

STRANGER SHOTS MAN AT FOREST GROVE, KILLS SELF

Edward Naylor, Wealthy Goat Raiser, Victim, Will Probably Die; Would Be Murderer Unknown.

(Special Dispatch to The Journal.) Forest Grove, Or., Dec. 10.—This city and community was thrown into a fever of excitement last night at 7:30 o'clock, when Edward L. Naylor, one of the most prominent, wealthy and best known residents of Forest Grove was perhaps mortally wounded by a revolver shot in the abdomen fired by a stranger named Lininger.

Naylor had gone to his barn to do his chores just at dark, as is his usual custom, and while in the barn had noticed a man loitering in the yard. After he had fed his stock he went outside and the stranger approached him. Naylor asked him what he wanted, and the man replied by asking Naylor what he wanted.

Naylor again asked the man his business, when he said, "I want you to throw up your hands."

"Not by a d—d sight," replied Naylor. "D—d you, I'll make you," said the man, and with the words he fired a shot over Naylor's head. He then shot again, the bullet entering Naylor's body in the stomach. Naylor walked toward a dwelling about a hundred yards distant, shouting for help. The man walked in the opposite direction, and after going a couple of hundred feet fired a shot through his brain.

Neighbors assisted Naylor to a house and summoned Mrs. Large and Hines, who hastily examined him, and seeing the seriousness of the wound, placed him on a stretcher and took him to the Oregon Electric depot, from whence he was taken to a Portland hospital to be operated on by Dr. Coffey.

Sheriff Hancock and Coroner Brown were summoned from Hillsboro, and made examination of the dead man and his effects. Receipts found in his pockets from the K. of P. and Odd Fellows lodges from Menlow, Iowa, showed his name to be Frank Lininger. A check book from the North Yamhill bank and a postal card signed "Clara," written from North Yamhill and addressed to Hood River, were also found, besides a few cents in money. The man was dressed in workman's clothes, is about 35 years old, sandy hair, red mustache. He is a total stranger so far as any one here knows. In his hat was a car check, showing he had come into town last night. Parties here claim they saw him in Hillsboro yesterday, and a restaurant man claims the man ate supper there last night and that he had a companion with him. At a local hotel one of the girls says a man came answering his description, earlier in the evening, asking where he could find Naylor.

Edward L. Naylor, the victim of the stranger, is a native son of Forest Grove, age about 50, and unmarried. He is the son of T. J. Naylor, a pioneer of 1843, who took up a donation land claim which adjoined Forest Grove on the east, and which is mostly in the possession of the Naylor brothers at this time, and it was on this farm where the shooting occurred. Edward Naylor has passed his entire life in this city. He graduated from Pacific university, and for many years conducted a loan office and notary business here. The past few years he has devoted his time to raising of angus goats, several hundred of the animals of which he now owns, some of them being worth \$600 each. He has taken first prizes all over the northwest, and took first prize at the Seattle fair. He is a man of wealth, and has always been well liked by everyone who knows him. There can be no reason for the man shooting him, unless for the purposes of robbery.

**Southern Presbyterian Jubilee.** Atlanta, Ga., Dec. 10.—All arrangements are complete for the jubilee celebration in Atlanta tomorrow of the fiftieth anniversary of the Southern Presbyterian church. The event will be celebrated with an all-day program of exercises and religious services in the Auditorium-Assembly. Ten thousand clericals and lay representatives of the denomination, coming from all parts of the south are expected to take part in the demonstration.

AT THE THEATRES

**Last Time Tonight.** The final performance of "The Time, the Place and the Girl" will be given at the Grand tonight. This popular musical comedy was never more welcome than it has been the past week in this city.

**"The Barrier" Tonight.** The Baker stock company has had one of the strongest offerings in the history of this organization this week in Rex Beach's famous play of Alaska, "The Barrier." Readers of the novel have enjoyed every moment of the play.

**At the Grand.** The bill which now holds the boards and closes with the Sunday performance, is filled with entertaining specialties and novelties. Chevalier De Loris, the sharpshooter, does some remarkable marksmanship.

**Florence Roberts Tomorrow Night.** The attraction at the Helix theatre for seven nights, beginning tomorrow with a special price matinee Saturday, will be the famous dramatic success, "The Nigger," with Florence Roberts, assisted by Thurlow Bergen and an excellent supporting company. Seats are now selling.

