ROBERT LEWERS MASTER DROWNS

Wave Washes Captain Underwood From Schooner Off Columbia River.

(United Press Lessed Wire.) Port Townsend, Wash., Jan. 11.—Cap-tin Alexander Anderson of the schooner ert Lewers, which is in port today a voyage of 23 days from Hono-reports that Captain E. R. Unood was washed overboard and ned while the vessel was outward of for the Hawalian port. Captain

The death of Captain Underwood occurred five days after the Lewers a Columbia river. According to Cap-in Anderson, Captain Underwood was inst leaving the cabin when a great came aboard with such force an at the wheel was thrown to the deck, but managed to get hold of somewhich saved him from being ed overboard.

All the lifeboats were torn from the davits, the skylights and the door to the cabin were broken and the cabin was flooded. Captain Underwood was sed until 10 or 15 minutes afterwards. His body was not recovered.

(Continued From Page One.)

At the opening of court this morning Worthington asked the court to mine how many peremptory chales each side was to have. He said that it was contended by the government that each side should be limited to He contended that the defense should have 10 and the government

support of this contention Mr. Worthington read the statute which accords the defense 20 challenges and the government five in cases of treason and where capital punishment is a penalty, and the defense has 10 and the government three in all other cases.

Worthington Quotes Act. Worthington called the court's attention to an act passed by the last ngress and approved March 4, 1909, high went into effect January 1, 1910. This act made all crimes punishable in the penitentiary a felony and, Mr. Worarton contended, entitled the defense

peremptory challenges. Mr. Heney opposed the position of the e and read another section of the fied by the act, could be prosecuted un-der the old statute. At the time of the of Portland. lictment of Hermann, his offense had anor; under the new law roceed under the old manner and there-ore limited the defense to three chal-

After arguing the question at some sight, and after Judge Wolverton had sked a few questions of him, Mr. agreed that there was a question quaintanceship with land fraud defend-

of his contention and accordingly he withdrew his objections, whereupon the court granted the 10 challenges to the

Warren F. Miller, one of the taleamen passed yesterday afternoon, was poraptorily excused by Senator Gearin ind another name drawn from the box. Glass Has an Opinion.

W. B. Glass, a bank cashler Brownsville, was called. He said had read of the land cases, and had formed an opinion. This opinion was so strong, Glass said, that if the case was close in its evidence his opinion would offset his decision. He was passed by Gearin for the defense, and chal-lenged for cause by Heney. Gearin resisted the challenge, and Judge Wolverton excused the juror after brief ques-

C. E. Pearson, master painter of Portland, was next called. He had read the papers, but had formed no opinion. He knew Senator Mitchell, but did not know Herman, J. N. Williamson, C. H. Carey, George Borenson, nor any of the other men who have been mixed in the timber cases. He had taken a timber claim and a homestead long ago. He knew Schator Gearin. He was passed by the defense and the government.

Challenged by Meney.

Green Hale, a retired farmer of Portland, was peremptorily excused by Mr. Heney, and John P. Thompson, a hotel man of Dallas, Polk county, was called. the land cases, and had discussed them. because he did not know them. opinion he had would not hinder him giving a fair opinion on the evidence. Answering Mr. Heney, Thompson said Hermann had stopped at his hotel, and he had met him casually. He was passed both by the defense and the gov-

Frank Merrill, carpenter of University Park, was excused by the defense, and Samuel Taylor, a farmer of Clackamas county, was called.

Had Boad the Papers.

Taylor had read the papers and had discussed the cases. He had formed an opinion and still had it. It was fixed and Senator Gearin challenged for cause. Hency did not resist.

H. G. Starkweather, farmer of Mil waukie. Clackamas county, was called. He had read the papers and had met Hermann and Mitchell. He had impressions of the cases, but no fixed Answering Heney, the juros said he had a brother who is a mail carrier in Portland. The juror said that Senator Mitchell had helped him estabish a rural mail route near his home Mitchell had been a friend of the juror's father, who had a very kindly feeling for the senator. He knew Henry Meldrum. Starkweather was passed by both sides

The court then took a recess until 2 o'clock.

