

HEARING STOPPED BY TECHNICALITY

Inquiry Into Canal Purchase Scandal Held Up by Faulty Papers.

SUBPENAS NOT DEFINITE

Brief Session of Court Hears Arguments, and Then Stops Proceedings for the Time Being.

NEW YORK, Jan. 18.—The right of five employees of the New York World, subpoenaed to appear before the Federal grand jury to give information, presumably regarding the publication of alleged libelous matter reflecting upon the interests of the United States Government, to ignore the said subpoenas on the ground that their issuance was an abuse of process, was left undetermined at the close of the hearing of the case in the United States District Court.

After argument by the United States District Attorney Henry H. Stimson, representing the government, and DeLaney Neill and John M. Bowers, representing the World men, Judge Henry C. Ward gave both sides until tomorrow at 8 o'clock to submit briefs.

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The proceedings were halted by an order obtained by counsel for the World's editors, calling upon Mr. Stimson to show cause why the subpoenas should not be quashed.

Mr. Bowers argued that the form of the subpoenas was illegal, inasmuch as the following concluding words of the subpoenas: "You are hereby subpoenaed to appear before the grand jury on the date therein specified, and to testify to the truth of the facts therein stated, and to produce such evidence as you may have in your possession or control." were crossed out, making the subpoenae read merely to what they may know generally.

Mr. Bowers held that the subpoena was illegal inasmuch as it did not state the nature of the inquiry or the person accused and that the proceeding was an abuse of process.

Stimson Defends Procedure. District Attorney Stimson, speaking for the United States, argued that the form of the subpoenae had been used in practice in this district for 20 years and was recognized by the states of the United States.

Mr. Stimson said: "The same situation arises in a corporate examination to find out who is responsible. It is often impossible to find out who is responsible in a corporation. How can we name the man accused until we know who is to be indicted?"

Judge Ward interrupted, saying that this was a case of practice and that no one should be given an opportunity of bringing a man before the grand jury and rake about his affairs to make a criminal of him.

NO LAW ALLOWS LIBEL SUIT. Rayner Says So and Wants Senate to Inquire.

WASHINGTON, Jan. 18.—Rayner endeavored today to have the Senate adopt a resolution calling on the Attorney-General for information as to whether the President had ordered an investigation of the New York World and the Indianapolis News, because of alleged libel in those publications relating to the purchase of Panama Canal property, and under which statute this action has been taken.

Under objection further action was postponed until tomorrow.

Addressing the Senate in support of the resolution, Rayner said there was no law which warrants a suit for libel of the Government.

"If any suit is being prosecuted," said Rayner, "we want to know whether the statute it is being brought, because we ought to have an opportunity to repeal that statute on the ground that it is a violation of the Constitution, because it abridges the freedom of the press."

"If the Attorney-General is not proceeding under some statute, then he is violating the laws of the country," Lodge suggested that it was important to know whether this was a libel of the Government or was being brought by the Attorney-General on behalf of individuals.

Rayner retorted that he proposed to show that the Circuit Courts have no jurisdiction in such cases with the exception of the case of the United States v. Knott, interrupting, said that, assuming that the position of the Senator was sound, he still thought these were matters for the defense to consider.

C. P. TAFT WILL GIVE EVIDENCE. Will Appear Before Grand Jury. Bonaparte Still Silent.

WASHINGTON, Jan. 18.—C. P. Taft, of Cincinnati, brother of W. H. Taft, will appear before the grand jury in this city tomorrow in connection with the Panama Canal libel proceedings. Mr. Taft reached Washington today from Augusta, where he has been visiting his brother, and since called on President Roosevelt for a short conference. He said that he did not discuss the details of the matter with the President, and did not know the inside of the case. Mr. Taft said he had received a request from the District Attorney to appear here tomorrow afternoon and that he had not been formally subpoenaed to do so. He said, whether Douglas Robinson, the President's brother-in-law, also had been requested to appear before the jury.

ALIMONY IS HER DEMAND. Mount Hood Road Active.

GRESHAM, Or., Jan. 18.—(Special.)—Indications are favorable for an early resumption of work on the Mount Hood Railway. Agents of the company have been here during the past week negotiating for the right-of-way through the Williams Sluiceway and other tracts in this vicinity. It is reported that several disputes over right-of-way through Gresham have been settled.

SEATTLE, Wash., Jan. 18.—Inquest on the death of W. L. Sealey, his wife and daughter will be held tomorrow. Developments today indicate that the mysterious affair is a double murder and suicide.

