All Evidence Is in and Jury May Begin Deliberations Friday.

CONTRADICTED

Patterson Says Ex-Surveyor-General Merely Said He Would Not Testify-Only One Precedent Under the Law.

OREGONIAN NEWS BUREAU, Washington. April 17.-The last bit of evidence in the Binger Hermann case was offered in court this morning, and the case now awaits only the argument of counsel before being given to the jury. Counsel for the defendant have a full day to present their arguments, and the same time will be given District Attorney Baker and his assistant. Unless pres-ent plans are set aside, the case will be given to the jury Friday evening. Aside from the brief testimony of H. L. Patterson, who accompanied Meldrum

the night he called on Hermann in this city prior to going on the witness stand, today's proceedings were uninteresting. Mr. Patterson denied, as had been testi-

today's proceedings were uninteresting. Mr. Patterson denied, as had been testified, that Meldrum, on leaving Hermann's residence, declared the prosecution wanted him to swear to a dann "he" about the defendant. Mr. Patterson testified that Meidrum had merely said he "would not testify," and it was Meidrum's intention at that time to refuse to testify against Hermann. He subsequently changed his mind.

The bulk of the time today was consumed in connection with prayers for instructions to the jury.

The statute under which Hermann is being tried was enacted in February, 1853. Only one other case was ever brought under it, and, as this case resulted in acquittal, the law has never received the construction of the Supreme Court of the United States. The first case under the statute was tried in Michigan in 1881. The defendant in this case sold to a junk-dealer certain records of the Internal Revenue Service, which were stored in an old barn. The acquittal resulted because of the failure of the prosecution to show, as the statute requires, a "willful and frauductum trent" to desire the to show, as the statute requires, a "will-ful and fraudulent intent" to deprive the Government of the documents. The argument to the court today brought out the insistence of the defense

that the jury must believe Hermann considered his private letter books as public records and that he destroyed them with willful and fraudulent intent to deprive the Government of them.

REJOICE IN SECOND BIRTH

(Continued from First Page; whatever Schmitz proposes, and suggestion was ignored.

Prosperity Is Amazing. The close of the year just after the great disaster finds the city in an amazingly prosperous condition. Business is very active and building operations have surpassed all estimates.

The amount of building projected since the disaster represents a cash value of \$150,000,000. The year has also proved that the work of rebuilding cannot be done in two or three years, as was at

avenue are still the main arteries of re-tall trade, business is rapidly moving down into its old-time haunts. Most of they could do as they pleased. A few down into its out-time and their old days later \$45 in envelopes was handed the banks are re-established in their old days later \$45 in envelopes was handed more theaters in the city than ever be fore, and charity fetes are better patrontred than ever. Wages are the highest world has known, and the cost of living has soared.

Earthquake Weather Prevails.

By a strange coincidence, the weather tonight is identical with the conditions which prevailed a year ago. The ing has been warm and sultry, of a variety which Californians, for no reason as far as science is aware, have come to "earthquake weather."

PORTLAND SENDS GREETINGS

Commercial Bodies Congratulate Sar Francisco on Progress.

San Francisco was nearly wiped out of existence a year ago, and on the anniversary of the great calamity the business men of that city are to meet tonight to recount their experiences and talk over the future. The commercial bodies of Portland

sent today telegrams extending congratulations on the spirit and courage displayed by the Bay City in repairing the loss it sustained last April. The messages follow:

Merchants' Association, San Francisco, Cal.

The Manufacturers' Association of the
Northwest extends greetings to the people
of San Francisco and felicitates the city
upon its wenderful courage and the marvelous development shown shore the disaster of
a year ago, May the years to come bring
only good to your city and state.

(Sigued.) FLETCHER LINN.

(Signed.) FLETCHER LINN.

Merchants' Association. San Francisco, Cal.

Through the Oregon Development League and Portland Commercial Club, the people of this state and city desire to express their keen appreciation of the splendid courage and enterprise of California and San Francisco in the unparalleled progress made since the cartinguake one year ago.

(Signed.) THEO B. WILCOX.

President Oregon Development League.