Gearin Takes First Step.

John M. Gearin took the first steps towards the selection of a jury when ourt convened yesterday afternoon. After the jury box had been filled by Clerk Marsh with the first 12 pames drawn from the jury box, Mr. Gearin some statute, which provided that all stated the case to them briefly and then offenses committed, which were modicalled. Alex Muirhead, a master plumber

In his examination, and in that of Heney for the government, stress was a felony, Mr. Heney argued. This was laid upon the newspaper reading sodification entitled the government to of the jurymen, whether they had followed the land cases at the time the indictments were returned, during the deliberations of the famous land fraud jury, and through the subsequent trials. ter Judge Wolverton had Mr. Heney's questions also tended questions of him, Mr. to politics, political affiliations, acgovernment land, the blas for or against

the government. Peremptory challenges were not sued yesterday, but both sides reserved the right to make such challenges this morning at the opening of court.

Men in Jury Box.

In filling the jury box the following temporarily or excused for cause: Alex Muirhead, a master plumber of Portland. He knew Senator Mitchell and Binger Hermann by sight only. He knew nothing of the facts of the Hermann case. He did not remember having read of the land fraud cases in the past. He had no bias. He was passed by both sides after a short course of

questioning. Charles W. Risley, a farmer of Clackmas county-He had read the accounts of the Hermann indictment. As a result he had formed an opinion at the time of the indictment. He still re tained this opinion. It would take evidence to change this opinion. Mr. Jearln challenged for cause, and Mr. Hency examined him further. Risley said he knew he could try the case on the evidence fairly. Henry thought Risley was qualified, and Gearin passed

him for cause. Frank Merrill, a carpenter of University Park.—He had read of the land fraud cases. He had talked about the cases. He had formed and expressed an opinion of Hermann's guilt. He still retained this opinion and would believe Mr. Thompson said he had read of newspaper stories were true until they were disproved. He was unprejudiced. He had formed no opinion on the facts He was passed for cause by the defense. What | Heney passed the juror.

Green Hale, retired farmer, of Portland-He had read the papers when the indictment was returned. He had formed no opinion of Hermann's guilt or innocence, and was passed for cause by Mr. Gearin. He was passed by Heney. Had Formed Opinion.

Albertus H. Metcalf, in the sand and gravel business in Portland.—He had read the papers, but had formed no opinions. He was passed for cause by both sides.

Henry Fries, of Portland, said he had formed a very fixed opinion and had followed the cases closely. He was challanged by the defense and excused by the court. William Myers, of Oregon City, had

been on the other side of the house, politically, from Hermann. He had formed no opinions, and was accepted. Warren W. Miller, a carpenter, of Sellwood.—He had been a new resident in Portland when the land cases commenced, and had but little interest in it. He had read the headlines in the He knew nothing of the case and had no opinion. He had taken a timber claim about 60 miles south of Roseburg and still owned it. The jurer

was passed by both sides. Fred D. Simmons, a salesman Sunnyside.-He had read of the indictments, but could not recall the sub-stance of the article. He was passed by both sides.

Did Not Talk About Case.

W. R. McKenzie, of Portland, had read formed no opinions. He was passed by the defense. Answering Heney, the juror said he formerly knew Pierce Mays. He met him at The Dalles. He also knew Judge Charles H, Carey, was a member of the same club, but had never talked about the cases with him. He did not know Hermann, but did know Senator Mitchell. He was passed by the government.

Benjamin F. Schofield, a contractor. of the Peninsula.—He had no opinion. He had not read of the cases in the He knew Hermann and Mays by sight. He was accepted.

J. C. Smack, a farmer, of Sherwood. He had read the accounts of the land his own mind about the correctness ants, the holding of timber land or other cases in The Journal, Telegram and

Oregonian. If the stories and the talk were true, he had an opinion.

