

STATE'S EVIDENCE NEARLY COMPLETE

Defense in Waymire Conspiracy Case Will Have Its Innings Today.

TESTIMONY IS CONVINCING

Prosecution Makes Good Showing Against Alleged Blackmailers of Mayor Lane—Defense to Submit Its Evidence Today.

Substantially all the evidence by which the state hopes to convict Belle Waymire and E. E. Radding of the charge of conspiring to blackmail Mayor Lane, is now before the State Circuit Court jury which is hearing the case. Possibly another witness or two will be called this morning. But the case will surely be given over to the defense long before noon, barring some delay that is now altogether unforeseen.

Reasonably convincing is the array of evidence marshalled by the prosecution. Could the trial rest at this juncture there is little room for doubt that the jury would return a verdict in a very few minutes, placing guilt on Mrs. Waymire and Radding. Evidence of positive character has been presented in abundance showing that Mrs. Waymire carefully cultivated the Mayor's acquaintance and then imposed on him, to the detriment of his reputation, which was intended to ruin his reputation.

But, equally positive and with an abundance of corroborative evidence will be presented to the jury today. The defense will attempt to show how the Mayor took advantage of the woman's solicitude for her child; how he lured her to his private office; how he attempted to make love to her and was repulsed, and how he finally attacked her in a vicious manner so that she was compelled to cry for help. Every little detail presented by the state will be met with a contradictory detail.

The accusation that Radding was in the Hamilton building on the night in question will be met with the assertion that Radding was infatuated with the woman and that he was in the building on the night in question to have evidence which has not yet been wholly disclosed.

Will Not End This Week.

All expectation of completing the case this week has now been abandoned. The arguments will be presented Monday afternoon or not until Tuesday, or even Wednesday. Mrs. Waymire's testimony alone is expected to take up a full session, as both her direct and cross-examination will be minute. It is believed Mrs. Waymire will be on the stand during this afternoon.

Much important testimony was presented yesterday, most of it tending to corroborate the Mayor's story of the woman's assault upon him. Nearly all the witnesses were in the courtroom in the Hamilton building on the eventful night of September 26. Employees of the owners of the building who were present when Mayor Lane's office was smashed in by Radding gave testimony of great value to the state and no part of this evidence was shaken through cross-examination.

An incident of interest, and which created much comment, was the recalling for purpose of cross-examination of Mayor Lane's secretary, Mrs. Radding, Attorney Logan for the defense, asked that this be done. He had received information that on the afternoon of the attack the Mayor excused himself from a most important meeting of the Fire Board and hurried down to the Hamilton building to meet Mrs. Waymire. It was said the Mayor left about 10 o'clock, telling the members of the Executive Board present that it would be impossible for him to remain any longer.

Mayor Takes Stand.

In response to a telephone summons, the Mayor hurried down to the courtroom from the city offices shortly before 4 o'clock and, after being sworn, took the stand. As regards the incident in question his memory was at fault. He did not believe, however, that the testimony of the Fire Board was held on the date in question, although he wasn't sure. If he excused himself it was because he was tired out and wanted to get home as quickly as possible, he said.

Something like an hour of the day was taken up in arguments over the right of the state to have the testimony of Mrs. Waymire's Police Court testimony read. Mr. Logan said the transcript could be read after Mrs. Waymire was on the stand, for the purpose of impeachment, and backed up his views with an array of authorities, one of them five centuries old. He claimed to see in the state's attitude a cunning plan to get before the court an array of letters bearing on Mrs. Waymire's past. These letters, descriptive of that lady's misadventures, do not present her in a very creditable light, it is said. They are now in the hands of Special Prosecutor Malarkey.

Judge Gantenben finally ruled in favor of the state and the testimony from the lower court was read. Court Reporter Sholes assuming the role of Mrs. Waymire and reading her replies from the witness stand.

Mandelay Is Impeached.

Three witnesses were called during the forenoon for the purpose of impeaching the testimony of E. L. Mandelay, the state's unwilling witness of the day before. It was made clear that Mandelay impeached himself, and District Attorney Mearns announced his intention of indicting him at the conclusion of the trial.

Three witnesses referred to Deputy District Attorney Henny told contradictory statements Mandelay made which were contradictory to the testimony given on Wednesday. Dr. R. W. Anderson, a dentist, and C. A. Davies, captain at the Hamilton block, showed that Mandelay lied about his movements after the screams in Mayor Lane's office. Mandelay's dilatory tactics and his strenuous efforts to withhold the truth have damaged the defense considerably.

Davies proved a valuable witness, as he was one of those who saw the tableau in the doctor's office, and was quite certain and concise in telling of what he had seen. He was running the elevator at the time and had seen both Mandelay and Radding about the building, but thought nothing of it at the time. He was attracted to Dr. Lane's office by screams. When he reached the door he said the janitor was hunting for a key. Radding took both hands, smashed the window and drew back the curtain.

