

NEW LAWYER'S STAGE FRIGHT GROUNDS FOR ASKING A NEW TRIAL

Barrister's Maiden Effort Declared a Fizzle That Deprived Man of His Rights.

Among unique reasons for a new trial was one urged by Attorney M. J. MacMahon in a motion presented to Circuit Judge Gatens this morning. At the time of the trial of the damage suit of John Perlus against the Portland Lumber company, Attorney MacMahon delegated a young attorney named Haberle, who was associated with him in the case, to open the argument for Perlus, whom they represented.

After reading a portion of the law which he contended fitted the case, Haberle suddenly said he "guessed he had said enough" and sat down. The opposing attorney waived his closing argument and shut MacMahon out of his final appeal to the jury. MacMahon's own description of the procedure is contained in a paragraph, as follows:

"The surprising and unexpected collapse, temporary paralysis and cataleptic condition of the otherwise learned counsel, who, when called upon to deliver the opening address to the jury on behalf of the plaintiff, in this, his first case in court, became bewildered, and at the opening of his prepared discourse, was compelled to abandon his effort, and the unfair, gallant and diffident advantage immediately taken of the unfortunate occurrence by the attorneys for the defendant in protesting against further argument, thereby depriving the plaintiff of his statutory privilege of addressing the jury at all on the merits of his contention by reason of said unavoidable, unforeseen and unpreventable occurrence which in no way can be attributable to the fault, neglect or oversight of the plaintiff."

Lou Carpenter, legislator and ex-detective, was a member of the jury which returned a verdict for \$750, and MacMahon takes exception to his action, stating: "The misconduct of one juror, an ex-policeman and ex-detective named Carpenter, who continually while serving on said jury informed outsiders and the defendant insurance agents how the jurors would decide the case then pending."

Other reasons, including new evidence discovered, and new conditions which would aid the plaintiff were advanced. Judge Gatens decided to hold the decision on the motion in abeyance because he had been informed that the company was preparing to pay the judgment. Prior to the trial it is said that the company offered to settle for \$1500, but Perlus and MacMahon held out for \$10,000. He was injured by machinery in the company's mill.

FAMOUS TASMANIAN VISITS OREGON TO STUDY HOP GROWING

(Continued From Page One.)

In Tasmania there are now about 30,000 acres planted in hops, and this year, and last year 2,000,000 bushels of hops were exported. This year, according to Mr. Shoobridge, 5,000,000 bushels will be shipped.

In addition, the island has something over 1,000,000 head of sheep and 400,000 tons of grain were shipped.

Mr. Shoobridge is a typical Englishman. Born in Tasmania over 50 years ago, he has the typical ruddy hue of those who spend their lives in the tropics. Incidentally this is winter in Tasmania and he comes here in off months.

"We do our planting in October and November and harvest from January to March. I left June 26 in the 'Dead of winter'. It is very rare, however, that we ever have frost. We may have four or five frosty days, but that is all."

He has been in Canada, arriving in Vancouver late last month. Traveling down the coast leisurely, he will sail from San Francisco for his distant home September 23.

Court Warns Book Agent.
Antony Guttman, persistent book agent, arrested for disorderly conduct when he endeavored to persuade a housewife at Fifty-second and Belmont streets to subscribe for one of his publications, was this morning advised to be more discrete in the future, by Municipal Judge Stevenson. The solicitor kept up his talk to the woman until she became thoroughly disgusted and called a patrolman.