**Good Comedy Bill at Orpheum.** There is a number of good comedy numbers of the bill at the Orpheum this week, but the blue ribbon must go to a troupe of wonderful monkeys that provide a most novel and unique number in their "Night in a Monkey Music Hall."

J. JOHNSON IS NOT GUILTY OF MURDER

Jury at Eugene, Out One Hour, Frees Man Who Shot and Killed E. S. Prindel.

(Special Dispatch to The Journal.) Eugene, Or., Dec. 10.—The jury in the case of the State vs. John S. Johnson, accused of murder in the second degree, for killing E. S. Prindel on Maple creek last September, after having been out just an hour yesterday afternoon, at 4:45 o'clock returned a verdict of not guilty and Johnson, his wife and little son, Bessie, left on this morning's stage for their little farm happier than they had been for months. The defense was based on the "unwritten law" and the jury was evidently convinced that Johnson was justified in shooting Prindel, who, according to Mrs. Johnson's testimony, called at her house while her husband was away and made improper proposals to her, then dragged her half way up the stairs, when they heard Johnson coming in at the gate. Prindel ran out the rear door and Johnson fired at him with his rifle, killing him instantly. The testimony introduced at the trial showed that Prindel was superintendent of the Sunday school in that vicinity and Mrs. Johnson testified that she and Prindel, for a long time before Johnson arrived, talked of Sunday school affairs and a revival meeting that was being held there at the time.

CLUB BUFFET LICENSES FIXED AT \$300 IN NEW ORDINANCE SUBMITTED

(Continued from Page One.) asserted his belief that clubs should pay as much as any other place where liquor is retailed. He thought the proposed fee of \$500 was too much. City Attorney Grant intervened in behalf of the Press club, an organization of special and limited membership, saying he thought \$300 a year too much for a set of young men who are not credited with being burdened with cash.

**Agree on Compromise.** Councilman Rushlight and Councilman Adams shared the opinion of the city attorney and Councilman Rushlight finally agreed to the compromise fee of \$300. Councilman Rushlight insisted that the reason he wanted the fees kept up was to enforce the Sunday closing section of the ordinance. Councilman Rushlight insisted throughout the discussion that saloon licenses be made as high as was consistent with the size of the business operated by the various holders of the licenses.

**Druggists who sell liquor** to pay \$400, according to the requirements of the ordinance. A number of the druggists had filed protests, declaring that such a fee was prohibitive. Councilman Lombard declared that the reason for the protests was because the druggists didn't want to pay, not because they couldn't.

No Licenses for Dens

The section relating to the sale of liquor in drug stores reads: "For the purpose of this ordinance a druggist who sells or, in any manner, dispenses intoxicating liquor is a person who makes the compounding of medicine and the selling of drugs his principal occupation; but a druggist who sells intoxicating liquors and who keeps a register stating the articles and amounts purchased, the price paid therefor, the particular sickness for which it is to be used and the personal signature and address of the purchaser, shall not be deemed to be selling or serving intoxicating liquors within the intent of this ordinance. Provided, however, that no quantity in excess of four ounces shall be sold to any one person during any one day." Section 5 of the ordinance is intended to stop the sale of liquor in places of ill repute and provides that no owner or operator of such a place shall have a license; this provision includes bawdy houses, gambling dens or any place frequented or visited by women of ill repute or gamblers.

**Sanitary Hot Meals.** Any person who has violated the terms of the ordinance within a year, any one who has been convicted of a crime, any person under the age of 21 years, and any female, shall not be allowed to hold license, neither shall a saloon be located within 400 feet of a block occupied by a public school building.

In regard to restaurant licenses the ordinance specifies that a sandwich served with a drink is not a meal. The place must serve at least three meals a day six days a week. In this kind of a place drinks may be served without meals. The requirement for 600 square feet of floor space for each restaurant is retained, although it was nearly changed by the committee to a requirement for 1000 square feet of floor space. It was only by discovery that such places as the Jewel restaurant on Morrison street have no more than 489 square feet, cannot get any more than this, and yet are places of excellent repute, that the provision for 600 square feet was retained.

**No Women Allowed.** The ordinance divides the year into two parts, so that licenses may be issued or expire either in July or in December. Special care is taken in the matter of transference of licenses, this section stating:

"No transfer of any liquor license in the city of Portland shall be made between the first day of December and the first day of January nor shall any application for transfer be received or filed by the auditor during such time."