D. D. Hackleman, of Albany,-He had read the papers pretty thoroughly. had formed an opinion from what he had read, which would necessitate evidence to change. The defense chal-langed for cause. Hency resisted the challenge. The court examined

juror and excused him. Frank J. Peterson, a farmer of Columbia county, said he had read the case and discussed it, but had formed no opinions. He was passed by both sides, filling the jury box. court then adjourned until 10

o'clock this morning.

(Continued From Page One.)

WORLD RECORD

SKYMEN TRY FOR

"I am financially interested with Mr. Curties in the manufacture of the Curtiss aeroplanes and of course I favor him, but looking at the matter from an unblased standpoint, I fail to see where the Wrights can claim that Curinfringing their patents. tiss is infringing their patents. Wrights' strongest point is their ent for warping the planes, and Curtiss does not use. He uses a wing tip which is not connected with the main planes in any way and is worked from the seat.

When a judge granted the injunction gainst Curtiss," continued Bishop, think it was done not from a knowledge of aeronautics but simply because the Wrights had won numerous medals for flying. Of course this is my private opinion and is not intended in any way as a criticism of his decision. The whole matter will result in a long, bitter and costly litigation in the courts, which has been the case in all inven-

tions. President Bishop is of the that the next few months will see a wonderful change in flying, and he thinks it is simply a matter of time before aeroplanes will be common. Dirigible balloons, such as Count Zeppelin's, are not popular with Bishop, who says the machine is entirely too expensive and too hard to manage to be used to any great extent. The future of the seconiane is great, says Bishop, but just what its evolution will be is shrouded in mystery.

UNION MEN FAVOR DIRECT VOTE FOR STATE OFFICIALS

(Continued From Page One.)

expired, was advocated by the State Federation of Labor during yesterday afternoon's session. The report of the committee on legislation advocating free texts, also contained a recommendation that no gazation be imposed upon the people without their approval in special election and closely followed President Will Daley's plea for the passage the papers, but not much, and had and enforcement of an employers liability law.

The pictured face of Samuel Gompers looks down upon the assemblage as the session proceeds, while upon the "We now call upon the workers of our common country to stand faithfully by friends, oppose and defeat enemies, whether they are candidates for president, for congress, or other offices, whether executive, legislative or judicial."

With such inspiration it seemed not at all strange that nearly every report and every speech resolved itself into a plea for elections regardless of party that such phrases as "cooperate for a better state," "non-partisan election

of honest officials," "fight party politics that give special privileges grinding corporations," should be c

stantly heard. Stand Together in Policies.

President Daley's report was a vigor ous sppeal to the workingmen to stand together, regardless of party, in wintration of a favorable nature. The report of the legislative committee had the same basis. It was an extended history of efforts made during the past year to obtain labor legislation, and re-counted at length who were the friends and who were the enemies of each cause

J. J. Johnson, state lecturer of the grange, in an address defined the close relations between farmers as producers and laboring men as consumers of productions, and upon this argument based an appeal for cooperative action. The indifference of the people to their condition, declared Dr. Johnson, is the most effective bar to their betterment. It is, he continued, the ambition of the grasping, powers to keep the middle class indifferent, knowing that so long as such an effort is successful, it will be easy to rob the needy and fleece the credulous.

Votes to perpetuate vested interests graft by men afraid of their jobs. Mr. Johnson denominated as another effective preventative to the attainment laboring man's ideal. He con of the cluded with an appeal to the members of the federation for an educational campaign that will cultivate intelligence and increase proficiency.

ATTEMPTS SUICIDE. THEN EATS BIG MEAL

An attempt at suicide and a plan to cover up his act by setting fire to his room, thereby destroying his body and the hotel building on North Third street, was prevented yesterday by the police. The man who attempted the act was revived, placed in jail and this morning ate a double breakfast.

