

POINT FOR BARNETT

Attorneys Discover That a Member of Grand Jury Which Returned Indictments Is Not Resident of San Francisco.

(United Press Leased Wire.)
San Francisco, Feb. 15.—An irregularity in the impaneling of the present grand jury, which will in all probability result in the dismissal of the last batch of indictments returned against Walter J. Barnett, J. Daisell Brown and J. W. Treadwell of the defunct California State Deposit & Trust company, and possibly in the destruction of the validity of the McFarland grand jury, has been discovered by Attorney Frank Johnson, representing J. Daisell Brown, one of the jointly indicted directors.

Johnson has managed to obtain partial admission from Grand Juror John W. Hammersmith that his residence is in Alameda. Hammersmith made every effort possible to avoid making this damaging admission, but was finally cornered by Johnson and forced to admit that he is a non-resident.

Lives in Alameda.
When the case of Brown, Barnett and Treadwell was called this morning to ask for the dismissal of the indictments against them, Hammersmith, the witness-stated, and in response to questions stated that his wife had lived in Alameda for the last seven years, but that he himself resided with his son in this city part of the time, and that he spent the other portion of his time with his wife in Alameda. He stated, however, that his wife's residence is the place which he designates as his home, and had given it as his residence in the directory.

Further questioning revealed the astonishing fact that Hammersmith had voted in Alameda ever since he resided in that city until last year, when he managed to obtain a transfer to San Francisco in order to take part in the last election in favor of the present city administration.

Final Shot.
It was also shown by Johnson that the grand juror had made affidavit to various commercial bodies that his residence was in Alameda.

As a final shot Johnson obtained the admission from Hammersmith that he had informed the prosecution not later than this morning that his residence had been in Alameda for the last six or seven years.

Johnson called previous to the examination of Hammersmith. Attorney Oscar Cooper, son of Presiding Judge Cooper of the appellate court, representing Barnett, declared that he had not had time to consider the motion to dismiss the indictment, but stated that Attorney Johnson was willing to allow him to make a motion which had been filed in behalf of Brown for his own client, and that he would waive his right to any technicalities arising from this motion of procedure.

Dunne Sarcastic.
That would be entirely satisfactory to me, responded Judge Dunne, "but the appellate court is awfully particular about technicalities, you know. However, I suppose it is entirely unnecessary to make such a remark to you, sir."

As this veiled allusion to his father was made in a cool voice, Cooper rose instantly to reply, but upon the advice of the court let the sarcasm pass without remark.

The district attorney was given until this morning to make a counter-claiming.

FIVE YEARS FOR ONE BOTTLE OF WHISKEY
And This After the Court Gives Ear to the Jury's Recommendation for Mercy.

(Special Dispatch to The Journal.)
La Grande, Or., Feb. 15.—In the circuit court in the case of Thomas Featherston, convicted of burglary and stealing a bottle of whiskey from Mike Nelson's saloon at Elgin, the court followed the recommendation of the jury for mercy and passed sentence, the lowest possible under the charge, of five years.

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UNIVERSITY OF OREGON BASKETBALL TEAM.



Crack Organization Which Plays With Multnomah Club's Fast Five in the Winged "M" Gymnasium Tonight. Reading From Left to Right the Players Are: Top Row—Coach Murphy, Loosely, Stevenson, Manager Nelson. Middle Row—Van Scoy, Charman, Captain Hathaway, Farrington, Strong. Bottom Row—Moore and Watson.

SPEND HALF MILLION IN WAR ON RODENTS

San Francisco Health Committee Decides to Wipe Out Every Rat.

(United Press Leased Wire.)
San Francisco, Feb. 15.—The citizens' health committee in a joint meeting with 20 sub-committees among the various trade and civic organizations of the city have decided to raise \$500,000 to be used in ridding the city of rats.

With this money it is proposed to employ 750 additional rat catchers, and sanitary inspectors so that every home and place of business in San Francisco should be inspected every 48 hours if such a measure should be necessary.

