

BATTLE OF WITS IN CALHOUN CASE

Gallagher Proves Match for
Moore in Fencing With
Harsh Words.

FIRST SHOW OF FEELING

Confessed Gaffer Says Curse Has
Sunk Too Deeply to Be Taken
Off—Heney and Moore
Wrangle Loudly.

SAN FRANCISCO, April 21.—After a vigorous and searching cross-examination, prolonged throughout the entire day, James L. Gallagher, chief witness for the prosecution in the case against Patrick Calhoun, was still engaged in a battle of wits with A. A. Moore, chief counsel for the defendant, and was defending stoutly his account of the payment of a \$4000 bribe to Ferdinand P. Nichols, the ex-Supervisor who is alleged to have been offered a bribe by the president of the United Railroads. A series of quarrels between Mr. Moore and Francis J. Heney of the prosecution made the session turbulent, and Superior Judge W. P. Lawrence repeatedly warned the warring attorneys that they would be punished for contempt if they did not refrain from personalities.

Nothing Can Take Off Curse.

Mr. Moore's entire examination was intended to show that Gallagher, in the 12 times he had previously recited, the story of the Supervisors' corruption had never mentioned an occasion upon which he had made the direct offer of a bribe to Nichols. "In justice to yourself," said Mr. Moore, upon one occasion, "tell the jury what is meant by the statement given in this previous examination, when you declared that you had never spoken to the other Supervisors on this subject yourself."

"That all depends upon the construction given the reply," said Gallagher, "and the manner of punctuation."

"Do you mean that a change in the punctuation would take the curse off that statement?" demanded Mr. Moore.

"No, I don't know of anything that would take the curse off," replied the witness, with an unusual display of feeling. "It has sunk too deeply."

Sees No Cause for Levity.

"You bet it has," exclaimed the senior Moore, who then addressed himself to the witness, saying: "Excuse my levity. I did not mean to be offensive."

"I assure you, Mr. Moore, that I see no occasion for levity in this examination," said Gallagher.

Wrangle About Ethics.

Mr. Moore and Mr. Heney indulged in some bitter exchanges before the session was an hour old. Mr. Moore made objections to Mr. Heney's tone in voicing his objections, remarking there "seemed no occasion for snarling and bawling."

"You evidently believe you should have a monopoly of snarling in the court," said the prosecutor.

"The court and the jury will decide that for themselves, and I need no instruction as to my behavior here," was the reply of Mr. Moore.

"There would be no need of these objections if counsel would conform to the ethics of the profession," remarked Mr. Heney.

"I do not admit that you know anything about the ethics of the profession," retorted Mr. Moore, and Judge Lawrence finally succeeded in calling the attention of the attorneys to the fact that he had not been able to make himself heard with a previous warning to desist.

Willing to Give Franchise Free.

Mr. Moore's examination first developed that Gallagher had been at various times the candidate of three political parties; that he had once aspired to a seat on the appellate bench of the state, and that he had been once defeated for the office of superior judge. The attorney challenged Gallagher's declaration that he was possessed of over \$7000 when he first took office as supervisor, declaring that the witness had once testified that he had only \$1800.

Mr. Moore directed his questioning to show the necessity of the trolley system after the earthquake, which Gallagher admitted, and he drew from the witness an expression of belief that the trolley permit could have been obtained from the Supervisors on May 14, 1906, without payment of a dollar if Abraham Ruef had not opposed it in any way. Gallagher said he would have voted for it if he had not been influenced; that a great majority of the Supervisors and population of the city favored the permit and that a majority of the Supervisors had expressed favorable opinions before the matter of a bribe was discussed.

There was another wrangle between Moore, Heney and the latter objecting to Mr. Moore's addressing the jury in the course of argument.

Gallagher testified that he had intended to supervise Wilson, Boxton and Porey, before any other money was paid them for their votes on various matters, and that he as chairman was to act for Ruef and make the payments.

EXTENSIONS IN DISFAVOR

Seattle Board Chairman Quits Rather Than Grant More Time.

SEATTLE, Wash., April 21.—(Special.)—Obliged to put a motion which he said was against his convictions, and asked to sign a document granting an extension of time to a street contractor without hearing what he believed sufficient evidence to warrant the act, Chairman A. V. Bouillon left the special session of the Board of Public Works yesterday morning.