Mayor Lane and Mrs. Waymire were engaged in a tussle, Davies said. Lane was holding one of the woman's hands



Photo by Oregonian Staff Photographer.
SNAPSHOT OF MRS. BELLE WAYMIRE, ONE OF DEFENDANTS IN THE WAYMIRE-RADDING TRIAL.

above her head and pushing her back with the other. There was considerable haggling among the lawyers at this point as to what the Mayor's object was in thrusting her back and as to what particular piece of furniture their course was directed. Attorney McGarry intimated that he was forcing her towards a medicine chest, where there was a bottle of chloroform even asking Davies if such were not the case.

Raises Storm of Protest.

A storm of protest at this suggestion was raised by Manning and Malarkey and the subject of chloroform was dropped, although Mr. McGarry said he had spoken in all seriousness and that more would be heard of the subject. It is hardly believed, however, the defense will present the theory that the Mayor intended chloroforming the woman.

Cross-examination occupied the first half hour of the afternoon session, and then Clayton Wisdom, an employee of an agricultural publication, was called to the stand. He heard Mrs. Waymire's screams and thought some enterprising dentist was working overtime until the crash of glass came. Then he ran upstairs. Near the fourth floor he met Radding coming down. Radding was getting downstairs as rapidly as possible until Mr. Wisdom came up and inquired what was the matter. Radding did not tell him, but it seems that Wisdom had a persistent sort of curiosity, and he told how he turned and tripped downstairs with Radding, linking arms with that worthy and eliciting from him the information that a man had tried to assault a woman in the Mayor's office. Wisdom said Radding cautioned him to be quiet.

The recalling of Mayor Lane then came and Attorney Logan opened up on him in a no-rental spirit. After the Mayor had exhibited a lapse of memory concerning the Fire Board incident, Logan said it was most unreasonable that a matter so important should have been forgotten in such a short period of time. Mayor Lane lost his patience and continued commenting in rapid tone on the entire probability of his having forgotten, even after he had been excused from the witness stand.

Mayor on the Rack.

"Did you have any engagement with Mrs. Waymire the afternoon you went to your office and she attacked you?" inquired Mr. Malarkey by way of redirect examination.

"No, sir, I did not," was the emphatic reply.

"It seems to me that next to your marriage and one or two other important events in your life this day should be stamped on your mind as one of the most important and most essential in your life, and that you should remember everything quite clearly," said Mr. Logan.

"Now, about my wedding, I was expecting that and knew it was going to occur, but I didn't know anything about this until it happened," the Mayor replied with a show of feeling. "Let me in there." Drew corroborated the engineer's story of the scene that was presented inside. He added that the Mayor was plainly trying to get away from the woman and said he heard Lane say, "D—n you, let go of me," this before the door was broken in.

"As I walked inside the room," said the witness, "Mrs. Waymire started walking away, and I asked her what was the matter. She said, 'The brute, the brute, plainly trying to get away from me and said, 'What's the matter, Doc?' He said the woman had been paid to do it and that he was ruined."

Postponement for the day was then taken.

Attendance was not so large as during the preceding days, although the mob

of scandal-hungry persons was ample to fill every seat and all available standing room. Several women were among those present. The proceedings were not sufficiently salacious to hold the more voracious of the scandal vultures, and they kept filling away, possibly in search of greener fields, as the afternoon grew on. An extra force of deputies will be put on guard when Mrs. Waymire takes the stand.

FACES FORGERY CHARGE

Dentist Maulie Charged With Passing Bad Checks.

George C. Maulie, a dentist, who is charged with passing fraudulent checks, and who was arrested at Walla Walla at the instance of the Portland police, was returned to Portland yesterday by Detective Tom Key, who was sent to the Inland Empire city for the prisoner.

Maulie related the extradition papers, but his efforts proved of no avail, and he was ordered into the custody of the Portland officer. The specific charge on which he was arrested was that of passing a spurious check for \$5 on D. L. Houston, proprietor of the Houston Hotel on North Sixth street. A number of other complaints of a similar nature against Maulie have been made to the police since he has been arrested. He will have a preliminary hearing before Judge Cameron this morning.

BAY CITY BLOCK BURNS

Loss of \$60,000 in Conflagration at San Francisco.

SAN FRANCISCO, Feb. 20.—Fire tonight in the five-story brick building at 335 Main street caused a loss of \$60,000. The fire was caused by a defective motor box, and the building was completely gutted.

The losses to firms occupying the building will fall on Thomas J. Davis & Sons, printers, \$20,000; Travers Company, printers, \$20,000; Frank Peterson, wholesale grocer, \$10,000. The American Oil & Paint Company office burned out, nominal.

All of these losses are partially covered by insurance.

