

TRAIN CONDUCTOR GIVES TESTIMONY AT BURNS' TRIAL

Albert C. Murphy, conductor of the freight train which James Harry ("Buck") Phillips was searching the night of June 14, when he was shot to death by boxcar thieves, testified in Circuit Judge Schneider's court this morning, where John L. Burns is being tried for murder, and described the surroundings at the time of the shooting.

Murphy said Special Agents Phillips and Schneider, first out of the boxcar when the train stopped at the tracks bottom yards and started forward along the track, Phillips on the right hand and Schneider on the left. The night was fairly dark.

Suddenly a fusillade of shots rang out. Murphy rushed forward and found Phillips lying wounded on the right side of the twelfth car. Schneider was at Phillips' side, and with him a moment later was Harry Patterson, itinerant laborer, who was "bumming" his way on the train.

Other witnesses this morning were Mrs. Lulu J. Phillips, widow of the murdered O-V-I man; Martin C. Faulk, deputy county coroner, and W. A. Miller, train dispatcher. This is Burns' third trial on a charge of being one of the boxcar thieves who killed Phillips. Both juries who heard the Burns case before disagreed. Dan Casey, Burns' alleged confederate, was sentenced to be hanged for the crime.

COURT ALLOWS FORECLOSURE
ON WATTS COMPANY ASSETS
A suit to foreclose a mortgage upon certain assets owned by the Jordan Valley Farms and the Jordan Valley Land & Water company, of the value of \$100,000, was allowed this morning by Federal Judge Bean to the Mortgage Company of America, but not until the court has severely censured the executive officers of the irrigation company for mortgaging the assets without the consent of the board of directors. Judge Bean also made an order allowing \$200 attorneys' fees.

Under the terms of the contract the preliminary note was not due until 1923, but the contract also provided that the plaintiff could foreclose in the event of default of interest. The defendant admitted default, but claimed that a later agreement and an additional loan from the plaintiff cancelled the right of the plaintiff to foreclose. Judge Bean held in his decision that the executive officers of the irrigation company had violated the by-laws by making a contract in which the assets of the company were disposed of to secure a debt without first securing the permission of the board of directors.

**JUDGE BEAN DENIES ELLERS
RIGHT TO REVIEW ORDER**
Federal Judge Bean this morning denied Mr. Ellers, president of Oregon Elgers Music House, the right to review the final order of Referee A. M. Cannon approving the report of A. M. Hardy, trustee for Elgers Music House, bankrupt.

He said that Ellers was not entitled to the request because he had failed to appear at two hearings when the report was considered and approved. The judge also denied the right of the bankrupt attorney, could not intervene in the case to secure his fees. Bean said such action would be improper, as the estate had been settled and a new suit out of the hands of the bankruptcy court. Judge Bean advised Murdock to look to the parties with whom he made his agreement for his final relief, and not to the bankrupt estate.

**CONDONATION PROCEEDINGS
FOR PARK PURPOSES BEGUN**
Hearing on the condemnation proceedings brought by the city against various property owners to secure the triangular piece of land bounded by East 19th, 20th, Belmont and Taylor streets was opened this morning before Circuit Judge Campbell of Oregon City, sitting on the Multnomah bench. The property owners objected to the price offered by the city and determined to go to court rather than accept. The city wants the property for park and playground.

**MINISTER IN PRISON
KILLS ROBBER PAL**

(Continued From Page One)
about him, other than that he gained by Wilson's own representations. It is remembered that he represented himself to be a member of the sect known as the Plymouth Brethren, and that he had preached a little before coming to Oregon. After supplying the pulpit for several months, Wilson admitted that the Baptist faith suited him right and upon request he was ordained. The Rev. W. P. Elmers of the city well remembers assisting in the ordination of the Rev. Herbert E. Wilson.

After the ordination, Wilson was called as regular pastor of the church. This was in November, 1914, but in February, 1915, the pastor suddenly resigned his position, saying simply that he was not satisfied with the work of the church according to the records of Mrs. C. E. Starnard, the church clerk.

MIN STATEMENT UNTRUE
The facts set forth by these records fully contradict and controvert the claim of Wilson that he was a pastor of a Congregational church at Brownsville for a period of five years. Furthermore, there has never been a Congregational church at this place. Instead of having been an active pastor at Brownsville for five years, he was here for only a part of one year, and at the expiration of that time he quit the ministry.

While in Brownsville Wilson and his wife boarded and roomed at the home of Mr. and Mrs. Fred Gutzman. Mrs. Wilson was called to the colors by Great Britain. What the latter learned of the Wilsons is as follows:

Wilson owned a large store in Ontario and when he came to Oregon he had not yet disposed of his furniture and hardware goods. He had never been a regularly ordained preacher and he was more or less illiterate. He was about 35 years of age in 1914. He had been married in the Boer war in South Africa.