It is also proposed that if the additional inspectors and rat catchers employed do not show a corresponding increase in the number of rats now caught that a bounty in addition to that now given by the supervisors be offered for rats, dead or alive.

The committee which will have charge of the collection of this large sum and to be dispersed in the form of the executive committee of the citizens' health committee and Dr. Rupert Blue. The merchants exchange has already practically guaranteed to subscribe \$100,000 of the \$500,000 to be subscribed.

CROPS THIS YEAR ON HERMISTON UNIT

Water in Cold Springs Reservoir for Puddling Dam—Final Touches.

(Special Dispatch to The Journal.)
Hermiston, Feb. 15.—As a result of an experimental run of water through the feed canal into the Cold Springs reservoir water is now backed into the big basin of the Umatilla project, forming a good-sized pond 10 feet deep. Water was backed into the reservoir to give the engineers assurance of a supply of water for puddling the earth used in the construction of the big dam.

With favorable weather the engineers expect to turn water through the main canal in two or three weeks.

Concrete work is continuing on the wasteway from the reservoir to the canal below. All over the project forces of men are building structures of concrete. Within the month the engineers predict that the big pipe line recently completed, and run water through it into the ditches on the north side of the Hermiston unit of the project, which will insure the settlers water for the next season.

ONTARIO MEN WEARY OF OIL WELL SHARPS
(Special Dispatch to The Journal.)
Ontario, Feb. 15.—About \$8,000 of the \$10,000 to be raised by business men here to organize a company to prospect for oil and gas in this vicinity has been subscribed and as soon as the remainder is secured the company will be incorporated and make arrangements at once to commence drilling.

Portland, Boise and Pendleton business men are interested in this company, which will be managed by local men who have become disgusted with promoters who want the people to bear all the expense while they would reap all the benefit in case oil or gas is found in paying quantities.

ANDERSON WILL SOON KNOW FATE

Defendant in Murder Trial Stolid as Sphinx During Speeches.

(United Press Leased Wire.)
San Francisco, Feb. 15.—In a fit of feeling, Joseph Anderson today listened to the addresses of the attorneys who are pleading with the jury that during the last two days has heard the evidence tending to prove him guilty of the murder of Harry M. Logan on the fourth street bridge on the night of October 24. He heard himself denounced by Deputy District Attorney Adams as a dastardly murderer who deserved to die, and then he heard Attorney William G. Hale plead for his life. To all of this he listened with equal quiet, sitting back in his chair and looking straight ahead.

The jury has no explanation in the form of testimony from the defendant as to the many links of evidence tending to connect Anderson with the crime of which he is accused. When the state closed its case yesterday afternoon his attorneys called Detectives Tichenor and Jones for a few questions, and then announced "We rest." Anderson was not called to the stand to tell about his whereabouts on the night of the murder, and no other witnesses were brought in to weaken the case of the state until that remains is for the jury to say whether the evidence presented by the state proves all the elements of the charge.

Deputy District Attorney Adams began his opening address to the jury when Judge Irons took the bench this morning and spoke for nearly two hours in an analysis of the evidence. The remainder of the forenoon session was occupied by William G. Hale, who is associated with J. A. Jeffrey for his defense. When Hale finished this afternoon Jeffrey began the closing argument for the defense, to be followed by the final speech of the prosecutor and the instructions of the court. The case probably will not go to the jury until near midnight.

Attorney Hale in his speech elaborated the theory that the detectives sought out "victims" to picket for the murder of Logan, and picked out Anderson, who is poor and friendless, discarding everything that might point to the guilt of anyone else. He picked flaws in the evidence of the state, claiming that the witnesses were mistaken on important points and that they had failed to connect Anderson with the crime to such an extent that the jury cannot say that he is guilty beyond a reasonable doubt.