C. W. HODSON.

President Merchants' Association. San Francisco, Cal.—The Portland Commercial Club.

President Merchants' Association. San Francisco, Cal.—The Portland Commercial Chamber of Commerce extends congratuations in San Francisco on great progress made since the destruction by fire of one year ago and upon the indomitable spirit of your people in the face of the greatest difficulties. Your commercial prosperity shown by unprecedented

face of the greatest difficulties. Your commercial prespectly shown by imprecedented bank clearlings and your determination to have a pure city government all point to a greater city than before the event of which this day is the anniversary.

(Signed.) S. G. REED, President.

E. C. GILTNER, Secretary.

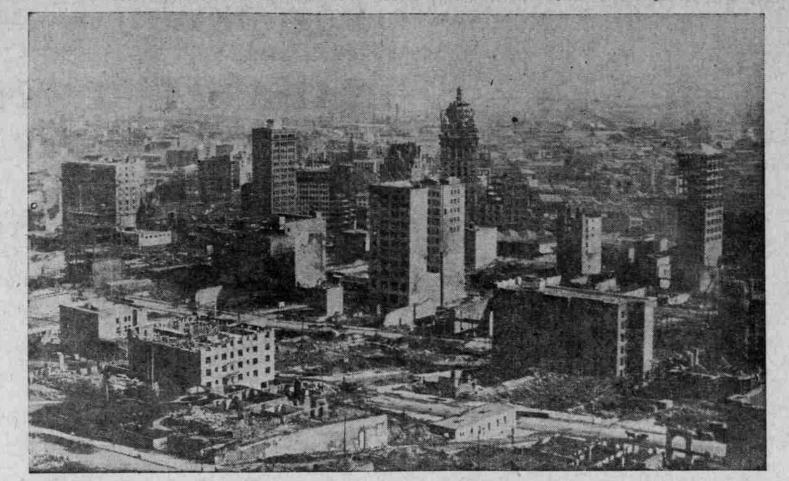
Merchanis' Association, San Francisco.—
The Board of Trade of Pertinud, taking note of the anniversary of a disaster which to many cities would have been fatal, congratulates you heartily on the splendid and successful efforts of your people to rise quickly to a still greater height of development.

WALLIN NASH, President.

Arrested Second Time for Theft.

Mrs. Annie James was arrested today at Springfield, charged with having stolen a \$240 check from John Trunnell. This is the same check which Bert Kelsay is accused of taking. Mrs. James was previously arrested on the same charge, but the evidence at that time was not arrested to the same charge. sufficient to detain her. She will be

BUSINESS DISTRICT OF SAN FRANCISCO ONE YEAR AFTER THE FIRE AND EARTHQUAKE



THE HEART OF THE RETAIL AND OFFICE DISTRICT. THIS AREA WAS SWEFT CLEAN BY THE FLAMES TO THE WATER FRONT, WITH THE EX-CEPTION OF THE SEVEN STEEL SKYSCRAPERS, AND ALL OF THEM HAD THEIR INTERIORS COMPLETELY BURNED OUT. THE OUTER WALLS OF MOST OF THEM HAD TO BE TORN DOWN AND REPLACED. THE BUILDINGS IN THE PHOTOGRAPH REPRESENT THE RISING NEW SAN FRANCISCO.

Chicago Police Aware of Object of Levy.

DUNNE'S CAUSE

Testimony Before the Civil Service Commission Brings Out Facts Discreditable to Recently Deposed Chief Collins,

CHICAGO, April 17.-Fear of the ma "lighter up" has always ruled the police department of Chicago. The Civil Service Commission was tool today in the investigation of charge that ex-Chief of Police Collins had made a keyy on the police for Democratic campaign purposes during the ecent Mayoralty election, Captain recent Mayoralty election, Captain

"Some time before the primaries," said O'Brien, "Chief Collins called me into his office and said he was trying to raise money to assist Mayor Dunne. He wanted me to help him. He said those opposing one in two or three years, as was at Mayor Dunne had plenty of money, while rist predicted.

