

COHEN AS JUDGE BRINGS PROTESTS

Member of Bar Association and Others Say Attorney Unfit for Place.

With the announcement of the appointment of Max O. Cohen as temporary municipal judge to take the place of Judge Tasswell while the latter is on his vacation of a week, beginning tomorrow morning, protests are being made by Mayor Rushton against Cohen, charging that his record is such that he is not a proper man for the position. Among others who are protesting is Attorney Julian Silverstone, a member of the grievance committee of the Oregon bar association.

The protests came as a result of the investigation made by the Oregon bar association into charges made against Cohen in the fall of 1908. As a result of these charges Cohen was asked to resign from the secretaryship of the Union Republican club and the Portland Rose society. Although the bar association took no action on the charges, it was considered at the time that this lack of action was due to the fact that several witnesses against him could not be produced.

Among other charges preferred was one by Mrs. Scammon, who brought suit in the circuit court against Cohen, asking for an accounting for moneys he had collected in a case in which he had represented her. Mrs. Scammon retained Cohen to collect a claim of \$2900, paying him \$100 in advance. Later he compromised the case for \$250 and refused to pay over any of this amount to his client. When sued by her he claimed that his fees amounted to \$425. In addition to the \$100 retainer fee, that two trips to Goldendale, Wash., lasting several days altogether, cost \$200, that looking up records was worth \$50 and that filing fees amounted to \$20. The jury, after four minutes deliberation, returned a verdict of \$413 principal and interest in favor of Mrs. Scammon.

Another charge against him was made by C. E. Gaffey, who accused Cohen of withholding \$500-half mopey which Gaffey had put up when arrested on a criminal charge on a warrant by the municipal court. The complaining witness in the case disappeared and Gaffey was discharged. Cohen claimed that he had had to use \$250 to "oil up" the authorities at "Second and Oak" and in addition had put in a whole night "seeing them" and was very much fatigued, for which \$150 was a just recompense. Cohen returned \$150 of the \$500 later.

REWARD OF \$100 FOR ARREST OF THORNET

United States Marshal Leslie M. Scott has hung up a reward of \$100 for the arrest of J. M. Thornet, the hospital nurse and accomplice of Dr. John Grant Lyman, Thornet having escaped from the jail at Klamath Falls last Saturday night. There is no government fund for reward in such cases and Marshal Scott will give the money from his own pocket for Thornet's capture.

Thornet assisted in the escape of Dr. Lyman from the hospital at Oakland, where Lyman was held after an injury in a previous escape. Lyman is a society man and promoter, alleged to have guilty knowledge of land frauds in Tacoma. Coming north by automobile with Thornet, both were arrested at Lake View, but Thornet was one of five prisoners escaping from the jail at Klamath Falls Saturday night.

FLORENCE WILL VOTE ON LIGHT, PHONE, ISSUES

(Special to The Journal.) Florence, Or., Oct. 2.—A special election has been called for Monday, October 16, when three ordinances will be submitted to the voters of this city. One grants a 25 year franchise to the Florence Electric company to furnish electricity for light and power; another gives the Florence-Mapleton Independent telephone line a right to use the streets of the city, and the third ordinance that is referred to the people gives the council power to spend \$1500 for the improvement of Stewart street from Main street to the river.

Tied to Couch Struggling Victim of Robber Dies

Corpse of John Thomas Discovered by Neighbors

Thomas House Near Sycamore, the Murdered Owner and a Plan of the House, Showing Where He Was Found.



(Special to The Journal.) Oregon City, Or., Oct. 2.—The body of John Thomas, a wealthy rancher living 1 1/2 miles east of Sycamore station and three miles south of Gresham on the Foster Road, was found lying on a couch in the dining room of his fine farm house last night by William N. Chilcote. The body was securely tied and bound with a clothesline and from indications he died in the effort to free himself.

Chilcote, with his brother Earl and William Peterson, were passing the Thomas farm about 5:45 o'clock Sunday afternoon, when he decided to run in and see if Thomas had any cats for sale. He went to the back door and on receiving no answer from his rap, opened the door leading into the dining room. Here he found the body of Thomas.

Chilcote immediately called the other two members of his party and they called Grant Sager, a farmer living about 150 yards west of the Thomas place. Sager at once notified Coroner William Wilson and Sheriff Ernest Mass, both of Oregon City, who arrived at the scene of the murder at 7:45 o'clock.

Swain, Mired Man, Missing. The last time John Thomas was seen alive was Saturday evening about dusk, when J. E. Donnellson of Gresham stopped at the Thomas place to pay house rent. At this time Thomas was alone with his hired man, Charles Swain, who has not been located or seen since. Donnellson offered Thomas \$20, which was in excess of the rent due. Thomas opened his purse and exposed three twenty and one five dollar pieces, but not sufficient silver to make the required change. Donnellson left saying he would pay him the next chance he had. Grant Sager remembers that there was no light at the Thomas house Saturday night. No one called there Sunday.

Believe Gold Tempted Swain. The theory so far advanced by Sheriff Mass and Coroner Wilson is that Charles Swain, tempted by the gold, bound the old man as he was asleep during the night, and, taking the watch and money, made a hasty get-away, probably catching a car at the station for Portland. It has been Thomas' habit to sleep on a sofa in the dining room. He wore most of his outer garments, sleeping with but a few covers. It was in this manner that his body was found. The covers were stripped off but there were no indications of a struggle. The old man's hands had been first tied securely together, then the rope was passed twice around his knees, drawing his hands nearly to them. Then it was tied in a hard knot. When found Thomas was lying with his body on the couch and his feet on the floor. His lips were bitten, as if he had made a great struggle to free himself.