FEARED MIGHT BE CALLED
Upon the breaking out of the World war Wilson was worried for fear he would be called to the colors by Great Britain. It is remembered that he had some trouble in getting his citizenship papers, and that he was worried for a long time about it.

Since his capture in Los Angeles it is supposed by some citizens at Brownsville that Wilson had fled from Canada in order to evade military service, and that he was anxious to start up in the person business at Brownsville, so that Timm Sam would not call him into the line of duty. If this nation became involved, however, the majority of his former

church members find it hard to think of him in this way or to think that he is now a notorious bandit.

The movements of the erstwhile parson since his sudden departure from Oregon in 1914 are as follows: First, he went back to Canada, saying that he was going north to close out his business. A brother of his, or a brother-in-law, was evidently associated with him in business, or at this time became associated with him, for the man's wife came to Brownsville, and stayed at the Gutzman house. Then Wilson, and presumably the associate, went south into California and the two wives at the end soon followed.

MOVEMENTS CLOUDED
Mrs. Gutzman is of the opinion that they went directly to Los Angeles and that for a time Wilson attended the Torrey Bible Institute, but mail which the Brownsville people received at that time from the Wilsons has long since been destroyed. Mr. Gutzman is at the impression that Wilson went a period of time farther south; and that he wanted to go onto a small ranch. He is not sure but that the alleged international bandit was in Mexico for a time.

Mrs. Alice Wilson was in the habit of writing a letter to her friend at Brownsville at least once a year, and a short card was received here during the holidays from the one time parson's wife at No. 1603 Santa Barbara avenue, Los Angeles. According to dispatches, the parson's wife was in California, and it was as he was trying to escape through an attic window. Here it is that he evidently has the fine home which he is now claiming to be his.

EXPERT AS HUNTER
It is remembered here that Wilson was an expert hunter and fisherman. He went out shooting practically every day, and was a superb marksman. Dr. Clement Smith, now of Portland, practiced medicine while Wilson was here and the two were on fishing trips to the coast. Dispatches state that he has given exhibitions in this art in California.

Few people at Brownsville could recall the capture of a man by that name in California charged with implication in the robbery. This was to be expected on account of the short time that the Canadian was here, and because of the fact that Wilson was so quiet and unobtrusive in his demeanor, while the man left some obligations behind him which members of his flock had to pay.

On the whole, the town is fairly astounded at the probability that this fisherman parson has turned his hands and brain to theft and robbery. Or was it not until he had left Brownsville and the ministry that Wilson turned to the ways of crime?

**Bishop Sumner to
Give Daily Talks**

At the noonday service held today by the Brotherhood of St. Andrew in the auditorium of the Hotel Portland, Bishop Walter Taylor Sumner declared that, if we could remove selfishness from the nations, from groups and from individuals, the world would steadily move along the upward road to the new city of God.

Every day this week except Saturday the bishop will speak at these short services on the following topics: Tuesday, "Self-giving"; Wednesday, "Self-sacrifice"; Thursday, "Self-will"; Good Friday, "Self-sacrifice."

These devotional meetings last from 12:05 to 12:15 sharp. All over the country the brotherhood is sponsor for such Lenten meetings.

**Reason for Tripling
Stock Is Not Given**

Oregon City, April 10.—No announcement of the purpose of the tripling of the capital stock of the Hawley Pulp & Paper company will be made at this time, according to W. P. Hawley Sr., president of the local paper concern. The firm has filed papers for the raising of 10 capital stock from \$300,000 to \$2,400,000. Whether improvements are planned, Hawley would not say, except that he verified the rumor that a new stock issue was to be made. The original stock of the company was \$300,000, when organized in 1908. In 1916, when machine A was added the amount was increased.

**Decisions Reversed;
87 War Vets Get Aid**

After government compensation had been denied them, 87 war veterans in the Northwest were successful in obtaining reversals of earlier decisions and were given aid because of injuries incurred during the war, according to E. F. Hall, chairman of the veterans' rehabilitation board. Three thousand four hundred and five claims are yet to be acted upon.

**No New Cases in
Throat Epidemic**

That the peak of the septic sore throat epidemic had been reached was proven by the fact that no deaths or new cases have reported over the week end. Dr. John C. Abela, acting city health officer, announced today. The doctor warned against relaxing precautionary methods, however, until such time as it becomes positive the epidemic is entirely over.