John Olson, a despondent laborer at the Grand hotel, 45% Third street, is the man. He went to his room shortly after noon Monday, locked the door pulled down the window shades and turned on the gas. He pulled his bed directly under the gas jet, and lay with his head as closely as possible.

Previous to his preparation for death, twisted a grain sack into a rope and set fire to one end. The other end was connected with a bundle of inflamrags and material. The end of the improvised rope-fuse was lighted. The man then lay on the bed to await

Persons passing through the hall detected the smoke from the burning rags and broke into the room. The man was found in a semi-conscious condition, and if he had not been disturbed for 10 minutes more would have accomplished his designs.

SENATE ANXIOUS ABOUT THE COST OF LIVING

Washington, Jan. 11 .- A resolution calling on the department of commerce and labor for figures showing the percentage of increase in the cost of living in the United States since 1900 was adopted by the senate yesterday.

A French scientist has advanced the theory that there is no such metal as radium, but that radio-activity is the result of certain now unknown chemical combinations of which barium forms the chief part.

Much building will be done in Lake-view this year.

BILLING CLERK

Henry Tutwiler Is Asphyxiated When He Enters Gas Filled Basement of Home.

Henry Tutwiler, 23 years old, living at 404 College street, was asphyxiated last night. The body was not found until this morning. He was formerly employed in the billing department of the Meier & Frank store.

The young man has not been employed since the holidays, and was chores about the house where he lived. Last night he went to the basement t prepare the fire for the night. It is thought he was immediately overcom when he entered the basement, which was filled with gas which escaped from an open hose attached to a gas plate. The family with which the youth lived had gone to bed for the night and did not note his absence until this morning. Investigation found the body lying on the floor of the basement. The cor-oner took charge of the body. No inquest will be held.

In a detailed article the Scio News, shows that the prospect for that town is promising.

ing acne, herpes, blotches, tetter, piles, salt rheum, rash, barber's and other forms of itch, scaly scalp, and all surface skin affections.

Any one who will write to the Emergency Laboratories, No. 32 West Twenty-fifth street, New York, can secure, by mail free of charge, a supply sufficient to cure a small ecsema surface or clear a complexion overnight and remove pimples in 24 hours,

ORRINE Cures Ourse effected or money refunded. Guarantee in each box. Can be given secretly. Orrine costs only \$1 a box. Get Booklet free from—woodnet, Clark & Co., Distributors, 280 Washington, and 125-127 Fourth Street.

VALUABLE HOME RECIPE

Will Break Up Reverest Cold in a Day "Mix one-half ounce of Concentrated pine compound with two ounces of glycerine and a hair pint of good whiskey. Shake thoroughly each time and use in doses of a teaspoonful to a table-spoonful every four hours." This formula is given out to be a tablemula is given out by a noted medical authority. Local druggists say this mixture will work wonders. They all have these ingredients in stock or will quickly get them, they are easily mixed. Be sure to get the genuine "Concentrated" pine which is pininly labeled and comes only in half ounce bottles such inclosed in an air-tight case.

TALKS on TEETH

SOME DENTAL DICTA

The condition of the teeth is a tell-tale as to diet. They are the guards which stand at the gateway to the body, roady to divide the food into manageable portions, to bring peace of mind and healthful bodily activity. No greater killjoy exists than dyspepsia; no more vicious menace to life and efficiency obtains than a disordered condition of the process of nutrition.

Cancer of the stomach is notoriously a disease of gross feeders. Eighty percent of the cancers of the stomach arise from bolted food. If an ounce of prevention is ever worth a pound of cure, it is keeping the teeth in good condition. Swallowing pus, which every victim of Pyotrhea must do when eating, is as sure poison as swallowing areente in small doses. Though very much slower in its deadly devastation of the intestines and one cannot properly mas-

is promising.