Although Fillmore street and Van Ness not say apything, but when I reached was a certain fear that exists among members of the department that makes a man hesitate in matters of this kind and they think the best way is to do the way other officers do-contribute."

"Do you think that fear reaches down

"Yes,"
"Do you think, then," asked Commissioner Wenter, "that fear stamps the whole department as a machine which works according to the wishes of the man who has charge of it, without regard to the civil service law?"

The hearing will be resumed tomorrow. TOO MUCH EXECUTIVE POWER

Hammond Says Legislative Department Seems Extinct.

CHICAGO, April 17 .- A plea for the per childato, April II.—A pien for the per-petuation of state rights was made last night by Congressman Winfield S. Ham-mond, of Minnesota, in a talk at the 12th annual banquet of the Holland Society of Chicago. His subject was "The Sovereign State."

Mr. Hammond took a covert rap at Pres-Mr. Hammend took a covert rap at President Roosevelt by declaring that "in view of recent events, one might be led to believe that the legislative department of the Federal Government has become wellnigh extinct. It is a thing bred in us to have the government as close to us as possible. When it comes to regulating insurance and child labor, why should we run to Washington the minute anything is wrong. We are becoming a little too paternalistic."

GO FROM COPY TO CROPS

paternalistic

Newspaper Men Take Up Farms in Colorado.

DENVER, Colo., April 17.-A colony of newspaper men is to be established in the Little Snake River Valley, in Routt Coun-ty, Colorado, where the State of Colorado will throw open for settlement this Summer, under the Carey act, 50,000 acres of land. This land is under the Little Snake River canal system. The plan is to make this colony an' up-to-date farm ing community, where each man will own his own farm and improvements, the only connection in which the community idea will prevall, if at all, being in regard to labor. Under the Carey act, any citizen of the United States may select 160 acres, the price of land and perpetual water right in the canal system being fixed by the state at \$21.50 per acre. W. R. Given, a former newspaper man, has taken options in 46 selections of 160 acres each for the newspaper men.

THE DAY'S DEATH RECORD

John P. Dunning, Newspaper Man.

PHILADELPHIA, April 17,-John P. Dunning, well known in newspaper cir-cles throughout the country, died today in a hospital here of tumor of the brain, He was H years of age.

John P. Dunning first came into notice

ability in 1889. He had been sent to Samoa by the Associated Press to watch for de-velopments in the Samoan difficulties, the

velopments in the Samoan difficulties, the naval squadrons of the United States. Great Britain and Germany having gathered at that place. On March 15, 1883, a great hurricane swept over the islands and 15 merchant vessels and six men of war were piled upon the shores, of Apia Bay and 142 officers and men of the American and German warships lost their lives, Mr. Dunning was upon the scene throughout the hurricane, which lasted 36 hours, and assisted the natives in saving hours, and assisted the natives in saving many lives. Afterward he wrote a 30,000-word story of the storm, the wrecking of the warships and the rescue of the sali-

ors, which has ever been considered a model of descriptive writing. Mr. Dunning acted as war correspondent for the Asociated Press in Cuba, Porto Rico and the Philippines. He landed with Colonel Roosevelt's Rough Riders in Cuba and his was the first story sent out of the ambuscade of Las Guasimas, in which Hamilton Fish was killed.

Martin L. Sykes, Railroad Man. MOUNT VERNON, N. Y., April 17.— Martin L. Sykes, a well-known railroad man, died today. In early life Sykes was connected with several Western railroads. When he retired, five years ago, he was vice-président, secretary and treasurer of the Chicago & Northwestern,

JEROME SAYS SHE NEVER GAVE INFORMATION.

District Attorney Maintains Position to Oppose All Efforts to Release Thaw on Bail.

trict Attorney Jerome returned to his office today from a visit to his home in Lakeville, Conn., no movement yet has been made toward an application for Harry K. Thaw's release, Daniel O'Reilly, of Thaw's counsel, called on Mr. Jerome this afternoon, but said the matter of bail for the prisoner was not mentioned.