SCARCITY OF MONEY---SUGGESTIONS FOR EASING UP ONE HUNDRED MILLION NEW MONEY COMING INTO OREGON

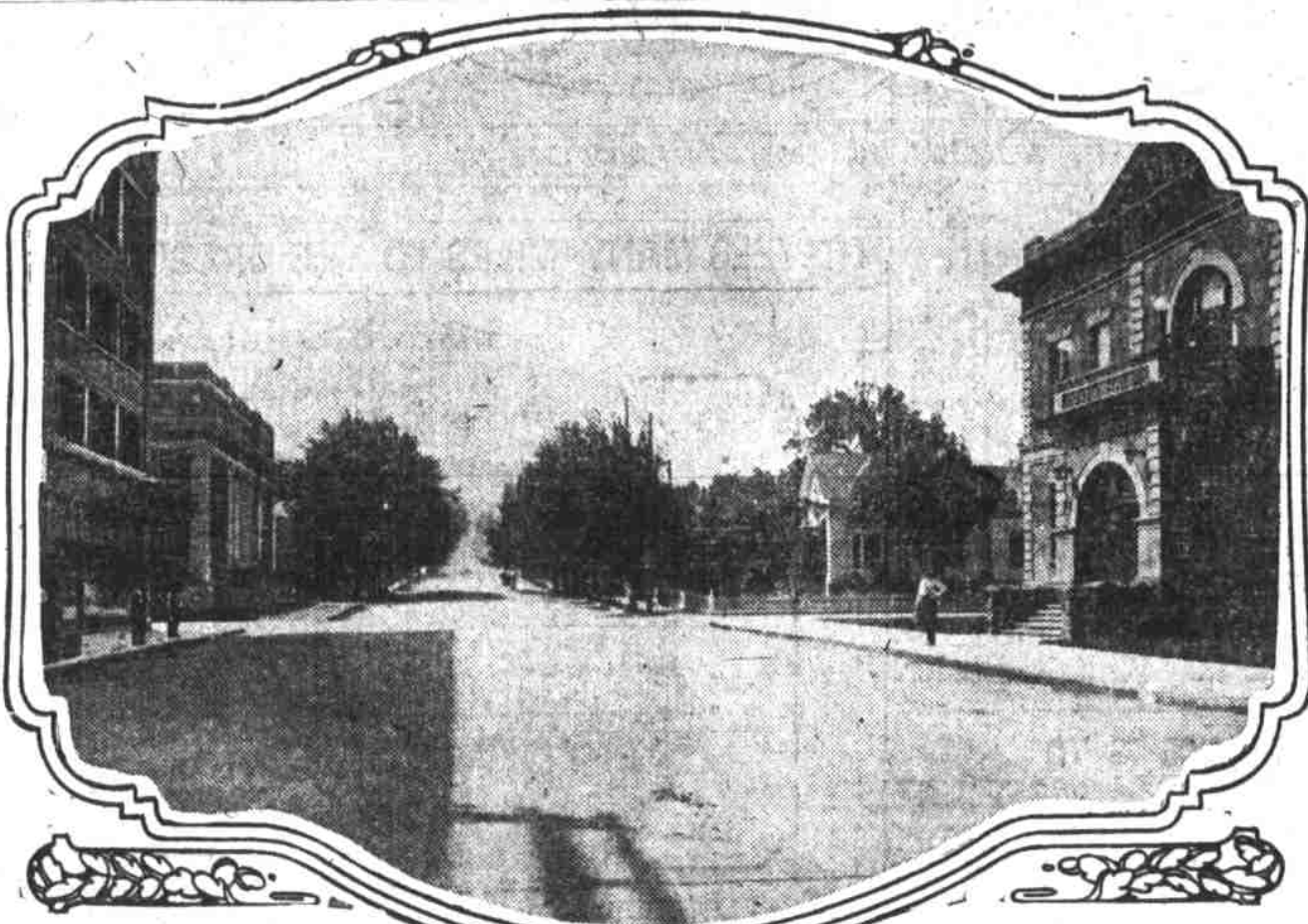
The scarcity of money is, as a rule, brought about by lavishly buying outside of the state, and thereby draining Oregon of ready cash. Nearly all of our people are responsible for this drain, from the housewife, who thoughtlessly orders Eastern-made soap, or breakfast food, to the head of the household, who buys his life insurance in a California or Eastern company.

It is safely estimated that the various crops of 1913 now being harvested will in round figures bring One Hundred Million Dollars new money into Oregon. A large part of this can, and should, be permanently kept here for things that are produced in Oregon. If our people but unite and give preference to "Oregon-Made," when price and quality are favorable.

We could better afford to abandon all schemes of advertising Oregon and every effort to bring more people here, or getting more factories, if we but unite, as is being done in the states both north and south of us, and patronize institutions that are already established, and thereby keep money here which naturally belongs here.

Oregon's steadiest and greatest drain is the money sent East every year for life insurance premiums. More than Twenty Million Dollars Oregon money is held in trust by Eastern companies, most of them controlled in Wall Street. A comparatively trifling amount of this is loaned here, but

WHAT PAVING DID FOR DALLES STREET



Commercial street looking south, showing the new pavement.