IF IT DISAPPEARS, IT'S ECZEMA

ECZEMA

ECZEMA

ECZEMA

ECZEMA

ECZEMA

ECZEMA

ECZEMA

EN The Tolisappears, IT'S Election and one cannot properly massificate his food with missing teeth.

Briefly, the Alveolar Method is this: If you have two or more teeth left in sliter jaw, we can supply all that you have lost with teeth as good, solid and sound as the best set of natural teeth way be set an an in any human being's mouth, and a whole lot more beautiful than nature's best product, without resorting to such makeshifts as partial plates and the unsanitary bridgework. Alveolar Teeth are not only beautiful, than nature's best product, without resorting to such makeshifts as partial plates and the unsanitary bridgework. Alveolar Teeth are not only beautiful, they are comfortable and durable. We guarantee them to last a lifetime, way for any one afflicted is to go to the Skidmore Drug company. Woodward-Clarke's, or any good druggist who handles pure drugs and obtain 56 cents' worth of poslam. Apply this, and if the itching stops at once and the trouble is cured in a few days it may be set down as having been eczema, as this is the way poslam acts in the worst cases of eczema, and in curing acne, herpes, blotches, tetter, piles, walk have a samples in our offices to where the best bridgework—but in satisfaction there is no comparison between the two.

We have samples in our offices to with a down that his food with missing teeth.

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Briefly, the Alveolar Method is this: If you have two or more teeth left in sliter play, we can supply all that you have beautiful than nature's best product, without resorting to such makeshifts as partial plates an

satisfaction there is no comparison between the two.

We have samples in our effices to show at all times—hundreds of patients here in our home city to refer to. Examinations and booklets on Alveolar dentistry are absolutely free.

Remember that in addition to our specialty, Alveolar Dentistry and curing Pyorrhea (loose teeth), we are experts in every branch of dentistry from the simple filling up.

Sil to 314 Abington Bidg., 1064 8d st. Sundays, 10 to 12. Keep Our Address.

An attack of the grip is often followed by a persistent cough, which to many proves a great annoyance. Chamberlain's Cough Remedy has been extensively used and with good success for the relief and cure of this cough. Many cases have been cured after all other

remedies had falled.

Don't Fail to Attend This Sensational and Colossal Sale-EVERY GARMENT MUST GO Within the Next Few Days-On Sale at 129 Sixth Street



Only a few of the many bargains offered are listed here on account of lack of space. The entire lot of over five thousand garments are in the hands of The "Busy Burke" Sales Co., 511 Henry Bldg., who will spare nothing at this gigantic sale

NOTE WELL the ADDRESS 129 SIXTH ST.

5000 Garments Women's in the Hands of "Busy Burke" To Go at Less Than At 20c on the Manufacturer's Cost At 20c Dollar

Read the fac-simile letter reproduced below; there's the entire story in "a nutshell." Overestimating the demand, big Eastern garment manufacturers sent shipment after shipment of women's and misses' Cloaks, Suits, Furs, etc., to their Portland representatives, who were unable to dispose of 'em to the retailers. Realizing that they MUST be disposed of here—'tis too late to return 'em East—and appreciating the fact that "Busy Burke" is always ready to offer REAL bargains to Portlanders, the manufacturers instructed their representatives to turn these thousands of garments over to The "Busy Burke" Sales Co., to be sold regardless of cost, value or loss. Placing the enormous lot in the Suit Store of M. Lurie, 129 Sixth Street—who has placed his stock also in our hands for disposal—"BUSY BURKE" WILL PUT THE ENTIRE ASSORT. MENT ON SALE WEDNESDAY MORNING, AT 10 O'CLOCK, AT 129 SIXTH STREET, (IN OREGONIAN BLDG., MAIN FLOOR) TO GO AT THE IRRESISTIBLE, SENSATIONAL AND WONDERFUL REDUCTIONS TO AS LOW AS 20 CTS. ON THE DOLLAR



Be on hand promptly at 10 Be on hand promptly at 10 o'clock Wednesday morning to secure your share of these colossal bargains. We also want twenty extra salespeople—best of salaries—for this sale. Apply Wednesday, front Sixth street entrance, at 10 A. M., 129 Sixth

NOTE WELL the ADDRESS 129 SIXTH ST.