Mr. Jerome, in speaking of the case, saidhis position was unchanged from what it
was immediately after the jury reported
a disagreement, namely, that he would oppose in every possible way the release of Thaw on ball.

When questioned about the signed statement issued by Mrs. Nesbit-Holman, mother of Mrs. Harry K. Thaw, yesterday, Mr. Jerome said he had read it.
"I can't vouch for some of the things said by Mrs. Holman, because I do not know about them," said the District Atknow about them." said the District Attorney, "but I can assure you that when she said she furnished the District Attor-ney no information of use in connection with the trial of Thaw she spoke the truth. Mrs. Holman never gave us any

information."
Clifford Hartridge and A. R. Russell Peabody have been requested by Thaw in a letter to continue as his attorneys of ord. Mr. Hartridge had no comment

THAW TALKS WITH ATTORNEY

Confers With Peabody for Two Hours in Tombs.

NEW YORK, April 17.-Harry K. Thaw nformed the keepers in the Tombs today that he was ill when Mr. Peabody, of his that he was ill when Mr. Penbody, of his counsel, called at the prison today. That was still in bed, but on being informed that he could not confer with Mr. Peabody in his cell, he went to the conference room and talked with Mr. Peabody for two hours. At the end of it, Mr. Peabody would make no statement.

Mrs. Evelyn Thaw was asked if she had any reply to make to her mother's statement. "Not a word on any subject," was her

Treadwell Mines Fight Union.

SEATTLE, Wash., April 17 .- A special cable from Juneau, Alaska, says the Treadwell mine operators are em-ploying non-union men in the mines and expect to have a full crew at work in 30 days. Miners are being engaged everywhere and rushed to Dougias as fast as possible. Superintendent Kinzle of the Troadwell mines is firm in his stand not to recognize the union and this means a protracted fight. As the Treadwell is the biggest mine in Southeastern Alaska, its determination to fight the Federation indicates that the organization is sixted for a term of rough sledding in the Northland.

Local Option Cases Dismissed.

TILLAMOOK, Or., April 17 .- (Special.) ILADELPHIA, April II.—John P.

There local option cases in which Frank
Bults, Tow Browne and D. Ellison had
throughout the country, died today
hospital here of tumor of the brain,
as 44 years of age.

IP. Dunning first came into notice

Rewsnater writer of exceptional

The cases were dismissed.

NORTHERN PACIFIC DIVIDES A. B. SMITH'S FUNCTIONS.

Poore, of St. Paul, and Mitchell, of Spokane, Appointed Assistant General Passenger Agents.

ST. PAUL, Minn., April 17 .- (Special.) -John C. Poore, of St. Paul, and G. A. Mitchell, of Spokane, Wash., were to-day appointed assistant general passenger agents of the Northern Pacific, This ger agents of the Northern Pacinc. This is a division of the position held by A. B. Smith until February 1, when he became traffic manager of the consolidated electric lines controlled by the New York Central. Both will make St. Paul their headquarters, Mr. Poore being inside man and Mr. Mitchell outside man

Mr. Poore has been chief clerk for past six years, entering the service the company in 1891 as chief rate rk. He started on his railroad caciefs. He started on his railroad career with the Burlington, Cedar Rapids & Northern at Cedar Rapids, going later to the Union Pacific at Omaha.

Mr. Mitchell has been general agent of the company at Spokane, which position he has held two years. Formerly he was traveling freight agent.

TAKES CASE IN HAND HIMSELF

Roosevelt Will Personally Investigate Harriman Merger.

CHICAGO, April 17.—A dispatch to the Tribune from Washington says: President Roosevelt purposes to take into his own hands the determination whether an attempt shall be made to break up the Harriman railroad combination and has come to the conclusion that it is his duty to study the case from beginning

The President has been placed in a position of antagonism to Mr. Harriman, and on that account is particularly desirous that no steps should be taken by any de-partment of the Government in such a way as to leave the impression that it was the result of personal hostility on the part of President Roosevelt himself.