(Special to The Journal.)
The Dalles, Or., Aug. 28.—The Linden-Kilbe company of Portland has just completed its contract of laying pavement in this city. All the streets of the business district of The Dalles are now covered with hard surface pavement. Counting the bitulithic pavement laid by the Warren Construction com-

pany three years ago, this city has over four miles of paved streets. The Linden-Kilbe company in the last three months has paved 4,000 square yards, and its contract will cost the city and property owners approximately \$55,000. A local contractor paved Fifth street and Alford avenue in the residence district with Doloway, 9000 square yards

of this preparation being laid, amounting to \$12,000. With the excellent street improvements completed this year, the citizens of The Dalles feel that they can claim this city to be among the most progressive of the smaller towns of the northwest. The recent paving was started under the administration of ex-Mayor Judd S. Fish.

ANDERSON LOTH TO LEAVE GIRLS OF OREGON CITY

(Special to The Journal.)

Oregon City, Or., Aug. 28.—Clifford Anderson, who last week followed an Oregon City woman on the streets and was arrested for mauling, was sentenced to 60 days in jail by City Recorder Stipp Monday afternoon and sentence was suspended today on condition that he would leave town. Anderson was escorted to the city limits this morning by patrolmen and started for Portland. He turned back in a minute, saying he thought Oregon City girls worth going to jail for, but as the officers made preparations to handcuff him upon re-arrest, changed his mind again and went on his way north. He is thought to be insane, but when examined before County Judge Anderson, was found not in such condition as would admit him to the state asylum.

Other reasons, including new evidence discovered, and new conditions which would aid the plaintiff were advanced. Judge Gatens decided to hold the decision on the motion in abeyance because he had been informed that the company was preparing to pay the judgment. Prior to the trial it is said that the company offered to settle for \$1500, but Perlus and MacMahon held out for \$10,000. He was injured by machinery in the company's mill.

BRYAN DENIES DELAY IS FOR LIND'S SAFETY

(Special to The Journal.)

Washington, Aug. 28.—Secretary of State Bryan refused to discuss Lind's departure except to angrily deny that he had asked for a delay in the presentation of the president's message to enable Lind to get out of Mexico first.

Last night's message from Lind indicated that he intended to wait either in Mexico City or Vera Cruz, so as to be in readiness for either overtures from Huerta.

The senate and house have passed resolutions for a joint session tomorrow to be in readiness to hear the reading of the president's message unless Huerta yields.

PERRINE MAY HAVE GOT GUN FROM SALEM STORE

(Special to The Journal.)

Oregon City, Or., Aug. 28.—That Virgil Perrine was concerned in the robbery of a hardware store at Salem and that he stole the revolver with which he later held up the Milwaukee State bank is the theory upon which Sheriff William E. Smith of Marion county and Sheriff E. T. Mass of Clackamas county are now working. The gun has been identified as one taken from the store and hobs in the Salem jail say Perrine is the man who passed four steel saws to the prisoners in the Salem jail, just about the time of the robbery. A steel saw of a similar kind was found on the bank robber when arrested. Perrine still sticks to the story that he found the gun on a railroad bridge near Canby and denies passing saws to anybody.

OREGON GETS \$800,000 TO MOVE HER CROPS

Henry Teal Made Custodian of Allotment for This State.

Washington, Aug. 28.—The secretary of the treasury this afternoon allotted the sum of \$800,000 fund to be provided by the government to assist in the movement of crops. Among the allotments were the following:

California \$2,000,000 to San Francisco and Los Angeles. The name of the custodian is not given. Washington, \$1,150,000 to Spokane and Seattle, with Daniel Drumheller as custodian. Oregon, \$400,000 to Portland, with Henry Teal as custodian.

MAN CLAIMS HE IS THE LOST CHARLEY ROSS

(Special to The Journal.)

Cleveland, Ohio, Aug. 28.—Claiming to be the lost Charley Ross who was kidnapped at the age of 4 years on July 1, 1871, from Germantown, Pa., a man visited a firm of lawyers here today and told part of his story.

The lawyers are communicating with persons who may recognize birth-marks the lost boy bore. The claimant's full story will not be told until some proof as given as to his identity, or his claims fail.

MAN IS ARRESTED ON COMPLAINT OF NURSE

(Special to The Journal.)

John Drake, 1549 Fifteenth street, Sellwood, was arrested last evening on complaint of Albertina Rugenstein, a girl employed to nurse Drake's wife and take care of the two days old baby. The girl contends that Drake is too lazy to work. He was arrested on the charge of vagrancy.