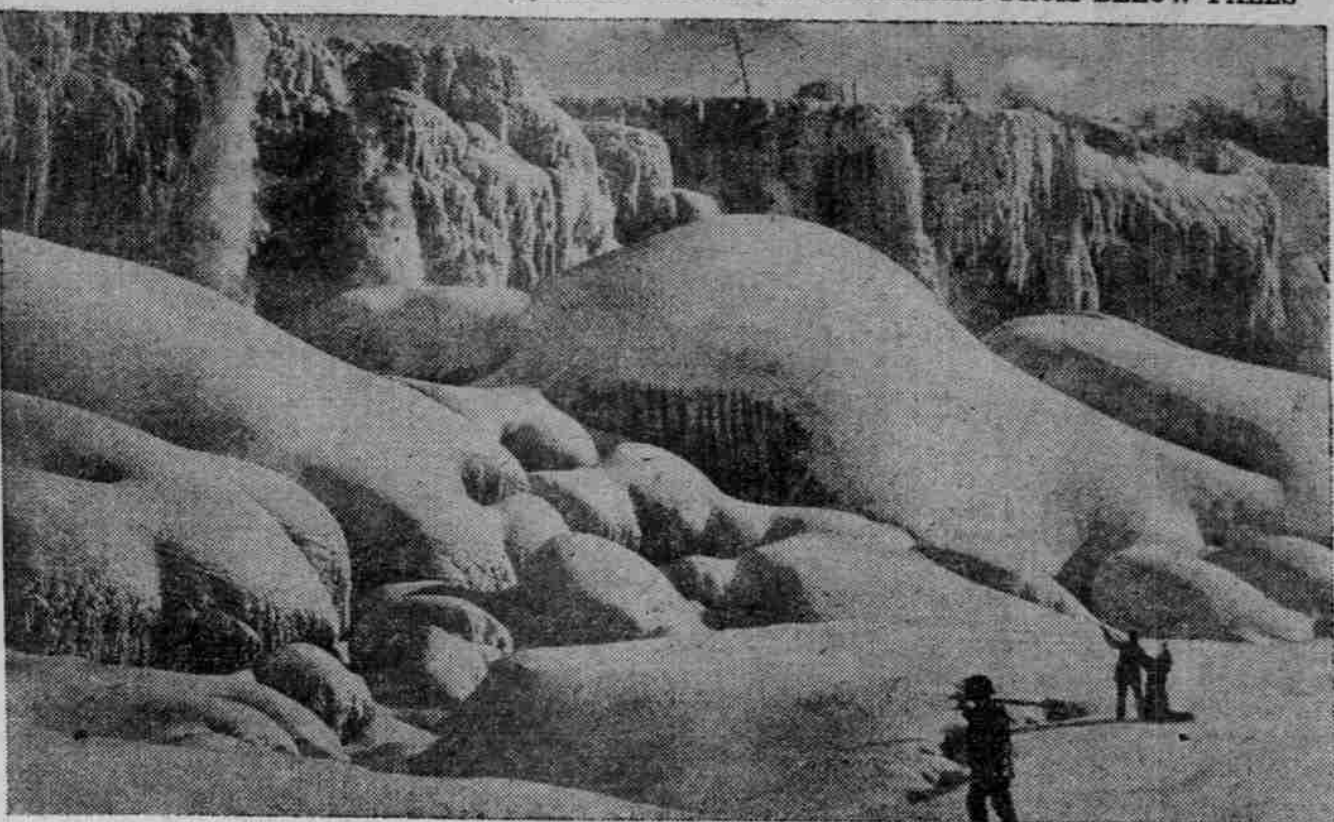
As the chairman of the Board left the room the crowd of contractors present hissed and applauded and made such a demonstration as called for rebuke from other members. The Board elected Francis W. Grant, superintendent of buildings, temporary chairman and proceeded to grant every extension of time asked by 21 contractors doing city work.

Mayor Miller is backing Mr. Bouillon and the latter says he will resign unless he has his way.

Strikers Heavily Fined.

TILLAMOOK, Or., April 21.—(Special.)—Two Italians and two Bulgarians, charged with tying up the work on the Pacific Railway & Navigation Company's road by causing a strike and inciting a small riot, recently, pleaded guilty today and three were fined \$45 each and the other \$50 by the court.

TWO PHOTOGRAPHS SHOWING NIAGARA ICE GORGE AS IT APPEARS FROM BELOW FALLS



SCHIVELY ADMITS GETTING "ENOUGH"

Owens Up Charges Made
Against Him in Recent
Legislature Are True.

CONSIDERED MONEY AS HIS

Confesses He Deposited Fees in Own
Name and Made Flat Rate Cover
Expenses—Certain Compa-
nies Let Off Easily.