To satisfy himself as to the exact situation the President proposes to read all the testimony taken by the Interstate Commerce Commission on the subject. Then he will have a conference with Attorney-General Bonaparte, and will ask the head of the Department of Justice to apply to the facts the President submits to him the general law in the case as par-ticularly laid down by the United States Supreme Court in the Northern Securities case. All this will take time, and it will involve an immense amount of personal labor on the part of the President. He may have to give up a good deal of his vacation to the work, but it will be done sooner or later, and when his decision is made he will be satisfied with it, because it will be the result of personal, painstaking investigation and not the conclusion of a subordinate arrived at through partial or hurried scrutiny. case. All this will take time, and it will

Illinois Suit Will Be Renewed. SPRINGFIELD, Ill., April 17 .- The Su-

preme Court today dismissed the suit of the State of Illinois against the Illinois Central Railroad for an accounting and recovery of the share claimed by the state of gross receipts of the railroad. In dismissing the suit the court gave leave to the Attorney-General to withdraw the suit and begin the proceedings wither horses the Chicago. Chief Instice draw the suit and begin the proceedings either here or in Chicago. Chief Justice Scott in his brief oral decision announced that the court was divided as to whether the suit involved revenue within the mean-ing of the Constitution and therefore in ing of the constitution and therefore in its discretion decided not to assume juris-diction. Assistant Attorney - General Dempsey said today that the suit would be promptly refiled either in the Circuit Court here or in the Supreme Court in

REGULATE THE 2-CENT FARES

Nebraska Commission Rules on Terminal and Pass Matters.

LINCOLN, Neb., April 17.—The Ne-braska Rallway Commission Issued its first order today bearing on 2-cent fares and streetcar passes. It is a notice to steam railroad companies to post placards in every station calling attention to the fact that the 2-cent passenger fare does

fact that the 2-cent passenger fare does not apply on tickets purchased to a des-tination beyond the state border.

In addition to this order the commis-sion has addressed a letter to the Lincoln Traction Company, the Citizens' Railway Company of Lincoln, the Omaha, Lincoln & Beatrice Interurban and the Omaha & Council Bluffs Street Railway Corpora-tion actifying them that they are subjection, notifying them that they are subject to the terms of the new anti-pass law and will be expected to obey it, both by is-suing no passes aside from the exceptions ermitted by statute, and by filing re-ports each month as to who their pass-olders are.

FAVORS A CLEARING SCHEME

President Delano Says Plan Should Be Tried Out.

CHICAGO, April 17.-President of the Wabash Railroad, today said in regard to the reported projected abolishment of the American Railway

Clearing-house:
"As a member of the American railway committee on efficiency, which has had under its general jurisdiction the experiment of handling the clearing-house, I am very much surprised at the statement that its abolishment is contemplated. I have heard of no movement to abolish the clearing-house and while, as in all new undertakings, there may be some differ-ence of opinion by various railroads as to the wisdom of continuing such a bureau, I feel sure that the leading roads which have undertaken this work will continue it until it shall have been fully demon-started whether it is desirable to go ahead

Will Abolish Car Clearing House. CHICAGO, April 17.—After less than are months' trial the railroads are conthree months trial the railroads are con-sidering a proposition to abolish the American Railway Clearing House, which was established to facilitate the movement and distribution of freight cars and to prevent further car shortages and freight congestions.

Larrabee and Roosevelt Talk. WASHINGTON, April 17 .- Former Gov.

Without Alcohol

A Strong Tonic - - - Without Alcohol A Body Builder - - - Without Alcohol A Blood Purifier - - - Without Aicohol

Ayer's Sarsaparilla NON-ALCOHOLIC

A Great Alterative - - Without Alcohol A Doctor's Medicine - Without Alcohol Aver's Sarsaparilla - - Without Alcohol

The new kind contains no alcohol

We have no secrets to hide! We publish the formulas of all our medicines.

J. C. AYER CO., Manufacturing Chemists, Lowell, Mass.



Choose the Breakfast cereal that's "full of chews." You have to chew

Shredded Wheat

Biscuit—and the longer you chew it the better you will like it and the more nutriment you will get out of it. More easily digested than the mushy porridges that are "bolted down" without chewing.