No licensed liquor dealer is permitted to allow any woman to enter his place to drink or loiter. This section does not apply to wholesale or family liquor stores.

The power to grant or refuse liquor licenses is vested in the council. The power of attorney used by breweries to control retail liquor business is expressly forbidden by the ordinance, and all such powers of attorney before granted are to be made null and void following the passage of the ordinance. Violations of the ordinance are to be punished—the first offense, \$100 to \$250, or by imprisonment 30 days to six months. For the second violation, \$250 to \$500, or 60 days to six months imprisonment. Third violation, \$500 or six months in jail and revocation of the license, upon factors. An emergency clause is attached to the ordinance.

URGE PROCEEDINGS TO CONDEMN AND FOR NEW BRIDGE

Street Committee Acts in Accordance With Views of the Mayor; No Believes Legal Course Best to Adopt.

Following the course demanded by east side associations, an ordinance was presented to the street committee and approved yesterday afternoon in which the mayor and city attorney are instructed to start condemnation proceedings to obtain land for approach to the Broadway bridge, providing no reasonable agreement can be obtained with the O. R. & N. railway as to the price. The ordinance was presented by Councilman Lombard.

"I talked with the mayor on this subject," he told the committee. "He informed me that Mr. O'Brien of the O. R. & N. had promised to give him an answer on the best terms the road would give to the city, but had not done so. He suggested that we pass an ordinance giving authority to bring condemnation proceedings."

The committee approved the ordinance without debate. The ordinance goes before the council Wednesday and, inasmuch as it is an emergency measure, it will become effective as soon as it has been passed by the council and approved by the mayor. This ordinance will separate the bridge proceedings from those connected with the vacation of east side streets, a course of action which has been desired by east side residents in general. At the last meeting a resolution was passed giving the mayor and city attorney the authority to negotiate for the necessary rights of way and under its provisions the city officials could have taken the street vacations into consideration.

FORMER GOVERNOR GROVER IS DENIED CLAIM ON TRACT

(Continued from Page One.) acres, mostly hillside, and now extremely desirable as residence property. Twenty years ago it was worth only a fraction of its present value. The Grovers estimate it is worth \$200,000 now over all incumbrances.

At the time the deed was given, in 1900, Mrs. Hawthorne entered into an agreement to pay the former governor \$100 per month for 50 months. She also gave an option of repurchase within three years. Testimony as to the effect of these papers was wholly conflicting. The Grovers and Mr. and Mrs. Boise said the deed was to act as a mortgage and was not to be recorded. As a matter of fact it was not recorded until seven years later. Mrs. Hawthorne and Mr. and Mrs. Collins were equally positive the deed meant just what it said on its face, subject to the option of repurchase. A copy of this option was produced by the Hawthornes, but none was held by the Grovers.

The Grovers say they relied on Mrs. Hawthorne, believing she would be true to the trust, and put off a demand for an accounting until after they learned that she had conveyed the property from her own name to the Hawthornes estate, in 1909. It was charged this conveyance, purporting to be made for \$50,000, was without consideration, was a fraud, and resulted from a conspiracy on the part of Mrs. Hawthorne, Mr. Collins and Mrs. Collins.

Judge Cleland in rendering his decision said it had not been made clear by the testimony that the delay in recording the deed from the Grovers was due to any agreement that it should not be recorded. That the agreement entered into when the deed was executed did not rest wholly on parole evidence, the court said, was apparent from the execution at the same time of the option and the agreement to pay Grover \$100 a month for 50 months. This allowance, the testimony showed, was continued longer than 50 months and for about a year at the last was increased to \$150 per month.

The allowance to Grover, said the court, appears to have been an independent agreement, and was absolute, its payments being part of the consideration for the deed. The court said it was apparent that Grover regarded the option as valid, because its renewal was discussed before it expired.

**Speaks of Conditions.** It was further pointed out by the court that in a letter written by Grover to Mrs. Hawthorne in 1907 setting out his side of the case he speaks of "conditions" accompanying the deed not being filed with it. This, the court said, indicates there were conditions in writing, otherwise they could not be filed. Judge Cleland said the rule in the construction of such documents is to sustain the paper as it appears on its face unless the testimony is clear and convincing that some other meaning was intended. It held the Grovers failed to show a contrary meaning by such degree of proof in this case.