Sealey, it is said, had reached the end of his rope. He had borrowed money, saw no way to pay it back, and false pride kept him from making known his desperate financial straits to his friends or relatives, and he ended the struggle by killing his wife and daughter and then himself.

He had been well to do and had lost everything. He had been well to do and had lost everything.

his present wife were married on October 17, 1904, and have one child. Mr. Guggenheim was married to the woman who now sues him for a divorce in Hoboken, N. J., on November 23, 1900. Twenty days later she brought suit against him in the courts of Illinois, and on March 23, 1901, a decree of absolute divorce was granted her with an award of \$500 a month alimony.

DIVORCE WAS KEPT SECRET. Brought to Light After Years by New York Suit.

CHICAGO, Jan. 18.—Search of the records in this city, following dispatches from New York stating that Grace Guggenheim had again sued for divorce from William Guggenheim, led to the discovery of the original suit filed here in January, 1901. The record was suppressed in the office of the Clerk of the Court and is now being made public for the first time. Further than that the suit was filed, the record shows nothing. A transcript of the testimony in possession of N. E. Guggenheim, also a cabinet, and one other witness testified, the defendant being absent from court, and his identification being established by a photograph.

"I recall the case," said Mr. Pelsen today. "Mrs. Guggenheim was given a \$500 a month alimony. Those interested in the case desired to avoid publicity and I kept it quiet."

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WARRIOR GIVES UP TO AUTHORITIES

Looter of Catholic Churches Placed Under Heavy Bonds for Trial.

MAKES CHURCH BANKRUPT

Catholic Church at Denora Asks to Be Adjudged Insolvent as Result of Kieran's Peculations.

POPE BLESSES AMERICANS

GRATEFUL FOR RELIEF WORK IN STRICKEN SICILY.

American Relief Committee Disbands, Having Completed All Work in Hand.

WASHINGTON, Jan. 18.—The Italian relief fund of the American Red Cross Society passed the \$500,000 mark today, \$2,000 being the total of the day's collections. Of this amount \$200,000 came from the Missouri branch, while the California branch sent its regular daily \$10,000 remittance.

RED CROSS WORK IS BLESSED American Relief Committee Disbands on Completing Efforts.

ROME, Jan. 18.—The American relief committee organized for the purpose of directing American charities in connection with the earthquake in Sicily, disbanded today. The committee met today, Ambassador Griscom presiding, and decided that it had accomplished the purpose for which it had been organized, and that the authorities now have everything well in hand.

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THIRDE FOLLOWS DISCUSSION OF SENTENCE GIVEN GOMPERS AND OTHERS.

NEW YORK, Jan. 18.—Organized labor and its return to efficient democracy was the subject of the after-dinner discussion at the banquet of the Economic Club, in this city tonight. Among the speakers were President Harry A. Garfield, of Williams College; J. Keir Hardie, M. P.; Charles E. Littlefield, ex-Congressman from Maine, and Warren E. Stone, of Cleveland.

Mr. Stone, in discussing the sentence imposed upon Samuel Gompers and other labor leaders, said: "It clearly shows what can happen when a judge is given unlimited power in his hands and who is carried away by the important necessity of showing it, is called upon to interpret the law and incidentally furnish the strongest proof that Federal judges should not be appointed for life."

"If his interpretation of the rights guaranteed to the citizen under our Constitution is correct, then the workmen of America are on a parity with the Russian serf, for they have neither voice nor vote," he said. "Such a situation is a disgrace to the people of the United States, and it is the duty of the Congress to take prompt action to remedy the situation."

Keir Hardie spoke on the political aspects of the problem, and the part that labor must take in the enactment of laws.

COST OF ROADS COMPARED WALLA WALLA COURT PREFERS THAT COUNTY ENGINEERS BE RETAINED.

WALLA WALLA, Wash., Jan. 18.—(Special.)—Opposing the proposed transfer of jurisdiction of construction of roads and bridges from the County Commission, the Commissioners of Walla Walla County, together with the auditor, president and secretary of the County Good Roads Association, today memorialized the Legislature.

Showing the cost of state aid road No. 2 as compared to the amount built by the county, the petitioners claim that the cost of construction under supervision of the Highway Commission is excessive. They also claim that the county engineers and commissioners are better acquainted with the conditions of the counties with regard to road building, and that the memorial is a plea for the retention of the county engineers, based upon a set of standard specifications made out by the Highway Commission.

WANT HOUSE TO APPOINT "Insurgents" Object to Unlimited Rule of "Uncle Joe."

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At a caucus attended by 24 members, two principles were agreed upon—first, that the House and not the Speaker, should select all committees, including the committee on rules; second, that there should be a call of the committee at least one day a week.