For breakfast heat the Biscuit in oven to restore crispness, pour hot milk over it, add a little cream and a little salt; or, sweeten to taste. Shredded Wheat is also delicious and wholesome for any meal in combination with fresh or preserved fruits. At your grocers.

string Larrabee, of Iowa, had a talk with the President today about strengthening the interstate commerce law, having in view a more strict Federal supervision of railroads and the prevention of overcapitalization. Chairman Knapp, of the Interstate Commerce Commission, also the President today about strengthening the interstate commerce law, having in view a more strict Federal supervision of railroads and the prevention of overcapitalization, Chairman Knapp, of the Interstate Commerce Commission, also talked with the President.

New Washington Postmasters.

OREGONIAN NEWS BUREAU, Wash

ngton, April 17.-Washington postmasters appointed: Belleville, Jesse S.

Elmore, vice William Cleary, resigned; Milton, Patrick Feeney, vice C. A. Her-mann, removed; Soap Lake, Julius L.

Get Increase, but Not Vacation.

EUGENE, Or., April 17 .- (Special.)-The Eugene school board has decided to advance the salaries of the teachers in the public schools here \$5 per month, The teachers' petition asking for a week's vacation during April was not

An old sore or ulcer is only a symptom, an outlet for the impurities and poisons which are in the blood, and as long as this vital fluid remains in this impure, contaminated state the place will never heal. The application of salves, washes, powders, etc., may cause the spot to scab over, but a fresh outpouring of diseased matter from the blood starts it again, and thus it goes on, gradually growing worse and slowly affecting the entire health of the sufferer. There are many ways in which the blood becomes contaminated and poisoned. A long spell of sickness breeds disease germs in the system, the failure of the eliminative members to remove the refuse and waste matter of the body, the excessive use of mineral medicines in certain diseases, all infect the blood with morbid matter and germs which sooner or later is manifested by a sore that refuses to heal. Persons with inherited blood taint are very apt to be afflicted with sores and ulcers. The taint may lie dormant during young, vigorous life, but when middle age is reached or passed and the natural energies begin to grow weaker, the tissues in some weak point break down and a chronic sore is formed and kept open by the constant drainage of impure matter from the blood. If the cause is not removed the sore will continue to grow worse by eating deeper into the flesh, festering. discharging, and slowly undermining the constitution. S. S. S. heals old sores by going down to the very bottom of the trouble, driving out the impurities and building up the entire circulation. When S. S. S. has removed the cause the blood becomes rich and healthy, the sore begins to heal, new flesh is formed, and soon the place is cured. Do not depend on external applications, which do not reach the blood, but begin the use of S. S. and remove of the cause, and then the sore must heal. Book on Sores and Ulcers and medical advice free. THE SWIFT SPECIFIC CO., ATLANTA, GA.

WHY WE CURE

In Most Cases

There can be no comparisons between the ability of the ordinary physician and that of the trained and scientific specialist. The former in trying to explore and conquer the whole field of medicine and surgery becomes proficient in no particular branch. The latter conscientiously confines himself to a single class of ills and masters

We do not scatter our faculties, but we concentrate them on all Diseases and Weaknesses. Men only. Recently we have treated scores of stubborn cases for some of the best men in Portland and vicinity, and not a single failure nor an unpleasant result has been reported. What we have done for others we can do for you.

You Pay for Cures, Not for Failures

Because of the confidence in our ability to effect a cure of each and every case we accept for treatment, we give a written guarantee as good as a gold bond to make the cure perfect and permanent, which should inspire confidence in all who are in search of honest treatment.

Our acceptance of a case for treatment is equivalent to a cure, because we never accept incurable cases. We are satisfied to receive money for the value given the patient, and we expect to prove our worth and show positive and satisfactory results for the fee.

Call and see us and talk over your case confidentially with us. No charge for consultation. Write if you cannot call. Hours-9 A. M. to 5 P. M.; evenings, 7 to 8:30; Sundays, 9 A. M.

to 12 M.

SURGICAL CORNER SECOND AND YAMHILL STREETS, PORTLAND, OR.