Drake says he is a stationary engineer and that he has been unable to obtain employment. The nurse girl claims \$40 owing her. The case will come up for hearing tomorrow.

SPEER INVESTIGATION IS REFUSED BY HOUSE

(Special to The Journal.)

Washington, Aug. 28.—The house this afternoon rejected the resolution calling for an investigation of the conduct of United States Judge Speer of Georgia on the ground that the charges were not sufficiently explicit. Favoritism included in the charges against the jurist.

P. R. L. & P. Office Plans.

Vancouver, Wash., Aug. 28.—The Portland Railway, Light & Power company, which recently removed the old Mount Hood concrete power plant building from east of the garriton to a site at the foot of Washington street and intended to erect an office building adjoining, has abandoned the idea and will move the offices from Schenck building on Main street to the Elks' Temple building at Tenth and Main. Final arrangements for removal will be made in a few days. Manager C. C. Turley now being at Seaside for his vacation.

DAVID L. RUSSELL, '49ER, CIVIL WAR VETERAN, DIES

(Special to The Journal.)

Vancouver, Wash., Aug. 28.—David L. Russell, 72 years old and father of Mrs. J. H. Elwell of this city, died last night at St. Joseph's hospital in Vancouver. Mr. Russell came to the coast in 1849 and was a veteran of the Civil war. He resided at Washougal where he had held the office of justice of the peace for a number of years. He is survived by his widow, three daughters and a son. They are Mrs. E. H. Stimmell, Yreka, Cal.; Mrs. J. C. Wilbert, San Bernardino, Cal.; Mrs. J. H. Elwell, Vancouver, and L. Frank Russell of Washougal. He was a member of the I. O. O. F. and of the Methodist church.

712 LICENSES SO FAR THIS YEAR

Vancouver, Wash., Aug. 28.—Six marriage licenses were issued by the county auditor up to the time the office closed yesterday, bringing the total number for the first 26 days of this month up to 124. Up to the same time a year ago the total number of licenses issued in August was only 25. So far this year the number of licenses issued is 712 and for the corresponding period last year it was 412, just 300 less. June, July and August of this year have been heavy months, as compared with last year, and are responsible for the increase.

NEW ABATEMENT LAW MAY BE RESORTED TO

Probability Is Cases Started by Governor's Agents Will Be Dismissed.

A half dozen injunction suits filed by H. M. Easterly and Ernest R. Ringo, Governor West's special agents, against owners of property alleged to be used for immoral purposes may be dismissed and the owners proceeded against by District Attorney Evans under the new abatement law. This is the statement of Mr. Easterly, who said that the new law was much easier to work under and more satisfactory. The suits were filed following Governor West's vice crusade last fall.

Yesterday stipulation was filed which provided that the suit against George T. Dunning, Caroline Dunning and Eva Jones might be dismissed by either party at any time without notice or costs to either party. The Dunnings own the building at the northwest corner of Broadway and Ankeny, in which an undertaking establishment occupies the lower floor and a rooming-house is leased by Eva Jones in the upper portion. It was alleged that the rooming-house was a disorderly house.

In the case against the lessees and owners of the three saloons at the Jefferson street depot, there will probably be no dismissal, as that case would not come under the abatement law. The suit is now pending before the circuit court. The saloons are still operating and will probably remain unmolested until the case is decided.

Should this case fail, further action can be taken by District Attorney Evans under the law prohibiting saloons near depots. The present case is against Rufus Mallory, owner of the property. Henry Wagner and Paul Weesinger of the Weinhard brewery, lessees and owners of the saloons, Dan Coppick, E. Frickhorn and M. H. Meyer.

U. OF W. BASEBALL TEAM OFF FOR JAPANESE TOUR

Seattle, Aug. 28.—Ten players, Graduate Manager Horr and a Japanese interpreter, comprising the University of Washington baseball team, sailed from Seattle this morning, en route to Japan, on the steamer Yokohama Maru. The varsity team has 12 games scheduled with university teams in Japan. A batting cage has been installed on the liner where the members of the team will get their daily batting practice.

Owing to the fact that the street number 2834 Belmont street, on both sides of the river much confusion has arisen. Opposition is expected, as some of those on the east side contend that Broadway had always been known as Broadway and should not be changed to give preference to the west side.