Robber of His Curious.
The police have been notified that a suitcase containing articles valued at between \$40 and \$50 was stolen yesterday afternoon from behind the desk in the office of the Merchants hotel. The articles were the property of John McPherson, a discharged bluejacket who was a guest at the hotel. McPherson had stopped over in this city for a few days while on the way to the home of his parents in Boston. Beside his discharge papers the suitcase contained a number of curious picked up when I was made to say that it was well known that the west side train is not of the best," said Zimmerman, "and I am certain that I would not knowingly make such an assertion. I am sure that I was misunderstood, my point being that anyone could go up there, and see for himself how things were."

Thinks He Was Misquoted.
Engineer Zimmerman, of the Southern Pacific train which was wrecked last Tuesday near Forest Grove, states that he did not intend to give the impression that the west side track where the wreck occurred was in poor shape. "I believe that I was misunderstood when I was made to say that it was well known that the west side train is not of the best," said Zimmerman, "and I am certain that I would not knowingly make such an assertion. I am sure that I was misunderstood, my point being that anyone could go up there, and see for himself how things were."

The Bricklayers' and Masons' International Union of America has endorsed the postal savings bank idea.

Eat Slowly, Eat Regularly, Eat Intelligently---EAT GRAPE-NUTS

"There's a Reason"

CHILDREN FATALLY BURNED; WOMAN MAD

Baby Killed and Eight-Year-Old Aunt Cannot Survive Injuries.

(United Press Leased Wire.)
Riverside, Cal., Feb. 15.—In a fire that destroyed the home of Otis Young at Eslinore last night his 2-year-old son, Gordon, was burned to death, and Elizabeth Stewart, the 8-year-old sister of Mrs. Young was so frightfully burned that she will die.

Mrs. Young was alone with the two children when the flames broke out. Throwing the oldest child out of a window, she leaped out herself and ran to a neighbor's for assistance. In her distracted state she could not find the younger child.

Returning she found Elizabeth lying beneath the window unconscious from the fall and terribly burned. Her recovery is impossible.

The boy was found burned to a crisp by his bed. His mother is demented over the loss of her child and home.

MORE AMERICAN MONEY
(Continued from Page One.)
came from Washington to attend the wedding. Other guests present included a number of persons of prominent in New York's most exclusive social circles.

The marriage of Miss Shonts and the Duc de Chauvines is the culmination of an international romance which has attracted widespread attention for months. It is said to be a genuine love match, and naturally the course of love was not run smoothly. It was in Europe while traveling with her mother and sister, that Miss Shonts first met the Duc de Chauvines. The young nobleman, with his handsome appearance and fascinating manner, with the added attraction of belonging to one of the old and most aristocratic of French families.

Papa Objected.
When Miss Shonts returned to America it was evident that she had left her heart on the other side of the water. The strong attachment to the young people had become so well known that rumors of their engagement became current. But the father of the young lady, an American of the sturdiest type, one who has worked his way from the bottom of the ladder up to the class in which only millionaires and railroad presidents are eligible, had no desire for a titled son-in-law. And, furthermore, he followed his daughter to America and for many years he insisted his wooing under the very nose of the objecting parent. Mr. Shonts meant to see that the law was not violated in the past history and reputation of the titled swain. The information he received from abroad strengthened his objections. Still he did not give in. The persistent wooer was put to the test of a long acquaintance and stood it well. And finally Miss Marguerite went to her father and declared herself in favor of the match. Only then did Mr. Shonts give his consent to the marriage, whereupon the young nobleman played his trump card for favor by declaring that he neither desired nor would he accept any dowry with his bride.

SUPPLIES FOR SHIPS ARE SENT TO CAVITE
(United Press Leased Wire.)
Washington, Feb. 15.—Announcement was made today that 2,200 tons of supplies are now en route to Cavite, in the Philippines, to be held there pending the arrival of Rear Admiral Evans' Atlantic fleet on its trip around the world.

Supplies are also being concentrated at San Francisco in sufficient quantities to stock the fleet on its trip to the islands.

ROBBER SENTENCED

(Continued from Page One.)

told the truth of his connection with the affair.

