

BOISE CASE CANNOT BE PROBED

Judge Gantenbein Instructs Grand Jury That Matter Is Closed in View of Refusal to Indict at Last Term of Court.

That the district attorney's office has made an effort to have the present grand jury take up the embezzlement charges against Whitney L. Boise, which the last grand jury decided should not be prosecuted, was indicated this morning when the grand jury went before Presiding Judge Gantenbein to ask for instructions. The questions asked clearly indicated that the grand jurors had the Boise case in mind. The answers returned by Judge Gantenbein also made it clear that the inquirers have no jurisdiction to take up the Boise case and must regard it as a closed incident, unless the matter should be presented to the presiding judge in such form as to convince him that it is his duty to order the matter resubmitted to them. The September grand jury returned not a true bill as to five counts of the indictment in which Boise was accused of misappropriating the funds of the Hawthorne estate, his chief accuser being his sister-in-law, Mrs. Catherine Collins. This, it was supposed, ended the matter, but the action of the grand jury this morning shows that the district attorney had hoped to have Boise indicted on an additional count. Deputy District Attorney Mosenbach, who has been in attendance upon the grand jury, declined to discuss the matter, merely remarking that the reporters could draw their own conclusions.

Ask Court Three Questions.

These are the questions asked of Judge Gantenbein:—Can the present grand jury receive testimony upon an additional count in a criminal charge upon five counts of which the previous grand jury found not a true bill, the same and similar evidence being used?—If so, can the grand jury do so without order of the court?—Does section 1299 of the code refer to a sitting grand jury or the grand jury that found the not true bill?

The first and second questions the court answered in the negative. The section of the code referred to by the third question forbids the introduction of evidence to impeach a grand jury. "When an indictment, indorsed 'not a true bill' has been presented in court and filed, the effect thereof is to dismiss the charge; and the same cannot be again submitted to or inquired of by the grand jury, unless the court so orders."

Shuts Off Investigation.

Concerning the third question, Judge Gantenbein told the grand jurors that the code refers to grand juries in a general sense, and to subsequent grand juries as well as to the one that returns the "not true bill." This interpretation effectively shuts out a further investigation by the grand jury, unless the court should order that the matter be taken up. This is not considered likely, as the courts will no doubt discourage the taking up of the same matter by successive grand juries when not true bills are returned, unless it can be shown that there is new evidence or that the exculpating grand jury has for some reason failed to perform its duty properly. There has been no suggestion in the Boise case that the last grand jury acted in any improper way in refusing to indict.

Eye glasses, \$1 at Metzger's.
EVEN THE OFFICE BOY WAS AN "INVESTOR"

(United Press Leased Wire.)
New York, Oct. 31.—The methods used for deluding the investing public into the belief that large blocks of ice stock had been sold to investors were shown today on the witness stand in the trial of Charles W. Morse, the ice king, and Alfred H. Curtis, in the United States circuit court. Testimony was adduced alleging that girls, boys and men, none of them receiving \$25 a week, were used as "pawns" to delude the public. It is contended by the government that these pawns were conducted entirely with the money of the depositors of the National Bank of North America. The money was used, the prosecution alleges, without the knowledge of the depositors, through "dummies" and spurious loans.

HERE'S YOUR PROBLEM ABDOUCED GIRL MAKES ESCAPE



Hazel Maine Tells Chicago Police Weird Story of Misadventure.

(United Press Leased Wire.)
Chicago, Oct. 21.—Attired as a man, Hazel Maine, 17 years old, was found wandering in the streets today. She claims her home is in Milwaukee and tells a remarkable story. She says she was sitting in her room at her home in Milwaukee last Monday when a man entered and chloroformed her. She remembers nothing more until yesterday morning, when she awakened in a dark room with no windows and only one door. Her clothes were gone. A hag entered, she says, bringing her food, and departed, locking the door behind her. The girl attempted to break down the door, but the woman blocked her attempts to escape. The girl says she finally found a man's suit of clothes and made her escape. She does not remember where the house is situated. The police are investigating the strange case.

RAILROAD ASKS FOR REDUCTION

Astoria & Columbia River Says Rolling Stock Is Over-Assessed.

