40 years, on account of a sore that resisted every kind of treatment, until I tried Bucklen's Arnica Salve; that has healed the sore and made me a happy man," writes John Garrett, of North Mills, North Carolina. Guaranteed for piles, burns, etc., by Red Cross Pharmacy, druggists, 25c.