Wins Suit Against Brothers.

WALLA WALLA, Wash., Feb. 20.—(Special.)—Case of Mrs. M. A. Isham, of Seattle, against the estate of her deceased father, John H. Foster, for possession of a \$10,000 certificate of deposit on the First National Bank of Walla Walla, which the plaintiff alleged had been given her by her father as compensation for nursing him in his last illness, was decided in her favor by a jury in the Superior Court. This afternoon the brothers of Mrs. Isham made an amicable settlement, paying her \$10,000 and leaving the estate a free from further litigation.

The estate was a wealthy pioneer of Walla Walla County, who had lived here since the sixties. He died a few months ago.

Propose to Incorporate Yacolt.

VANCOUVER, Wash., Feb. 20.—(Special.)—The Board of County Commissioners decided today to incorporate the town of Yacolt, provided a sufficient number of voters favor the incorporation. The election to decide the question will be held March 7.

If Baby Is Cutting Teeth.

Be sure and use that old well-tried remedy, Mrs. Winslow's Soothing Syrup for children's teething. It soothes the child, softens the gums, allays pain, cools and diarrhoea.

HAND-TINTED SCENIC PHOTOS.

Kiser's Originals. 248 Alder st.

FILL PARKS WITH ROSES TOMORROW

City Officials, School Children, Military and Citizens Will All Take Part.

MIDWINTER PLANTING DAY

Archbishop Christie Will Offer Blessing—Big Parade Will Form at Armory and March to the Park Blocks.

ARCHBISHOP TO BLESS CEREMONY.

Archbishop Christie of Oregon diocese has promised the Portland Rose Festival Association that he will, as the head of the Catholic Church of this state, bless the "rose-planting" event which is to take place tomorrow afternoon. This is a most impressive ceremony and such a character that have never been given this formal and solemn distinction.

Complete arrangements have been made by the rose-planting committee for the meeting of the school children, automobile loads of citizens and city officials, the military escort and hises at the Armory, "Fenton and Couch," promptly at 10 o'clock, tomorrow afternoon, from which point the procession will move in a body to the various park blocks, where the 5000 rose bushes are to be planted in the afternoon.

Impressiveness and form will be added to this novel civic function through the participation of the Mayor, members of the City Council, members of the Board of Education, while the officers of the Rose Society and the Rose Festival Association will also be on hand to take their part in the event.

The automobiles, of which the committee expects there will be close to 100 on hand, will meet either at the Swedlund building, the headquarters of the Festival or at the City Hall, where the administration officials will be picked up and conveyed to the Armory.

The school children who will play the part of "flower girls" on the way to the Plaza blocks are advised to be present at the Armory promptly at 1 o'clock, so that the line of march through the streets of the business section of the city may be formed in time to have the ceremonies start at 2 o'clock, sharp.

Children Out in Force.

Inasmuch as the school children will have a full holiday on Saturday, in addition to its being Washington's birthday, it is anticipated that the young folk will turn out in strength.

The Camera Club will be out in force, eager for "art studies" of the little boys and girls with spades, roses bushes and "tumblers," ready to do their patriotic part in the celebration. A large delegation of newboys will take part in the afternoon's programme, and the moment the parade lines up at the three blocks set aside by the Park Board, a corps of gardeners will be ready to receive the rose bushes and plant as many of them as they have time during the remainder of the afternoon. The remainder will be planted as fast as the gardeners can take care of them.

The rose bushes are of the kind known as "2-year-olds" and are uniform and all of them are guaranteed to be in bloom by the first of June, when the Festival week opens.

Speakers at the Schools.

One of the most impressive functions in connection with the plans for the Festival was the campaign of yesterday, where speakers, two by two, visited most of the public schools and the High Schools and talked to the thousands of school children of the city about the lessons, the value, the scope and purposes of the Festival, as well as to urge their participation in the Washington's Birthday rose-planting event.

Without exception the many speakers were greeted with rounds of applause and unanimous pledges were made by the boys and girls that they would invite their friends and relatives in the East to visit Portland during the first week of June.

Some of the schools planned to gather at some central point in their district tomorrow afternoon and go in a body to the Armory and Plaza blocks. The little people were thanked for the splendid showing they made at last year's carnival, and all of them seemed eager to take part in the bigger and grander festival that is to take place four months hence.

To the Policyholders of The Mutual Life Insurance Company of New York

The work accomplished by the Company in 1907, under the new conditions, in respect of benefits dispensed to policyholders and in the furtherance of their best interests, has been especially satisfactory.

The Company paid directly to policyholders and their beneficiaries in death claims, endowments, dividends, annuities and surrender values.....\$43,959,245.40
It added to the net reserves held in trust for policyholders.....16,368,679.39

Total benefits from sources named.....\$60,327,924.79
Total received from policyholders.....57,151,041.71

The total benefits above named exceeded premiums received by.....\$3,176,883.08

The amount paid DIRECTLY TO POLICYHOLDERS during the year was 77 per cent of the amounts received from them.