Only a few complaints as to assessments were made to the county board of equalization this morning. The latest big corporation to be heard from is the Astoria & Columbia River railroad, which asks that a readjustment of the assessment of its rolling stock be made and that the taxes apportioned between Clatsop, Columbia and Multnomah counties. Only a small portion of the mileage of the Astoria road is in this county, but Superintendent John McGuire, who makes the complaint, does not say what he thinks the figures should be. Assessor Sigler has put the company's rolling stock on the books for \$24,750. The county board of equalization is not to exceed \$151,772, and that the method now pursued results in double taxation. Flockenstien, Meyer & Co. have asked for a reduction of figures on money, notes and accounts from \$15,000 to \$5,000. The United Cigar Stores company claims a reduction from \$15,000 to \$8,500. The Parsons' Band Cutter & Self Feeder company wants a cut from \$10,000 to \$4,800. The Syracuse Chilled Plow company wants a reduction on merchandise from \$10,000 to \$4,000. Frank L. Ball says that improvements on a portion of a block in King second addition should be \$11,700 instead of \$18,000. J. M. Toom calls attention to the fact that the Barr hotel was burned last July, and wants to be relieved from paying on an assessment of \$12,300 for improvements and \$1,325 personal. The Gratton & Knight Manufacturing company asks that its assessment be sliced from \$40,000 to \$23,000. Charles H. Dodd, assessed for \$30,000 on money, notes and accounts, says he had none of it. J. M. Toom asks for a reduction on merchandise from \$50,000 to \$5,218. Norden is believed to be the man who stole the check from Larson and then allowed Thompson to cheat himself out of \$37.

LUX OBJECTS TO RETURN TO ASYLUM ON TRIAL FOR STEALING CHECK

Before the trial of Dan Norden is over in the justice court today, the strange story of a check for \$41.13 on the Merchants National bank may be brought to its termination. The strangest part of the tale is that after the check had been stolen from its owner, the saloonkeeper to whom it was presented cashed it under the impression that it called for \$41.13. Norden, a young man, was arrested by the constables several days ago charged with having stolen the check. The check was originally given by Newton Courtier to J. W. Evans, and went into the hands of a man named Larson. Larson brought it to Portland, and while sealing the town it was stolen from him. W. Thompson, a saloonkeeper at 49 1/2 First street, thought it was good for \$41.13 when it was presented. Norden is believed to be the man who stole the check from Larson and then allowed Thompson to cheat himself out of \$37.

WRECK AT BOISE; TWO MEN DEAD

Daniel Lawler and Martin Black Victims of Railway Collision.

Boise, Idaho, Oct. 21.—Daniel Lawler and Martin Black died today from injuries received late yesterday in a wreck in the Oregon Short Line yards here. The collision occurred between the engine of the regular passenger train and the rear of a special returning from the fair grounds. Lawler was in the engine and Black on the special train. Two others were injured.

GIRL IN TREETOP FOR 24 HOURS

Hazel Downing, Saved From Flood, Almost Dies From Exposure.

(United Press Leased Wire.)
Lamar, Colo., Oct. 21.—Almost dead from exposure, Miss Hazel Downing was rescued today from a tree on Big Sandy creek, near here, where she had spent 24 hours after a terrible experience in the flood that swept the Arkansas river and spread devastation along its course. Miss Downing, with Mrs. James Hoselton and Charles Morris, was trying to ford the stream in a buggy when the waters swept the buggy down the stream. Miss Downing clung to the branch of a tree and saved her life. The others in the buggy are believed to have been drowned. Three Mexicans who accompanied the party in another rig are also believed to have been drowned. The flood swept the whole territory drained by the upper Arkansas river Monday and Tuesday.

HEARST DENIES COLLIER STORY

Says Stump and Winfield Not Men Who Stole the Oil Letters.

(United Press Leased Wire.)
Indianapolis, Ind., Oct. 21.—William Randolph Hearst today denied the Collier's Weekly story to the effect that Charles Stump had stolen the Archbold letters that have been used with such effect by Hearst in his campaign for Hixon. Hearst denied that he knew either Stump or William W. Winfield, the negro, who, Stump says, aided in the theft of the letters from Archbold's office. Hearst declared that he would not attack Taggart and Kern while he was in Indiana. He denied that he had any letters from Archbold to Senator Aldrich of Rhode Island.

Muckraking at Los Angeles.

(United Press Leased Wire.)
Los Angeles, Cal., Oct. 21.—Mayor A. C. Harper, accused by City Prosecutor T. L. Woolwine of protecting vice, was called as a witness before the grand jury today. T. E. Gibbons, publisher of the Herald, was another witness. The mayor entered the grand jury room smiling but refused to make any statement. One of the grand jurors, however, predicted that this would probably be a "big day."