A committee was appointed to so revise the House rules as to conform to these principles and report next Monday night, when another caucus will be held.

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Lieutenant-Governor Lewis Stuyvesant Chanler, who was the Democratic candidate for Governor, in the November election.

Mr. Root's nomination is equivalent to an election, as the Legislature is overwhelmingly Republican.

SMOOT NAMED UNANIMOUSLY Utah Republicans Select Senator to Succeed Himself.

SALT LAKE CITY, Jan. 18.—Without a dissenting voice the 43 Republican members of the Legislature present at the Senatorial caucus tonight nominated Reed Smoot for re-election for United States Senator from Utah. The name of ex-Governor Heber M. Wells was mentioned informally, but was not placed before the caucus. The Democratic members of the Legislature will meet separately tomorrow and meet in joint session Wednesday.

DEMOCRATS' PLEDGE STONE Missouri Legislators Will Re-elect Senator.

JEFFERSON CITY, Mo., Jan. 18.—The Democratic members of the Legislature, who have a majority on joint ballot, in a caucus tonight pledged themselves to vote for United States Senator Stone for re-election.

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ROBBERS GET \$200

Hold Up Calbert Saloon and Wound Marshal Ryan.

ARMED MEN GUARD CITY

Thugs Escape and Are Believed to Have Headed Toward Spokane, Where Police Have Been Instructed to Nab Suspects.

SPOKANE, Wash., Jan. 18.—(Special.)—Two masked and armed burglars held up Thomas Smith's saloon, at Calbert, Wash., 30 miles from Spokane, at 9 o'clock tonight, secured \$200 in cash and while making their escape shot Marshal M. F. Ryan, of Hillyard, through the leg. Sheriff McK. Pugh and two deputies of Spokane are at the scene.

When north of Hillyard, Ryan met two men who acted suspiciously and he commanded them to hold up their hands. One of the men replied with a shot which wounded Ryan in the leg. The other man escaped in the darkness. A posse was organized at Hillyard and armed men scoured the neighborhood.

Spokane police have been on the alert all night looking for the robbers. Both were masked and roughly dressed, one being tall and the other short, and wearing a hat. Ryan's wound is not believed serious.

A guard of 20 men armed with rifles are patrolling the streets of Hillyard tonight.

ROOSEVELT FAVORS JAPAN (Continued From First Page.)

Japan Looks to Washington.

"I received the message from President Roosevelt Saturday evening after dinner and I was glad to hear that the Japanese government had agreed to await the letter from the President."

"There is this about the matter that is not fully understood: Japan does not look to any state in settlement of differences, but to the head of the Government at Washington. In this way there is much more than of which the different communities and states of the Union are ignorant. For this reason, as stated by the President, he knows more relative to existing conditions and his wishes are to be respected."

Flint Also Sent Telegram.

Previous to receiving the telegram from the President the Governor received one from Senator Frank P. Flint, saying that the President wanted action on the Japanese legislation withheld until he could send a communication to the Governor, and this had been forwarded last Saturday. This telegram was followed in the evening by that from the President, and the proposed Japanese legislation will remain where it was until word is received from the Governor along lines outlined by Mr. Roosevelt, who, it is expected, will swing the "big stick" again in his letter.

SQUARE DEAL FOR JAPAN Roosevelt Says Unwise Moves May Jeopardize Settlement.

WASHINGTON, Jan. 18.—Introduced by Bishop Cranston as "the apostle of the square deal," President Roosevelt in an address tonight at the African American jubilee mass meeting, held in the Metropolitan Methodist Episcopal Church, said that the Japanese government should be given a square deal.

"The Japanese government should be given a square deal," he said. "The Japanese government should be given a square deal."

TEMPORARY HOUSES FOR QUAKE VICTIMS SOON READY.

WASHINGTON, Jan. 18.—Rush work is being done under the direction of Paymaster General Rogers in getting ready the lumber to be used in the construction of the houses intended to afford temporary shelter for the earthquake victims in Italy. The first vessel, the Eva, will sail this week, and other vessels were chartered today. One half of the houses for which material is to be shipped are to be of one room, and the rest of two rooms.

MORE SUPPLIES ARRIVE.

NAPLES, Jan. 18.—The North German Lloyd steamer Barbarossa arrived here today from New York with relief supplies.

DATES FOR EXAMINATIONS Spring Civil Service Tests Will Be Held in Principal Cities.