OLYMPIA, Wash., April 21.—(Special.)—On the witness stand this afternoon State Insurance Commissioner J. H. Schively admitted the charges made against him while the Legislature was in session. He admitted he charged a flat rate for examination of insurance companies and said it was always "enough" to cover his expenses. He also stated in certain instances there were no expenses charged where there were no expenses. He stated the money he collected was put in what he termed a "sliding fund," or deposited in his own name. He said he never considered the money in question as belonging to the state and figured the question of expenses was one to be settled between himself and the insurance company.

In reply to a direct question of Assistant Attorney General Lee, he said he had never attempted to comply with the statute that provides only "actual expenses" incurred in connection with an examination of the books of a company shall be charged.

Lawyer Has to Collect.

Charles S. Lebo, of Spokane, who came to Washington as general agent for the Southern National and Commercial Fire Insurance Companies of Texas, was the first witness. He related how Schively had told him he would have to pay \$235 for each company, \$35 as the statutory entrance fee and \$200 for an examination.

Lebo paid the money for the entrance fee and \$100 on account of the \$200 demanded. Schively wrote him later, he said, that he need not worry about the \$200, but to put the matter in the hands of an attorney to secure the return of the \$100 put up, although the examinations were never made. Schively explained he did this in order to secure time to write to the heads of the companies to see whether the companies of Lebo had deposited the money.

E. W. Evenson, of Spokane, who organized the Washington Hardware & Implement Dealers' Mutual Fire Insurance Association, stated Schively first said he usually charged \$250 for an examination, but as he had examined another company that day demanded only \$100 for examining the company, which was paid.

Schively Trusted Accountants.

The witness said Schively was only in the office about 25 minutes and took away with him a report made out for the company by Lemaster & Can-
n, expert accountants, of Spokane. Schively said he spent two hours going over the company's affairs with Evenson and that the latter helped him write the report published by the state. The accountants charged the company \$88 for experting the books and Schively said he accepted it because he had confidence in the men.

The last witness was Morton Gregory, of Tacoma, vice-president and general manager for the First National Life Insurance Company, who said the books of the company were brought to Olympia and no charge was made for the examination. R. L. McCormick, of Tacoma, is president of the company. Schively explained to Gregory that he wanted to see the company prosper and would make no charge.

PARALYZED WOMAN BURNED

Mrs. J. J. Whitten, Near Hillsboro,
Thought Fatally Injured.

HILLSBORO, Or., April 21.—(Special.)—Mrs. J. J. Whitten, aged 59 years, partially paralyzed, was perhaps fatally burned today at her home, eight miles northeast of this city. Mrs. Whitten was preparing the midday meal when her clothing caught fire from the cook stove.

Owing to her infirmity, she could not extinguish the flames and was horribly burned before her husband, who was at work some little distance away, could reach her. Dr. Linklater, attending, holds out little hope for her recovery.

Mrs. Whitten is the mother of 16 children, most of whom are living.

GOVERNOR LILLEY PASSES

Connecticut's Executive Dies After
Illness of Four Weeks.

HARTFORD, Conn., April 21.—George



Leavens Lilley, Governor of Connecticut, died at the executive mansion tonight after an illness of four weeks. As soon as the news spread the fire-bells of Hartford sounded the age of the Governor, 44, and a detachment of the First Company, Governor's Foot Guards, immediately was mustered to go on duty at the executive mansion.

George Leavens Lilley was born at Oxford, Mass., August 3, 1850. He received his early education in the public schools of his native town, and later went to Worcester, where he attended high school and later the Polytechnical Institute.

He was married in Waterbury, Conn., in 1884, and entered the real estate business there. In 1901 he was elected to the State Legislature, and also the Republican state committee, on which he served till his death. He was Republican Congressman-at-large from his state from 1904 to 1909, resigning when elected Governor.

Great River Carries Torrents of Ice
From Lake Erie and Piles It In
Huge Rivers—Government
Is Entirely Powerless.

(Continued from First Page.)

Niagara-on-the-Lake, Ont., but near the mouth of the river, it has risen about ten feet in the last 24 hours, and is threatening to carry away the hotels which line the bank there. Today the water at this point fell some five feet, at least, sweeping over the lowlands and threatening to inundate the countryside.