The case was tried by Judge Cleland early this year and briefs were submitted in June. Since then the court has held the matter under advisement. Snow & McCann and Cyrus A. Dolph represented the Hawthorne interests, the Grovers appearing through Manning & White, S. F. Richardson and E. S. J. McAllister. The latter gave notice of an appeal to the state supreme court.

**Lumber Companies Close Mills.** Hogue, Dec. 10.—The National Lumber & Box company last night closed down its box department for an indefinite period, the entire plant in which more than 600 men found employment is now idle. The Grays Harbor Lumber company closed its plant two months ago. The Northwestern Lumber company and the Eureka Cedar Lumber company are curtailing their outputs, only running eight hours each day. The cause is said to be the low market price of lumber caused by overproduction.

NEW TRAIN SERVICE

On the S. P. A new fast local train has been put in service between Portland and Eugene by the Southern Pacific company. This train will leave Portland daily at 8:20 p. m. and arrive in Eugene at 10:30 p. m.—a four hour run, and will stop only at Oregon City, Woodburn, Salem, Albany and Junction City. Returning, the train will leave Eugene at 6:00 a. m., will stop at all local stations, arriving in Portland at 11:00 a. m. Train No. 14 will leave San Francisco at 9:40 p. m. and will arrive in Portland at 7:40 a. m. No change in No. 14.

PROTEST AGAINST PASTOR'S PAROLE

Friends of Rev. William E. Hinshaw, Convicted of Wife Murder, Again Active.

Indianapolis, Dec. 10.—Few criminal cases in Indiana in recent years have aroused such wide interest throughout the state as that of Rev. William E. Hinshaw, whose application for parole is now under consideration. Today the state board of parole met at the state prison at Michigan City to hear testimony, and Monday the hearing is expected to be completed in this city and the decision announced. While friends of the convicted pastor have been urging his parole on the ground that he is dying of tuberculosis, many persons of prominence have been active in opposing his release from prison. So pronounced has become the public agitation over the matter that Governor Marshall has demanded that the case be given the most thorough investigation before any action is taken on the application for parole.

The crime of which Hinshaw was convicted was the murder of his wife in 1895. His defense at the trial was that she had been killed by burglars. There were no eye witnesses to the murder, but the circumstantial evidence was so strong that the husband was convicted and sentenced to life imprisonment. After serving about eight years influential friends succeeded in getting a 60-day parole for him and later he was given an indefinite parole. He returned to his former home, where two years later public indignation against him was aroused when he was named as co-respondent in a divorce suit. His reply to the scandal Governor Hanly promptly revoked the parole and sent him back to prison for life.

**61 Votes at La Center.** (Special Dispatch to The Journal.) La Center, Wash., Dec. 10.—The city

FOR ELDERLY PEOPLE

How the Kidneys and Bladder Cause Pain, Misery and Discomfort, and How They Can Be Healed.

No matter how apparently strong and healthy you may be, as you approach middle age there is a certain letting down in the physical forces sure to make itself felt. When this happens to the kidneys and bladder, then they do not perform their work properly, and can not until they are toned up and strengthened, and restored to their normal action. Weak kidneys, sharp backache and pain over the hips, sleeplessness, urinary irregularities and headache, with a dry and bad tasting mouth, are all symptoms that show the need of a tonic and stimulant for the kidneys and bladder. Foley Kidney Pills furnish exactly the corrective and stimulating medicine needed at such a time. They are antiseptic, healing and tonic in action. They will give first and quick relief, then a lasting benefit, and will remove the pains and annoyance that come from kidney and bladder disorders, which make the approach of old age a time of misery and pain, instead of serenity and peacefulness. Marcus Mackham, 138 Harrison street, Coldwater, Mich., says: "I am past 50 years old and always enjoyed excellent health until two or three years ago, when I noticed my kidneys and bladder were getting weak and caused me a great deal of trouble. The kidney action was at times suppressed and again made me get up many times during the night. At times I would get a stitch in the small of my back. Seeing Foley Kidney Pills recommended for similar cases, I began taking them. They relieved me promptly of all annoyance, correcting the action of my kidneys and bladder, and I can again sleep all night. All symptoms of kidney trouble were dispelled on such short notice that I was certainly pleased with Foley Kidney Pills and have since recommended them." For sale by Skidmore Drug Co., two stores, main store 151 Third street, branch store Morrison and West Park streets; Woodard-Clarke Drug Co.

election was held here December 6, and 51 votes were cast. Out of this number, W. O. Powell was elected mayor, receiving 54 votes. F. J. Brown, J. C. Kane and T. Headley were elected councilmen for two year terms. Mr. Brown receiving 37, Mr. Kane 36 and Mr. Headley 28 votes. For councilmen for one year terms, S. G. Knighton and J. Fleming were successful. Mr. Knighton received 47 and Mr. Fleming 54 votes. P. Kane received 54 votes for treasurer.