Sentence Suspended.
Mr. McGarry, counsel for the defendant, agreed with Mr. Eggleston and the result was the recommendation of both attorneys to the court that sentence be suspended, during which time Eggleston should take the cure.

"It is apparent to me that you are not a main in full possession of your mental faculties," Judge Wolverton said in his admonishment to Eggleston. "This is no doubt due to excesses in the use of narcotics. A man of your age should not have allowed himself to reach such a condition."

"Under these conditions I will sentence you to five years at McNeil's institution with the understanding that the sentence be suspended six months to enable you to take the cure as recommended by Mr. Bristol and Mr. McGarry. During this time you shall report to the court every 30 days, in company with the person or persons in whose charge you shall be."

Eggleston stated to the court that when he had received the stamps he was not aware that they had been torn. He stated that he had been tormented by detectives of the city department who met him every few days and announced to him that he had three-year term in the penitentiary staring him in the face.

"I couldn't stand the strain," Eggleston said, "and I wanted a great deal. Consequently, I took to drink."

Mr. McGarry informed the court the young man had a relative who had promised to defray the expenses of a Keeley cure.

REAR ROOM SALOONS

(Continued from Page One.)

It would be warranted in revoking Frits' license.

Chairman Cotel stood up and said that he had visited Frits' place and found it "a very immoral place, and one that was harmful to public morals." Then he sat down, after saying that he did not think the license should be revoked. He wanted Frits to promise that he would be better in the future. Frits promised just as he promised the municipal court—then promptly proceeded to break his promise.

One of the strange features of the hearing against Frits was that he was the only person who was allowed to testify without being placed under oath. Judge Cameron and every other officer of the city who testified was compelled to take an oath to tell the truth, but the committee in its eagerness to dismiss the case against Frits did not even swear him, and after asking a few questions he was allowed to go free.

Frits promised that he would comply with the saloon and theatre laws to the letter; that he would not permit women to gather in the boxes and drink with frequenters of the place; that he would personally see that the law was not violated at his place. In exchange for his good conduct the council allowed him to retain his license.

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showed that women were in the boxes drinking with men; that the screen around Frits' office did not completely shut it off from the saloon, and that Frits was present in the saloon, saw all that was going on, and did not attempt to stop it.

When the matter of dismissing Frits' case before the committee came up, Councilman Vaughn moved that Frits be compelled to shut up the sliding door between the saloon and theatre and that he be ordered to stop women from "rustling" drinks in the boxes. The committee so voted and Frits promised that he would do so. That he has not can be seen by the councilmen any night they choose to visit the resort.

Tom Fallon, proprietor of a hangout for crooks, thugs and bunks men of all types, was before the committee and it was recommended that his license be revoked. Then Fallon came in and asked to be allowed to transfer his license to J. Duffy, his bartender. Councilman Vaughn presented a bill of sale to show that he had sold the place to Duffy.

Law Winked At.
The council winked at the bill of sale and allowed the transfer, but Councilman Willis, in signing it, said that he would do so only on the ground that Fallon never enter the place again. Councilman Willis said that if Fallon was ever seen in the place again he would ask that the license be revoked.

A visit to Fallon's place last night found Fallon at one of the slot machines explaining the working of the mechanism to two men. Fallon declared that he had sold out, but his appearance in the saloon indicated that the transfer of the license was nothing more than a fake, as Councilman Menefee called it.

That these saloonkeepers at least do not fear any further action was shown by the manner in which Conrad appeared behind the bar at his resort in

Fun, Frolic and Foolishness MASQUERADE Expo Rink Tonight

One session and masks on sale at rink.

white apron; by the way Frits winked at the broken promises going on under his eyes, and Fallon's presence in his own place.

JAPS SAY THEL ARE ABUSED BY CANADA

Tokio, Feb. 15.—Responding to the protests following the detention of Japanese immigrants at Victoria, B. C., the foreign office has instructed Morioka, the Japanese consul in Vancouver, to investigate the complaints made in the British possession and forward a report on the situation.

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