ALASKANS TO MEET
The monthly meeting of the Alaska society will be held this evening at the assembly hall in the Portland hotel. It will be in charge of Mrs. E. J. Lindgren.

CLUB DIRECTORS NAMED
Milton, April 10.—President M. J. Maynard of the Milton Commercial club named the following as directors: S. D. Peterson, T. C. Elliot, C. S. Cheshire, H. M. Cockburn, W. R. Anderson, W. C. McKinney, F. E. Cockburn, D. W. Desmaris and Charles D. Rowe.

Big Dance Tonight
15c
Broadway Hall
HEAR MYERS' FAMOUS
NOVELTY ORCHESTRA

PATTERSON FILES FOR GOVERNOR AS FILING DEAD NEARS

Salem, April 10.—With only five more filing days including today—for a place on the primary ballot, candidates for public office are developing thick and fast this week. A total of 13 aspirants to the public service filed their formal declarations with Secretary of State Kew this morning. Of these ten are Republicans and three Democrats.

I. L. Patterson of Eola, Polk county, filed his formal declaration as a candidate for the Republican nomination for governor of Oregon. In his platform Patterson promises to "uphold the laws; make free use of the item veto in appropriation bills; discharge these holding appointments under no case of incompetence or failure to run their departments the same as a prudent business man would run his private business, thereby saving money and efficiency in all state institutions; favor laws to the end that all property pay just proportion of taxes; abolish unnecessary commissions; lower official salaries to pre-war basis, including the governor's salary; prevent Orientals from controlling land by ownership or lease; a lower license on used cars than new ones; a government without frills."

TAX CUT PLEDGED
Patterson's slogan reads: "Pledge immediate tax reduction of at least 10 per cent; save our homes."

Ralph E. Williams of Portland, who will again serve the Republican party as the national committeeman from Oregon, filed his formal declaration today. "I believe my long service as Republican national committeeman will enable me to be of other service to the party," his platform reads. "I consider it the duty of the national committeemen to elect and not select candidates and by so doing they can best serve the party."

P. B. Layman, No. 1117 Cleveland avenue, Portland, made his formal debut as a candidate for the office of public service commissioner today, when he filed his formal declaration as a candidate for the Republican nomination. In his slogan, Layman promises "prompt, honest and efficient dispatch of public business."

JUDGE ROSSMAN FILES
His platform reads: "Devote my business and legal training and experience to the best solution of Oregon's difficult transportation and public utility problems to the end that the rights of the people may be effectively safeguarded and investment of new capital required for the development of Oregon's resources may not be discouraged. I will endeavor to be effectively safeguarded before the commission in such a way that the commission will at all times merit the full confidence of the people as an impartial and efficient regulatory body."

George Rossman of Portland, recently appointed to the circuit bench in Multnomah county by Governor Olcott, filed his formal declaration as a candidate for the Republican nomination for circuit judge today. "Men occupying judicial positions, need no platform beyond their promise to administer the affairs of their office honestly and fairly."

TWO SEEN JUDGESHIP
Gus Newbury of Medford is out for the Republican nomination for circuit judge of the first judicial district, comprising the counties of Benton, Coos, Curry, Douglas, Lane and Lincoln. His slogan reads: "Continue as in the past 13 years to faithfully discharge official duties."

John W. Bond of Baker has filed for the Democratic nomination for representative from Baker county on a slogan of "Lower taxes, less bonds."

BOYERS FOR FARMER
Frank S. Boyers of Silverton, Republican, wants to go to the legislature as a representative from Marion county. "Make the world safe for democracy by beginning at home" is his slogan. Boyers promises to "take the platform, favor the farmer, and stand squarely on the platform of the Tax Reduction club."

In his platform he states that the professor receives a salary of \$3500 a year while the teacher receives a salary of \$200 a year. "Let's try the experiment of giving the farmer a salary once," he urges.

B. W. Johnson of Monroe seeks the Republican nomination for representative from Benton county on a slogan of "Tax retrenchment, tax equalization, no special privilege, no platform, favor the farmer and a reduction in expenses by consolidation and elimination of state commissions."

FOUR FOR LEGISLATURE
Harry W. Gard of Madras, Democrat, would represent the people of Klamath, Lake, Deschutes, Crook and Jefferson counties as their representative in the state legislature. His slogan provides for "revision and sane legislation as against personal schemes."

Rodney J. Kilgus of La Grande is after the Republican nomination for state senator from Morrow, Umatilla and Union counties. "Cut out extravagance, reduce taxes—not just talk about it," is his slogan.

Robert Schuchel of Multnomah has filed for the Republican nomination for representative of Clackamas county under a slogan which would make the "penalty pay expenses; income tax law; find right, then go ahead."