"My youngest boy, 3 years old, was sick with fever last June, and when he got better the doctor prescribed Scott's Emulsion, and he liked it so well that he drank it out of the bottle, and is now just as plump and strong as any child of his age anywhere . . . two bottles fixed him O.K."—MR. JOHN F. TEDDER, Box 263, Teague, Freestone Co., Texas.

SCOTT'S EMULSION

is the greatest help for babies and young children there is. It just fits their need; it just suits their delicate, sensitive natures; they thrive on it. Just a little does them so much good and saves you so much worry. You owe it to them and yourself to make them as strong and healthy as possible. Scott's Emulsion will help you better than anything else; but be sure to get Scott's. It's the best, and there are so many worthless imitations.

ALL DRUGGISTS

Mr. Tedder has just written us another letter about his brother-in-law's children. Let us send you his letters and other information on the subject. A Post Card, mentioning this paper, is sufficient.

SCOTT & BOWNE
408 Pearl Street New York

M'Loughlin Home Saved

Oregon City May Move Structure to
Lot Donated by "Good Old Doctor."

OREGON CITY, Or., April 21.—(Special.)—The City Council tonight ordered the committee on finance to prepare an estimate of the expense necessary to remove the old M'Loughlin home from its present location to a lot on the bluff at the head of the Seventh street street given to the city by Dr. M'Loughlin.

The old house is not to be demolished, and the Council unofficially expressed itself as willing to pay part of the amount needed to preserve it.

Ex-Mayor E. G. Caulfield and Rev. Father Hillebrand were present and promised to aid in circulating subscription papers if such were needed to raise money.

Hurry Naval Repairs.

WASHINGTON, April 21.—The Navy Department will try to have all the repairs to be made to the Pacific fleet completed by the middle of the summer, after which there will be a series of maneuvers.

THIEF CAUGHT AFTER CHASE.

Paddy Welch, 40 years old, a drunken man, was arrested last night by Patrolman Graves at Second and Pine streets, after a chase through the streets by citizens who caught him and held him until the arrival of the officer, who placed him

in the City Jail charged with larceny. Welch was passing the pawnshop of L. Shaub, 62 Third street, and grabbing a suitcase which was on display in front, tried to make off with it.

YOUNG BEAVER CREEK MAN DIES.

OREGON CITY, Or., April 21.—(Special.)—Henry Baker, son of John Baker, of Beaver Creek, died at the family home at an early hour this morning. The young man, who had been ill for the past two years with tuberculosis, was born and reared at Beaver Creek, and was about 27 years old. The funeral will take place tomorrow afternoon at 1 o'clock and interment will be in the Graham Cemetery.

New York Style Show Today's Correct Clothes for Men and Young Men

THIS is the only store in this city where you can see the real New York Styles of today. When you see

Benjamin Clothes

Made in New York for us by Alfred Benjamin & Co., you see the identical clothes being worn today by fashionable New Yorkers. Visit the New York Fashion Centre

Benjamin Clothes

311 Morrison Street

Opposite Postoffice

The Prices are moderate

within a mile's radius. But there is no forward movement of the pack.

Government Is Powerless.

In response to the request of Collector John A. Merritt, of this port, for assistance, Acting Secretary Oliver, of the War Department, detailed Colonel F. W. Elsie, stationed at Buffalo, to make an investigation and report at once to the department.

But Colonel Elsie said that he had no means at his disposal to relieve the situation. The one tug which the Government has at Buffalo, he said, would be of little help against the pack. If it should succeed in attacking the ice successfully, he thought that it was more

than likely the vessel would be swamped in the outrush of water.

Epidemic May Ensnare.

Buffalo, the Tonawandas and this city have continued to pour their sewage into the Niagara and the water has become refuse. Physicians believe that danger of contamination down stream is imminent.

Thief Caught After Chase.

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COBS

A Handful of Havana for 15 cents. Cobs aren't pretty. All the expense has been put in the cigar, in the tobacco, in Havana tobacco. Every Cob is Havana—sweet, ripened leaf, rolled into a full-grown 4-inch cigar.

There are no bands on Cobs. The boxes are plain, so are the packages, but you are not smoking looks when you smoke Cobs, you're smoking four inches of luxurious, velvety Havana. One package will tease you into buying another package next day.

Not for men who have to save money, but for those who buy cigars for the sake of tobacco, instead of fancy fixings, which they can't smoke. Every package contains a full yard of the finest, mildest, cleanest, ripest, and richest Havana leaf. Nine for 15 cents—for fifteen fragrant scents.

FOR SALE EVERYWHERE

MASON, EHRMAN & CO., Distributors, Portland, Seattle, Spokane.