OREGONIAN NEWS BUREAU, Washington, Jan. 18.—The regular Spring examination of the Civil Service Commission, will vacancies in the clerk and stenographer forces in the Government departments in Washington, will be held at the following places on the dates specified: Oregon—Portland, March 10, April 14 and 18; Astoria, Baker City and Eugene, March 10, April 14 and 18; Grants Pass, April 18; Washington—Seattle and Tacoma, March 10, April 14 and 18; Spokane, March 10, April 14 and 18; Portland, March 10, April 14 and 18; Portland, March 10, April 14 and 18; Portland, March 10, April 14 and 18.

LUTHER LAFLIN MILLS DIES Famous Illinois Lawyer Defended Carter Harrison's Slayer.

CHICAGO, Jan. 18.—Luther Laflin Mills, ex-State Attorney of Cook County, and for many years one of the most widely known members of the Chicago bar, died tonight, following a stroke of paralysis.

Chicagoans took part in several famous cases, including the "Boodde" trials in Chicago and the defense of Prendergast, who shot Mayor Carter Harrison. He prosecuted the Cronin murder case.

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Church, which President McKinley attended, declared that he would not come before a Methodist gathering if he had not attempted to give them a square deal.

"In addition to the square deal in our own country," he said, "I want the Methodists and others to help me give the square deal to Japan. I will see to it that in doing this our citizenship is protected. You know I am not in the least afraid of invoking the 'big stick' if it is necessary, but I should be ashamed to invoke it unless it was necessary. And I want to see us, while insisting on justice being done us, equally careful to do justice to others."

"The National Government, by agreement with the Japanese government, and through the hearty and spontaneous initiative of the Japanese government, has been able to achieve a completely satisfactory solution of all possible difficulties, of all possible questions, that could be at issue between our people and the Japanese people. It is only the Federal Government that can with wisdom and propriety deal with those questions; and I ask all good Americans to see to it that unless wise men, foolish men, do not jeopardize their own harm and to the harm of the locality the arrangement that is now working is not so satisfactory as the governments of the United States and Japan."

CONDENSED NEWS BY WIRE

Chicago—Richard Newbauer, 30 years old, a postoffice clerk, committed suicide early today by shooting himself in the head while dependent over ill health.

Chicago—The Pittsburgh police have requested the authorities here to send them a copy of the report of the Department of Agriculture regarding the fire during the fiscal year 1908 in which 100,000 bushels of wheat were destroyed in the fire in Eastern Montana and other parts of the West.

Chicago—The contemplated mass meetings of the campaign for an equal suffrage plank in Chicago's proposed new charter have begun. At the first of these Mayor Brand Whitlock, of Toledo, advocated placing a vigilant representative of the league at Spokane.

Buenos Ayres—The German steamer Wandera, from Tacoma, which went ashore at Puerto Rico, Jan. 17, is reported to be about 2000 tons of cargo, apparently in good condition, and salvage arrangements are being made.

New York—Traveling incognito as Mr. and Mrs. Clifton and Mrs. Clifton, Lord and Lady Clifton, the Duke and Duchess of Devonshire, England, have arrived here on the Cunard liner Carmania from Liverpool for a month's visit.

Pittsburg—Due directly to the recent rise in the river, which permitted the shipment of 15,000,000 bushels of wheat to the river, a large number of river coal mines in this vicinity resumed operations Monday, after a month's idleness.

Chicago—The National Good Roads Association will hold a convention here February 19-20. The starting of a system of National highways to connect Washington with the capital of every state and territory is one of the objects of the convention.

New York—As an honor to the memory of William H. Seward, Secretary of State during the administration of President Lincoln, a building at the Yukon-Pacific Exposition in Seattle will be a faithful copy of Seward's residence in Auburn, N. Y.

Los Angeles, Cal.—A public movement to consider Mayor C. H. Johnson for president, which was the only trace found of the crew of the ill-fated fish-hauling schooner Swallow, of St. John, N. F., which was driven onto the breakers of Long Island during the storm which raged Saturday night.

Accused of Breaking Pure Food Law Order for the arrest of Dwight Edwards, of the Dwight Edwards Company, was issued out of the United States District Attorney's office, yesterday. Violation of the pure-food law is charged. Edwards is said to have shipped a quantity of adulterated favoring extracts to his Montana trade. The order was placed in the hands of a Federal officer for service.

THE WISE BRIDGE TEETH Without Plates.

Is the safe bridge to take in dentistry. Teeth are held in place in the best way will give perfect satisfaction and look as well as your natural teeth. No suffering, no pain, no loss of time. Absolutely painless. Plates That Fit Your Teeth. \$5.00 and up.