William F. Keady of Walcott, who would be the Democrat for Lincoln and Polk counties, is opposed to expensive state commissions; favors lower taxes and lower game licenses.

**A. A. MUCK SEEKS OLD PLACE
AS COUNTY COMMISSIONER**
A. A. Muck, former county commissioner, today announced his candidacy for the Republican nomination, seeking

AUDITORIUM
Tuesday, April 11
POPULAR CONCERT
The Apollo Club
With
HERBERT GOULD
BASS

Prices \$1.50, \$1.00, 75c, 50c
No Tax
Seats Now Selling at
Sherman-Clay's

Big Dance Tonight
15c
Broadway Hall
HEAR MYERS' FAMOUS
NOVELTY ORCHESTRA

First Offender Is Freed



Judge William A. Ekwall, who assumed duties of police court jurist today, succeeding George Rossman, advanced to circuit court.

return to the position he formerly held. In announcing his candidacy he issued the following platform: "I favor home labor, honest contractors and home products."

"On account of the increasing tax burden in this county the law authorizing payment of an extra \$600 annually to each Multnomah county commissioner for attending one meeting per month of the Interstate bridge commission, should be repealed. This would effect an annual saving of \$1800 to the taxpayers."

"My slogan is this: My record for economical administration when Commissioner before guarantees similar economy now."

Muck holds membership in a number of civic and fraternal organizations, among them the Builders' Exchange, the Association of Building and Construction, Multnomah camp, W. O. W.; Loyal Order of Moose, the Daddies' club, the Hydro-Electric league and the Portland Rose society.

WILL DISCUSS CAPITAL
"Impressions of Washington, D. C." will be W. D. Dodson's topic when he speaks before the Kiwanis club luncheon Tuesday noon. He recently returned from the nation's capital where he spent in the interest of Portland shipping.

JUDGES ROSSMAN AND W. A. EKWALL ASSUME DUTIES

Flowers, smiles, a puff of flashlight, smoke, and W. A. Ekwall became municipal judge this morning. Ekwall looked around the room and suspended judicial dignity just long enough to grin back at numerous smiling faces.

"Call the first case," Edward Gilmore was accused of being drunk. Perhaps Gilmore knew this was the judge's first case, perhaps he didn't. Anyway, Gilmore did the right thing. He pleaded guilty and didn't say much. That seemed to please the judge.

"I'll let you go this time, but don't let it happen again." There was something vaguely familiar about the words. Old timers about the police court knew the words, but the tone was different. For George Rossman, formerly police judge, who made that little quotation famous when dealing with simple charges against offenders appearing for the first time, this morning stepped up to the circuit bench. Shortly after Ekwall convened court a huge bouquet of red tulips was brought in by the clerk. They were sent to Judge Ekwall by two personal friends, H. T. Wendel and G. H. Gilbert.

George Rossman was sworn into office this morning at 9:15 by Presiding Circuit Judge Ekwall. The ceremony was extremely simple. Rossman taking the oath in his chambers in the presence of court attaches and newspaper men. No case was here at his court today. Three beautifully arranged baskets of spring flowers received by him were given places of honor on the bench. Judge Rossman said he would make an announcement later in regard to who would be his two bailiffs.

**Marriage Presents
Stolen in Raid on
Newly-Weds' Home**

Burglars entered the home of Mr. and Mrs. R. L. Schiele, who were recently married, and stole several hundred dollars' worth of solid silver wedding presents early this morning. When Mr. and Mrs. Schiele returned home shortly after midnight they discovered the front door open and the house in a state of disarray. Everything on the place had been ransacked and scattered about the floor. Thirty-nine pieces of silver were stolen. Nothing else in the house was removed. The burglars left a pass key.

The Schieles live at No. 115 West Winchell street.

COUNTY OFFICIAL SUEB
Prosser, Wash., April 10.—County Commissioner R. E. Pratt, ex-Commissioners F. L. Bash and H. M. Frenck and their bondsmen, the American Surety company and the Maryland Casualty company, were sued by the John Dower Lumber company for \$2048.01 on warrants rejected by the county treasurer. The commissioners, it is alleged, exceeded the legal limit of county indebtedness.

SIMON'S STORE IS SHOT TO PIECES!

The tremendous crowds that have thronged the store for the past two weeks have given us no time to keep the stocks arranged. Also, new merchandise has arrived, which was en route before the decision of the firm to retire from business; this must be unpacked and arranged to be disposed of; therefore, we have decided to

**Close the Store Tuesday and Wednesday
and RE-OPEN THURSDAY at 9 A. M.**

at which time everything will be in readiness for a new onslaught of buyers!