CENSUS BUREAU GIVES 101,100,000 AS GRAND TOTAL

(Continued from Page One.) gets nine new congressmen under the present apportionment. Florida's corrected total population is 752,619, an increase of 43.9 per cent, and a gain of one congressman. It is announced today that the military and naval population of the United States was 55,908. The population of the state of Montana is 376,053, an increase of 132,724, or 54.4 per cent.

Monaco Reported a Republic.

(United Press Special Wire.) London, Dec. 10.—Unconfirmed reports of a rebellion in the principality of Monaco and the proclaiming of a republic by the rebels are printed today in the Pall Mall Gazette. According to the Gazette despatches, the Prince of Monaco has been deposed and a municipal council is directing affairs. If the despatches are correct, Monaco is the smallest as well as the newest republic in the world.

Extraordinary Celebration in Paris. Paris, Dec. 10.—Several eminent representatives of the bar in the United States and Canada were present as invited guests at the opening here today of a two days' celebration to mark the

Wedding at Mare Island. San Francisco, Dec. 10.—Many naval officers and their families attended the wedding at Mare Island today of Miss Sally Simons, daughter of Dr. and Mrs. Manly Simons, and Paymaster Kirby Van Mater, U. S. N.

BREAKS THE MOST STUBBORN COLD AND ENDS GRIPPE IN A FEW HOURS.

Just Try This Next Time You Ache All Over and Feel Miserable.

The most severe cold will be broken, and all gripe misery ended after taking a dose of Pape's Cold Compound every two hours until three consecutive doses are taken. You will distinctly feel all the disagreeable symptoms leaving after the very first dose. The most miserable neuralgia pains, headache, dullness, head and nose stuffed up, feverishness, sneezing, run-

ning of the nose, sore throat, mucous catarrhal discharges, soreness, stiffness, rheumatism pains and other distresses vanish.

Pape's Cold Compound is the result of three years' research at a cost of more than fifty thousand dollars, and contains no quinine, which we have conclusively demonstrated is not effective in the treatment of colds or gripe.

Take this harmless Compound as directed, with the knowledge that there is no other medicine made anywhere else in the world, which will cure your cold or end Gripe misery as promptly and without any other assistance or had after-effects as a 25-cent package of Pape's Cold Compound, which any druggist in the world can supply.

the secret is out— CHAPTER 3 Here's the Story: You've read, in the papers, a whole lot about the sale of the Crystal Springs property in Tabor Heights. You've seen pictures and read of the sale of the beautiful Mount Vernon tract, that we lately put on there, to President B. S. Josselyn, of the Portland Railway, Light & Power Company, who is building one of the most magnificent mansions, surrounded by grounds that would do justice to the palace of a king. You've heard rumors of the extension of Belmont avenue, with its hard-surface pavement, right into the center of this beautiful neighborhood. In fact, there has been a lot of excitement. You will remember how we made history a few days ago in the real estate market with Mount Vernon. Consequently about a month ago we quietly entered the market and secured the very cream of the Mount Tabor property—the choicest of all—the one piece that has the most magnificent view from every point. It was a triumph for us and a paralyzer in other quarters—it came as a complete surprise and has started quite a sensation. Here again will be something doing. Some quick sales are going to be made. Our clients are going to make some handsome profits. Watch for our announcement tomorrow. Hartman & Thompson REAL ESTATE DEPARTMENT Chamber of Commerce, Private Exchange 30-A-2050.

SOMETHING BIG WILL HAPPEN December 13 FOR PARTICULARS SEE SUNDAY PAPERS

Oregon Life Home Office: CORBETT BUILDING, CO. FIFTH and MORRISON STS. PORTLAND, OREGON. A. L. MILLS, President L. SAMUEL, General Manager CLARRINE S. SAMUEL, Asst. Mgr. Is Best for Oregonians