

HENRY PUT TRUST IN CUNNINGHAM

Banker Testifies He Went Into Coal Lands on Representations of Frieids.

DETAILS LEFT TO OTHERS

Perfectly Willing to Be Drawn on any Time for any Amount, so Long as He Isn't Bothered, Declares Seattle Man.

SEATTLE, Wash., Nov. 26.—Humor was injected into the inquiry into the Cunningham coal claims this afternoon, when Horace Henry, a Seattle banker and railroad builder, was placed on the stand by the defense and naively admitted that he had joined the claimants without knowing anything about the proposition and that he had signed numerous affidavits without knowing what they contained.

Mr. Henry said he was approached by Cunningham in 1908. Cunningham told him that C. J. Smith and ex-Governor Moore, of Washington, were interested in the claims and asked if Mr. Henry wanted to file on one.

"I told him to go ahead and put me in," said Mr. Henry. "I also told him if he wanted any money, to draw on me. Cunningham told me not to pay any attention to the claims or what the other claimants were doing because I was too busy building railroads. In the Spring of 1909, I took the contract to build more than 600 miles of the Coast extension of the Chicago, Milwaukee & St. Paul Railway and for two years I had from 600 to 10,000 men at work and did not have time to bother with this coal claim. I let Cunningham look after it and anything that he favored went with me.

Organized to Save Bottling. "I did not have anything to do with the Guzzenheim negotiations and did not even know they were being carried out. Later, when I heard about the Guzzenheim proposition, I thought it was all right. I knew it would cost close to \$2,000,000 to build a railroad and docks to handle the coal and I knew that one man could not do it alone. "When the Guzzenheim negotiations fell through, we organized the Belting River Railway Company. We did not have any intention of building a railroad then, but merely wanted to get a right of way so that someone else could come in and bottle us up by getting the only available route."

Affidavit Signed in Hurry. Mr. Henry was shown an affidavit signed by him in which it was stated he knew most of the claimants. "That statement is false," said Mr. Henry. "I know only three or four of these men. This shows that I signed affidavits without looking at them. Cunningham brought Glavis to my office and asked me to sign affidavits. They said it was all right and I signed them. I was so busy and got in the habit of signing affidavits that whenever Cunningham and Glavis asked me to sign one I did so. It is humiliating to admit it, but that is the truth."

During cross-examination, Mr. Henry was shown a copy of the Cunningham Journal. When asked if he had seen the original he said: "I never saw the journal and did not know that Cunningham kept any books until he told me it had been stolen." "After he had you sign affidavits you say are not true, do you believe Cunningham told the truth when he said his journal was stolen by Glavis?" asked Mr. Sheridan, the government attorney. "I believe Cunningham told the truth when he said Glavis stole it," was Mr. Henry's prompt reply. During the cross-examination Mr. Henry reiterated the statement that he was a very busy man and did not have time to bother with coal claims.

Man of Many Affairs. He said beside building railroads, which is his principal business, he is chairman of the board of directors of one bank, president of another, president of a life insurance company and has other important interests. Mr. Henry frequently resorted to the statement that he could not remember what passed between him and Cunningham and that he never paid any attention to the business, anyhow, honoring drafts that were made upon him by Cunningham and taking it for granted that everything was all right. The defense expects to complete the examination of witnesses here tomorrow.

SALOON LAW INEFFECTIVE Washington Brewers Still May Own Dispensaries. SEATTLE, Nov. 26.—The new state law which was supposed to forbid the ownership of saloons by brewers and distillers only makes it unlawful for them to pay for the licenses of saloons, according to Mayor Miller, who signed today 19 bills transferring as many saloons from the ownership of a brewery company to that of a holding company organized by the brewery. All other saloons owned by brewers and distillers will be similarly transferred and the state law will be of no effect.

CITY BUYS WATER PLANT Present Owners Agree to Accept Yakima Bonds in Payment. NORTH YAKIMA, Wash., Nov. 26.—The City Council in special session has virtually decided to purchase the water plant and system of the Northwest Light & Water Company for \$310,000. The company agrees to take the city's bonds, without question as to their validity, at 5 per cent. The City Attorney was instructed to go to Spokane in special session to that of a holding company organized by the brewery. All other saloons owned by brewers and distillers will be similarly transferred and the state law will be of no effect.