GIRL TELLS COURT OF CATCHING SNEAK THIEF

(Special to The Journal.)

Miss Josie Patrick, a 26-year-old Bohemian girl, chased Albert Lang two blocks yesterday afternoon and caused his arrest for snatching her purse. This afternoon in the municipal court, she told Judge Stevenson the circumstances. The girl lives at 2834 Belmont street. Yesterday afternoon, Miss Patrick went to the bank and drew \$20. After a few purchases, she started homeward. At Union avenue and Morrison streets she noticed Lang following her. He passed her, snatched the purse and ran toward Grand avenue with the girl in hot pursuit.

At the corner of Grand avenue and Morrison street the girl caught him by the shoulder. Patrolman Burk on traffic duty at the corner, then made the arrest.

A man isn't necessarily a magician because he makes a night of it.

PORTLAND'S MOST POPULAR AMUSEMENT GRILL

THE ONLY GENUINE
RATHSKELLER IN
AMERICA.

Refined Cabaret WITH EVELYN GILBERT and THE AMERICAN BEAUTY REVUE CHORUS

SIGNOR PIETRO
MARINO
Musical Director.

AUGMENTED ORCHESTRA of Soloists.

THREE PERFORMANCES
EVERY DAY, DURING
LUNCH, DINNER AND
AFTER THE THEATRE.

Hotel Oregon Wright-Dickinson Hotel Co., Prop.

Chas. Wright, Pres.
M. C. Dickinson,
Managing Director.

Under the Direction of Miss Nancy O'Neil,
During
DINNER HOUR, Commencing at 7 p. m.
EVENINGS, Also Commencing 11 p. m.

Entertainment During Lunch Hour,
11:30 Until 2 P. M.

The Arcadian Garden The most attractive dining-room, very best cuisine and perfect service.

Garden Crowded to Capacity at Every Meal.

H. C. BOWERS, Manager.
GAINER THIGPEN, Asst. Mgr.

GRAND JURY HANDS UP GRIST OF INDICTMENTS

Miscellaneous Assortment of Charges Included in Report Made Today.

Six indictments were returned this morning by the grand jury, in addition to the two against County School Superintendent Armstrong. Two of these were placed on the secret file until the indicted men can be apprehended.

C. A. Stuewe, who attempted to pass a check for \$150 on the First National bank on which the name of E. A. Hertsche, a leatherman, was forged as endorser, was indicted for having in his possession forged evidence of debt. He admitted the forgery. His wife and baby are in destitute circumstances.

Other indictments were against Harry Palmer for failure to support his wife and 4-months-old son; G. F. Abrams for obtaining money on false pretenses by passing a bad check for \$25 on E. Fox, and George Vapas for contributing to the delinquency of 15-year-old Sam Riemann.

GRAND JURY WILL INVESTIGATE SHOOTING

Investigation of the shooting of William Walters on the night of August 13, by Patrolman Lee Martin was taken up this morning by the grand jury. Walters, a Finlander, 34 years old, was shot by the officer as he broke away. He died at St. Vincent's hospital August 17 and the coroner's jury exonerated Martin August 19. Martin will probably appear in his own defense. Deputy District Attorney Collier, who is handling the case, said that a thorough investigation of the shooting will be made.

Autos at Reduced Prices
On August 1 one of the largest automobile manufacturers in the world reduced the price on his output \$50 per car, and in this way created a new market for 100,000 machines. In today's classified columns you will find first class automobiles that have been reduced in price, in many cases considerably more than half their original cost. Look the list over. Surely you can afford one of the bargains to be found there.—Adv.

Charged With Maintaining Lottery.
A. J. Cohen, manager of a photo enlarging concern, was arrested yesterday afternoon on the charge of maintaining a lottery. Witnesses complaining to the police state they turned pictures over

BANKRUPT ENTIRE STOCK Peters Furniture Factory

200 Chairs, Rockers and Settees, suitable for Hotels, Clubs or Offices
Great opportunity for those starting housekeeping to furnish an elegant home at a surprisingly low cost
63 Fifth Street Corner Pine

Hotel Multnomah

Monday, August 25, 1913

SPANISH WEEK in the ARCADIAN GARDEN

Most Spectacular, Original and Attractive Entertainment Ever Presented in Any Cafe in America.