JUDGE GANTENBEIN TO DECIDE THREE CASES

Judge Gantenbein, in the circuit court tomorrow morning, will announce decisions in three cases, one of which bears back to the back holiday of last year. This is the case of J. R. Strath and others

ers against L. G. Sweetland and others, in which a motion has been made to direct the clerk to change the date of the filing of a complaint that was offered for filing during the holidays, but not marked filed by the clerk until the holidays ended. In the case of R. F. Smith against W. N. Jones and A. F. Fiegel, a demurrer to the complaint is to be passed on. In the case of the Inman-Poulsen company against school district No. 1, a motion for rehearing will be decided. To take pickles from jars without puncturing them, as is always done with a metal fork, wooden tongs with cross-grooved ends have been invented.

ELEGANT TRAINS FOR HILL ROAD

Five complete vestibuled trains, being built by the Pullman company for the North Bank road, are nearly completed and will be sent to Portland for operation between this city and Spokane some time this month. These trains will contain seven cars each and are of harmonious design so that every car will be made especially for its train. The trains will consist of a baggage car, mail car, two coaches, a sleeper, a dining car and an observation car. The cars are to be finished in the same woods throughout, to be decorated in the same color scheme and are to be of the latest and most modern pattern. They will be the most completely equipped passenger trains ever operated out of Portland.

A Wreck from Neuralgia



Mrs. Edith Copeland, of Los Angeles, Cal., Who Was Sick With Indigestion and Neuralgia, Is Loud in Her Praise of Duffy's Pure Malt Whiskey, Which Has Benefited Her After Many Other Remedies Failed. It Has Cured Her of the Indigestion and Toned Up Her System, Thus Driving Out the Neuralgia.

Mrs. Copeland writes: "I was nearly a wreck when I came to California five years ago. When I had been here perhaps a month I came across one of your testimonial letters that just hit my case and I decided to get a bottle. "I have had neuralgia of the heart and feet. Have had no satisfaction from my doctors (save receipted bills) and have been trying everything. Was also a sufferer from indigestion. Not only has Duffy's Pure Malt Whiskey increased my weight and acted as a general tonic, but it has also nearly cured me of my neuralgia. I feel confident that in time Duffy's Pure Malt Whiskey will drive it out of my system entirely."

Mrs. Copeland's case is similar to that of thousands of others, both men and women, who have been made hale, hearty and vigorous by the constant use of Duffy's Pure Malt Whiskey as a medicine. It is a predigested food which has a stimulating and tonic effect on the system. It builds nerve tissues, prevents decay and keeps the entire system in a normal, healthy condition.

Duffy's Pure Malt Whiskey

is an absolutely pure distillation of malted grain. It is the most effective tonic stimulant and invigorator known to science; softened by warmth and moisture its palatability and freedom from injurious substances render it so that it can be retained by the most sensitive stomach. It cures nervousness, typhoid, malaria, every form of stomach trouble, diseases of the throat and lungs, and all run down and weakened conditions of the body, brain and nerves. It is prescribed by doctors and is recognized as a family medicine everywhere. CAUTION—When you ask your druggist, grocer or dealer for Duffy's Pure Malt Whiskey be sure you get the genuine. It's the only absolutely pure medicinal malt whiskey and is sold in large sealed bottles only; never in bulk. Price \$1.00. Look for the trademark, the "Old Chemist," on the label, and make sure the seal over the cork is unbroken. Write Consulting Physician, Duffy Malt Whiskey Co., Rochester, N. Y., for a free copy of illustrated medical booklet and free advice.



Nature intended man to be happy and to be able to give
A Smile All the While
Look at healthy children—look at the healthy man or woman—and you see the pleasures that come from perfect health—the protection that wards off the excesses of life to-day
Ghirardelli's Cocoa
the perfect food drink—braces up the system—strengthens the body and enthuses the brain into perfect activity—besides it pleases the palate, too.
30 cups of a delicious drink 25c

You can get a large cake of
Bon Ami
The Finest Cleaner Made
at your grocers, if you did not receive a sample cake, or have used up the one left at your home. It's worth trying.

Cures Biliousness, Sick Headache, Sour Stomach, Torpid Liver and Chronic Constipation. Pleasant to take
ORINO
Laxative Fruit Syrup
Cleanses the system thoroughly and clears sallow complexions of pimples and blotches. It is guaranteed.
FOR SALE BY ALL DRUGGISTS.