MILLIONS FOR INSURANCE Life of Kansas City Man Valued at \$2,800,000. KANSAS CITY, Nov. 26.—Insurance of \$2,800,000 has been applied for on the life of George E. Nicholson, 49 years old, a cement manufacturer of Kansas City, for two of the companies of which he is the head. Insurance men say this is the largest amount of insurance ever successfully sought at one time upon the life of one person. From 9 o'clock in the morning until 9 o'clock at night 25 physicians representing insurance companies were examining Mr. Nicholson. After it was all over the physicians declared that he was in perfect health and the agents of the insurance companies said the policies would be issued. Mr. Nicholson is president and general manager of the Iowa Portland Cement Company, the United Kansas Portland Cement Company, the Elgin Portland Cement Company, the Iowa Portland Cement Company. He is worth \$4,000,000 and is a widower with two grown sons. He already has four \$25,000 insurance policies on his life, so that when the policies for \$1,300,000 are issued he will have nearly \$2,000,000 insurance. The insurance is distributed through several companies, the largest amounts being taken by the Mutual and the Equitable of New York.

ELGIN MINUTES THE railroad user needs the same standard of time and timekeeper as the railroad runner. Trains do not wait upon the coming of the man behind. Conductor's time and passenger's time agree when both are taken from timepieces bearing the watch-word Elgin. G. M. WHEELER Model 12 Size. Pendant Winding and Setting. Seven-teen Jewels. Ruby and sapphire balance and center jewels. Compensating balance. Breguet hair-spring, with micro-metric regulator. Adjusted to temperature. Isochronism, three positions. Patent ratcheting click and self-locking setting device. Dust ring. Plates damascened. Engraving initials with gold. Open face and fobbing cases. In Filled Gold Cases, \$30 and up. In Solid Gold Cases, \$50 and up. Other Elgin models at other prices according to grade of movement and case. All Elgin models are sold by jewelers everywhere, and are fully guaranteed. ELGIN NATIONAL WATCH COMPANY, Elgin, Illinois. Illustration shows popular No. 7 Dial.

LOST JOB CAUSES FIGHT

LABORER KNOCKS DOWN FOREMAN, WHO SHOOTS. Two Bullets Graze Object of Aim While Third Strikes Coattails of Innocent Bystander.

EUGENE, Or., Nov. 26.—(Special.)—An annual small town about 25 miles northwest of here, yesterday afternoon, Al Sekats, foreman of the Booth-Kelly planing mill at that place, shot E. G. Hurst, another employe of the mill twice with a revolver. One of the shots took effect on Hurst's right arm and the other grazed his left, neither serious. This shooting broke out at 10 o'clock, passing through the coat of a bystander. The trouble grew out of the discharge of Hurst by Foreman Sekats, whereupon the former knocked Sekats down and Sekats whipped out his revolver and began shooting. Hurst arrived in Eugene about noon today, and his wounds, which were of little consequence, were dressed by Dr. Kuykendall. No complaint has yet been filed against Sekats, and District Attorney Skidmore said this afternoon he did not know whether any action would be taken against him or not. Sekats has been in the employ of the Booth-Kelly people for some time and resides with his family, while Hurst is said to be a single man.

YAKIMA SEEKS GOOD ROADS

County Commissioners to Be Asked for \$350,000. NORTH YAKIMA, Wash., Nov. 26.—(Special.)—The Business Men's Association, acting with the Commercial Club and other bodies, has taken action looking to the construction of a system of roads in the county. A committee of 12 has been appointed, the members representing various interests, with the view to working up an interest and sentiment in favor of the matter. It is proposed to ask the County Commissioners to issue bonds in the sum of \$350,000 or \$400,000, although the improvement proposed will call for the expenditure of about \$750,000. The first work to be done is to send a crew of men over the main roads with proper equipment, this crew to repair all culverts and other places where temporary repairs can be made, and the automobile firms of the city will furnish a machine to be used in this work.

WOMAN ACCUSED FRAUD

Fay Needles Sold School Books Which Were Not Delivered. HOQUIAM, Wash., Nov. 26.—(Special.)—Deputy Sheriff Dan Boyce left here tonight for Wenatchee to bring back Miss Fay Needles, arrested there today on a charge of grand larceny preferred by County School Superintendent N. D. McKillop. Miss Needles visited Chehalis County last August and secured a letter from Mr. McKillop, which she is alleged to have used in getting orders from various school districts for books that she represented herself to be selling. She also carried blank school warrants, which she is said to have used to induce school directors to sign in many cases, and these were cashed. While a number of books were ordered, none were ever received, and it is estimated that more than \$500 was secured in this county in that manner. She will be brought back for trial.