Defer your shopping for two days—prices will again be torn to shreds—bargains will be even greater than ever!

**Wait Until Thursday
—You'll Be Surprised!**

Sales Managers in Charge, Selling

SIMON'S DEPARTMENT STORE

First, Second and Alder Streets

Mrs. E. P. McDaniel, Resident of Oregon Since 1863, Is Dead

Mrs. E. P. McDaniel, who resided in Oregon since 1863, died Sunday in her home, No. 338 Westover road, after an illness of six months. She was 83 years old. She is survived by R. P. McDaniel, her husband; two sons, Dr. E. B. McDaniel and Dr. R. C. McDaniel, and three daughters, Mrs. S. G. Rees, Mrs. Charles Hoping and Mrs. Alice Brodie. Mrs. McDaniel was born in Missouri. She was a member of the Episcopal church and the Oregon Pioneers.

GEORGE A. MCCLAIN
George A. McClain, retired locomotive engineer, died Sunday in his home at the family residence, No. 1112 Davis street, Mr. McClain was 72 years old. He had been a member of the Northern Pacific company for many years. He had been a member of the Brotherhood for 48 years. He is survived by his widow and one son, T. R. McClain.

F. W. BUSWELL
Funeral services for F. W. Buswell, Portland timberman, who died Saturday near Mill City, were held this afternoon at the family residence, No. 1112 Davis street. Mr. Buswell was on his way to Gates, Ore., to inspect his sawmill when he was stricken with heart disease. He is survived by his wife and two daughters, all of Portland. Mr. Buswell came to Portland from Wisconsin in 1915.

**Woman Who Escaped
The Cedars Returned**

Mary B. O'Malley, alias Patricia Shannon, and Peggy R. Rather, alias Peggy O'Connell, who escaped from The Cedars within the last month, were returned to Portland Sunday by the United States marshal at Spokane. This morning Federal Judge Bean ordered the women returned to the institution at the request of Assistant United States Attorney Austin Fliegel. The women were arrested on warrants charging them with violating the federal public health laws, which prohibit persons having contagious diseases from traveling in interstate commerce.

WELL DRILLING PLANNED
Prosser, Wash., April 10.—Work on the derrick of the Andy Rose well will be started next week. This well will be drilled near the Ole Strandwall ranch at the foot of the Horse Heaven hills. Artesian water is the primary object. This well is a private installation. Both Prosser banks are interested. Harold Strandwall and August Lutnes are handling the drilling.

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**Holliday's "Just
Naturally" Quit**

**Women's Waists go at fifty cents, Tailored
Suits at ten fifty, Silk Dresses at five
dollars, and the entire stock at
prices absurd, if they were
not tragic. Details**

**ALL yesterday and
A half of last
night we went
through the stocks
and used the red
pencil on the price
tags.**

It's going to be a tragedy!

We marked White Lawn Waists down to fifty cents.

We took Georgette Waists and reduced 'em to one-eighty-five. We took beautiful one-piece Dresses and marked them two dollars. They were bought to sell at double and treble two dollars. But, alas—they failed to make connections!

We took Silk Dresses and marked 'em down to five and seven dollars and a half.

Imagine getting an All-Wool Tailored Suit for the price of a man's hat!

You can do it tomorrow—ten dollars and a half will give you choice of over a hundred All-Wool Suits.

If you can't find the suit you want at ten-fifty—This way please—

Here's another group at fifteen-fifty—

And a third at thirty-one-fifty—and the best and costliest suits in the store are down to forty-nine-fifty.

THE original price tags are on every garment. We simply scrawled on the reverse side the sale price in red. There's no monkey business! To tell the truth, all the money the store ever made—and then some—is invested in unsold goods. And to get out, quit and wind up entails a fearful loss. But the loss is unavoidable. One cannot pay bills with dresses nor taxes with coats!

THE carpets, mirrors, cabinets, chairs, dress forms, safe, typewriter, desks and all the store fixtures are also included in the sale. Any reasonable offer will buy one or all.

The purpose is wind up the business and quit as quickly as possible.

Sale begins at 10 a. m. tomorrow.

I thank you.

GEORGE FRANCIS ROWE

57

**How to order
beans**

When you order beans, don't say "A can of beans," or even "A can of baked beans." Be sure they are ovenbaked. Say "HEINZ Baked Beans." And order a good supply. One delicious meal means that you'll want another and another.

**HEINZ
OVEN BAKED
BEANS**

with Tomato Sauce

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C.E. Holliday Co.

383 Washington St. (Pittock Block)