TELEPHONE ISAA SPRING Thousands and thousands of Misses' and Women's Suits, Coats, Dresses, MAX LACHER Furs, Furnishings, etc., are included in this peerless and mighty sale, to go regardless of worth. Every garment is strictly new, stylish and up to date, and Children's Cloaks and Waisis made of the best fabrics in the best modes, lined with nothing but the best materials, in every color and shade imaginable. The unalterable rule of 357 CANAL STREET "Busy Burke" to offer nothing but the best-nothing but bona-fide reduc-NEW YORK Des. 18- 1909 tions-is in evidence throughout the stock. Garments that sold at five and six times these prices at retail; prices that are LESS THAN WHAT THE RETAILERS HAVE BEEN PAYING FOR THE SELFSAME GAR-Mr. Joo Ellisa 1840 T. Build Portland Cry. West Sir Your recent dire that fit MENTS; assortments greater than the largest retailers have been able to display-all go hand in hand in making this sale the most startling, peerless, unprecedented sale event ever held on stylish garments in the entire northwest. Be on hand early-the doors will open at 10 o'clock Wednesday morning for a few days of merciless price-cutting and amazing value-giving. Nothing is reserved-everything must be sold, even the fixtures. So don't fail to be on hand at 10 o'clock tomorrow to obtain first choice from this stupendous lot of lovely garments at 'WAY LESS THAN WHOLESALER'S COST. Portland that can dispose of these ghods. Remember the place-129 Sixth street, Main Floor of Oregonian Building. Sale begins Wednesday, 10 a. m. Note these monstrously low prices: Darte no time, see 96 1 P. Buste immediate and effect the vale of the germents at once at as low low as 204 on the dollar Stylish Suits that sell Modish Suits, Coats, Fine, stylish Coats, etc., values that sell Suits, etc., that sell usuusually at to \$20, go at ally at to \$25-that rethis sensational sale at tailers pay as high as this big reduction to .. \$7.50 \$18 for- \$10.00

Mr. Lacher, owner of one of the big eastern garment factories, to whom a portion of these garments belong, followed his letter to his representative and is now in Portland to oversee disposition of these garments. He has given the "Busy Burke" Company instructions to pay no attention to values or costs of the many garments, but to place 'em on sale to go at any price, as he must soon return to New York and wants to have the suits, coats, etc., sold before his departure. As "time is money" with him, and his immense factories need his attention, he prefers to sell out at gigantic loss rather than be delayed. So again were prices cut into, deeper went the knife in the low figures already marked, making the sale one of the grandest, gigantic bargain events ever shared in by the women of Portland and vicinity. Again we urge the importance of early buying; for, although the assortment comprises thousands of garments, many of the biggest bargain lots are small and will be closed out as soon as the doors open Wednesday. Never again will opportunity offer such a wonderful bargain garment event right at the zenith of the ready-towear season; never before have such sensationally low prices prevailed on garments so superbly high grade, stylish and worthy. Remember the date and place-Wednesday morning at 10 o'clock, at 129 Sixth street. Note the tremendous cuts:

Stylish Coats, Suits, etc., that retailers pay as high as \$21,50 forgarments that retail for as high as \$30,00. Sale price while \$12.50 they fast. . \$12.50

Lovely, fine Suits and | Coats that sell all over for as high as \$35.00 go at this monstrous reduction-less than retailers'

Handsome, modish Suits, Coats, etc., that sell all over for \$37,50 and more, go at this sale at this wonderfulprice.....\$19.00

REMEMBER 129 IAN BUILDING

usually at to \$15-garments that retailers pay as high as \$11 for-go at this great \$4.95

THE PLACE 129 Sixth Street