The total amount paid to policyholders, plus the increase in the net reserve held for them, was over 105 per cent of the amounts received from them.

Increasing Dividends

The amount appropriated for dividends to be paid in 1908 is.....\$8,311,002.02

This sum greatly exceeds the largest amount ever before paid in dividends in a single year by any company. The annual dividends to be paid in 1908 show a ratio of increase over those of 1907 such as can be approximated by no other company. The Mutual Life is the only company which has increased its dividend scale three years in succession—1906, 1907, 1908. Increasing dividends are possible because of increasing earnings and decreasing expenses.

In Gains for Policyholders the Company Remains in the Front Rank

Its gross earnings from interest and rentals for 1907 were.....\$23,103,953.50
Its gains from loading, mortality, surrenders and annuities were.....8,760,440.79

The total earnings and gains were.....\$31,864,394.38

This is over 56 per cent of the entire premium income, a remarkable showing rarely, if ever, equaled by any other company.

In Economy of Management the Company Stands Pre-eminent

The total expenses incurred in 1907 were.....\$8,554,375.11
Compared with 1906, this was a decrease of.....2,031,618.13

The Financial Condition of the Company Is Superb

Its investments are of the highest class—unimpeached and unimpeachable. In a year of extraordinary financial depression, not a share of stock owned by the Company failed to pay its regular dividend, and on \$222,927,910.60 of bonds (book value) there was not a dollar of interest in default at the close of business on the 31st of last December. With assets exceeding its legal liabilities by over \$57,000,000, even by the abnormally low market quotations of December 31, 1907,—an excess greater by many millions than is held by any similar organization anywhere,—the Mutual Life, the Oldest Company in America, is also justly designated the Strongest in the World.

ASSETS		LIABILITIES	
Real Estate.....	\$ 29,409,158.50	Net Policy Reserves.....	\$426,094,742.00
Mortgage Loans on real estate.....	125,741,528.23	Other liabilities on policies.....	4,532,875.96
Loans on Policies.....	52,022,021.33	Premiums and interest paid in advance.....	1,528,360.52
Collateral Loans.....	11,805,000.00	Dividends payable in 1908.....	8,311,002.02
Bonds and Stocks, Market Value Dec. 31, 1907.....	280,026,403.51	Miscellaneous liabilities.....	\$79,247.58
Cash.....	6,487,545.38	Held for future dividends.....	57,530,759.42
Premiums in course of collection.....	4,985,477.99		
Interest and rentals, due and accrued.....	3,999,487.10		
Admitted Assets.....	\$404,177,921.05	Total Liabilities.....	\$494,177,921.05

NOTE—The admitted assets would be given greater by \$1,589,118.97 were the bonds taken on the Company's basis of amortized book value; or \$13,211,849.94 were the securities stated by the average market value (13 month rule), recommended by many commissioners at the Louisville meeting.

ALMA D. KATZ, Manager
420-427 Corbett Bldg., Portland, Or.
THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK
Home Office, 34 Nassau Street

loans be allowed to remain open. No but it was intimated by one of the members of the board that the saloons would not be allowed to reopen until the trouble at the mines is ended.

Are Your Little Ones Strong and Healthy?

There is no mother in the land but wishes her little ones to be strong and robust. If they are not, the main cause of their trouble is usually the inability of their little stomachs to care for the food they eat.

The delight of children is pastry, cookies, cakes and all manner of dainties which contain more or less grease. If this class of food is fried or shortened with lard, it is bound to be more or less greasy, soggy, indigestible, and wholly unfit for assimilation by the stomach of a grown up person, let alone that of a child.

COTTOLENE keeps the children's stomachs in a normal, healthy condition. It is a pure, vegetable product, which makes light, digestible, healthful food. When used to fry or shorten pastries, cakes, and all such edibles, the children can eat their fill and not suffer from the bad after-effects resulting from such products as lard.

If you value the health of your children, shorten their food with COTTOLENE.

Cottolene is Guaranteed We hereby authorize your grocer to refund your money in case you're not pleased after having given COTTOLENE a fair test.

Never Sold in Bulk COTTOLENE is packed in pails with a patent air-tight top, to keep it clean, fresh and wholesome; also, to prevent it from absorbing the disagreeable odors of the grocery, such as fish, oil, etc.

Cook Book Free We shall be glad to send any housewife, for a two-cent stamp, our new "PURE FOOD COOK BOOK," edited and compiled by Mrs. Mary J. Lincoln, author of the famous "Boston Cook Book." Address THE N. K. FAIRBANK COMPANY, CHICAGO.



Nature's Gift from the Sunny South

There's a Reason.