Hired Through Portland Agency. Sheriff Stevens, with Detective Archie Leonard, arrived at the Thomas home about 10 o'clock. Sheriff Mass returned to Portland with them to interview the Pioneer Employment agency, through whom it is learned that Thomas secured the man thought by Sheriff Mass to have committed the crime. It is Mass' opinion that robbery was the only motive for the crime. He thinks the robber bound Thomas so he would not spread the alarm early Sunday morning. Thomas had very few visi-



separate rooms, each man doing his own cooking.

SWAIN DISSATISFIED BECAUSE JOB WAS NOT WHAT HE ANTICIPATED

Sheriff Mass of Clackamas county is to the city today for the purpose of locating Charles Swain, who is believed to have a guilty knowledge of the murder and robbery of John Thomas, the aged farmer of Sycamore. He has a poor description of the man and be-

FREE EXCURSION TO BEND, OREGON TO CELEBRATE RAILROAD DAY, OCT. 5

Come go with US FREE OF COST. See J. J. Hill drive the golden spike which completes the Twenty-five Million Dollar Railway System to BEND. A round Bend you will see the wheat fields of Minnesota, the pine forests of Michigan, the irrigated lands of Washington and the water power of Niagara. Bend has an unlimited supply of purest mountain water and a delightful, invigorating climate where a breeze is unknown. This combination of Nature's greatest resources is unequalled at any one point in the entire United States. That's why BEND WILL MAKE A LARGE CITY in the near future. You may be so fortunate as to know of a town of city with two of these advantages, but where is there a city having all of them? There is only one. It is BEND, OREGON. The Hill and Harriman railways have agreed to make Bend a joint terminal, where they will have their large shops, roundhouses and within THREE BLOCKS of which we are selling close-in RESIDENCE AND BUSINESS LOTS AT \$200 \$200 \$200 TERMS 50 PER MONTH. OVERT-PAID. Call TODAY and make your reservation and go with us on our FREE excursion. We will have our own chartered Pullman sleeper leaving Portland October 4, returning October 6. All reservations must be made by Monday evening. Office open evenings. The Newell-Koller Co., Inc. 301-303 Buchanan Bldg., 286 1/2 Washington St.

lives it will be difficult to run him down. A visit to the Pioneer Employment establishment was without result. It was at this place that Swain obtained the job to work on the Thomas farm. It has been learned that Swain was disgruntled because he believed that when he went to work he was to do nothing but act as a sort of a watchman, but that later his employer asked him to do odd work. This he is said to have resented, and it is believed that ill feeling toward the aged man was one cause for the robbery, if Swain is the guilty man. Sheriff Mass of Clackamas county and Deputy Sheriff Archie Leonard of

Multnomah county are today working out every possible clue in an endeavor to locate Swain. Sheriff Stevens says a bruise on the law indicates that the murderer hit the aged man as he struggled to free himself. The authorities are of the opinion that the man really died from fright rather than injuries he might have sustained, although the coroner's jury has not yet returned a verdict. The Thomas place is 100 yards across the Clackamas line from east Multnomah county. Riverview, Rainbow, New Town. (Special to The Journal.) Vale, Or., Oct. 2.—Riverview is the

some of Multnomah county's newest townsites, located in the rich Klappan Colony district of 2500 acres of work which is to be placed under water that fall through the installing of pumping systems on the Snake river. The new town is also located on the Nyasa-Nomadale extension of the Oregon Short Line now building. The promoters are Reuben McCrary and his wife, who homesteaded the land. Some months ago another townsite was put on the map and called Rainbow, by Moore, Jins and Sutz of Vale. The two towns are six miles apart, and Rainbow is 12 miles from Nyasa.

A Public Question

There has been submitted by the Portland Railway, Light & Power Company to the City Council of Portland a franchise ordinance which, if passed, will grant to the Company a number of additional rights in the way of extensions, double-tracking, forming a loop on Stark Street, crossing the Broadway Bridge and the right to use the approaches to the new Steel-bridge.

It also includes the surrender of the franchises held on parts of certain streets, amounting to 347 blocks in length, on which the Company has now the right to construct its tracks and where a duplication of service is involved.

Believing that the people should know the exact nature of every franchise granted by their representatives, the Company has decided to enter into an explanation of this ordinance.

This will be done in a series of "Franchise Talks" in the advertising columns of the local daily newspapers.

These talks will treat fully and frankly of the situation. There is nothing to conceal and no ulterior purpose to serve.

It is an honest franchise and will be secured, if at all, in an honest manner.

That is one reason for these talks—they afford an opportunity to present the facts to the people of Portland and are an open acknowledgment of the relationship that should exist between public utility companies and the communities they serve.

It is therefore urged that the public and the press consider the questions involved with open minds and treat the franchise proposition as dispassionately as if it affected only their personal interests.

It is a business proposition, pure and simple, and should not be made a political one.

It is just as well that that fact be established at the outset, for it is not impossible that sooner or later some one will seek to drag the question into politics.

PORTLAND RAILWAY, LIGHT & POWER CO.

Nearing The End

The opportunity to get a high-grade piano for the extremely low prices now prevailing during this great Manufacturers' Clearance Sale is slowly slipping away. If you intend buying a piano—investigate at once. This is the much imitated sale that the "big-profit dealers" are so alarmed about. The sale that makes it possible for every home in Portland to get a piano—a high-grade piano easily. Investigate today.

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