The Hotel Multnomah Revue Follies, 1913

MISS O'NEIL MISS JEAN HOWARD
MISS WELLS MISS JANICE
MISS HAMILTON MISS MARTELL
MISS HOWARD MISS MARTINEAU
MISS GRANT

Under the Direction of Miss Nancy O'Neil,
During

DINNER HOUR, Commencing at 7 p. m.
EVENINGS, Also Commencing 11 p. m.

Entertainment During Lunch Hour,
11:30 Until 2 P. M.

The Arcadian Garden The most attractive dining-room, very best cuisine and perfect service.

Garden Crowded to Capacity at Every Meal.

H. C. BOWERS, Manager.
GAINER THIGPEN, Asst. Mgr.

to him to be enlarged, but they have not been returned. The case is to be heard this afternoon in the municipal court.

THE quiet, refined surroundings—combined with the perfect service of well-prepared foods—commends the Imperial Grill as an ideal luncheon place to the hurrying business man.

AMUSEMENTS

HEILIG THEATRE
11th and 1122 Morrison
Phone Main 1 and A-1122
TONIGHT Continues
William A. Brady's Fund Saturday
Presents
THE COMEDY
Of Love, Risk and Romance
MONET
ROBERT OBER—PIAN MILLS
NENA BLAKE—IT OTHERS
Evenings—Lower floor, 10 rows,
rows \$1.50, 4 rows \$1. Balcony, \$1.25.
50c. Special Friday matinee: Lower floor
\$1.50, \$1. Balcony 75c, 50c.

Baker Players

SEASON SEAT SALE
OPENS WEDNESDAY AT 9 A. M.
Prices: evenings 25c, 50c, 75c; matinees 25c,
50c. Monday bargain night and Wednesday
bargain matinee, all seats 25c. Opening performance next Sunday matinee in
THE FORTUNE HUNTER
(First Time in Stock.)

CANTAGES

Broadway and Alder Streets
WEEK AUG. 28.—"Security Days," large casts
Marshall & Trimble, Carmen & Clifton, The
Nifty Girls, Thomas H. Dalton, Orchestra. Fan-
tascope. Special attraction, "Destiny," great
dramatic sensation. Popular prices. Box
office open from 10 a. m. to 10 p. m. Phone A-
2336, Main 4636. Curtain 2:30, 7:15 and 9:15.

LYRIC

4th and Stark Sts.
WEEK AUG. 28.—A NIGHT OUT, a high class
musical comedy success. Tuesday night, athletic
contest. Friday night, chorus girls' contest.
Prices, nights, 15c, 25c. Matinee, any seat, 15c.

Columbia Theatre

SIXTH and WASHINGTON
Open 11 A. M. to 11 P. M.
Perfect Ventilation—Fireproof.
Program Sunday to Wednesday: "The Mystery
of West Sedgewick" (Edison Drama); "The Blue
Bag" and "Smashing Time" (Lubin Comedies);
"Into the Light" (Lubin Drama); Matt Dennis,
baritone; Karry's Orchestra.
10c—ADMISSION—10c

THE OAKS

BIG FREE BILL AT PORTLAND'S
AMUSEMENT PARK
Rusi's Orchestra, afternoon and night.
"Tixey" Snyder, wonderful baritone.
Montgomery Duo, unique instrumentalists.
Gaudet Weekly, free moving pictures.
All Zada, Oriental wonder worker.
2:30 and 8 P. M.
ALL FREE

Admission to Park 10c.
Launched Morrison Bridge,
Cars First and Alder.

Baseball

RECREATION PARK
Corner Vaughn and 24th Sts.
Sacramento
vs.
Portland

August 26, 27, 28, 29, 30, 31, and Two
Games Monday (Labor Day).
Games begin week days 2:15 p. m. Sun-
day at 3:30 p. m.

LADIES' DAY FRIDAY
Boys under 12 free to bleachers
Wednesday.

Fairs and Festivals

Attend The Oregon State Fair

Salem, September, 29 to
October 4, 1913
REDUCED RATES ON ALL
LINES

For Information Address
FRANK MEREDITH, Secretary

Clarke County

FOURTH ANNUAL
Fair and Harvest Show
Vancouver, Wash.

SEPT. 8 TO 14, INCLUSIVE
Horse Racing—Band Concerts
Agricultural Features
A Tri-County Event of Unus-
ual Interest

The Round-Up

The World's Greatest
Open-Air Show

PENDLETON, OREGON
Sept. 11, 12 and 13, 1913