NEHALEM TO IMPROVE PORT

Commissioners Appointed to Better Bay Conditions. NEHALEM, Or., Nov. 26.—(Special.)—The five commissioners appointed as the Commissioners of the Port of Nehalem met today and perfected an organization. The election of officers resulted as follows: President, C. H. Wheeler; vice-president, Henry Tohl; secretary, H. V. Allen; treasurer, Frank A. Rowe. This port is organized under an act of the last legislature, and now that the organization has been completed, the commissioners will probably proceed as fast as possible to improve the harbor of Nehalem Bay by means of snagging the river and the construction of a jetty at the mouth of the Nehalem River. The enormous amount of timber standing tributary to this bay demands the improvement contemplated, and with the completion of the improvements on the harbor and the completion of the Pacific Railway & Navigation Company's railroad to Nehalem next year, this section of Oregon will fast come to the front as one of the largest lumber-cutting districts in Oregon.

HOLOGRAMS TO IMPROVE PORT

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FREIGHT ENGINE EXPLODES

Engineer Thrown 20 Feet, Escapes With Only Few Bruises. HOOD RIVER, Or., Nov. 26.—(Special.)—The boiler of a big O. R. & N. freight engine exploded this morning, hurling the engineer, George Curt, over the railroad embankment, demolishing the firebox and causing other damage. The fireman, who stood on the ground beside the engine, escaped unhurt. The force of the explosion struck the engineer in the back and lifted him 20 feet. With the exception of slight bruises he was not injured.

100 BOYS IN CONVENTION

Leading Western Oregon Cities Represented in Club Conference. ALBANY, Or., Nov. 26.—(Special.)—One hundred boys were present when the fourth annual conference of the Boys' Clubs of Oregon opened in this city tonight. All of the leading cities of Western Oregon are represented. Delegates reached Albany on every train today, but the majority came on the noon train in a special car from Portland. The opening session was held this evening in the First Christian Church, with William S. White, of Albany, president of the conference, presiding. Wallace R. Struble, manager of the Albany Commercial Club, welcomed the delegates and Rex Hammyler, of McMinnville, responded. A business session was held and talks were then made by J. Irving Gilbert, of Corvallis; L. MacLaren, of Salem; Rollie Carey, of Salem; and P. W. Lee, assistant physical director of the Portland Y. M. C. A.

HAMILTON TRIAL RUNS GAUNTLET

Progresses in Spite of Dilatory Tactics Adopted by Defense. OLYMPIA, Wash., Nov. 26.—(Special.)—It is expected a jury will be selected by tomorrow night in the local Superior Court and that Monday the taking of testimony will be started in the case of the state against ex-Adjutant-General Orin Hamilton. In the trial court today's sessions were given up entirely to the examination of jurors. Carrying on their usual dilatory tactics, attorneys for the defense consumed all the time possible with their questions. Denies Habeas Corpus Writ. As usual, the Hamilton case was in the Superior Court today also, lasting only long enough to give the attorneys for Hamilton an opportunity to make their arguments on the petition for a writ of prohibition to restrain the lower court from proceeding with the trial until the appeal from the order denying habeas corpus had been heard and disposed of by the Supreme Court. After a brief consultation following the argument the court announced the writ would be denied. Later in the day the Supreme Court handed down a formal decision, quoting from a decision of the State Supreme Court in the case of State vs. Fenton, reported in 30 Washington, 225, in which the court said: "We do not think the law can compel us to go to the extent of aiding defendants in criminal actions to prevent indefinitely a trial of the cause on the merits by repeated applications for writs of habeas corpus and appeals from decisions in such cases." In its opinion the court said further: "The trial court is proceeding regularly with the case. The granting of this application would be in denial rather than in furtherance of justice."

RYAN GIVEN SEVEN YEARS

Attorneys File Notice of Appeal and Will Ask for Bail. PENDLETON, Or., Nov. 26.—(Special.)—Seven years in the penitentiary and a fine of \$300 was the sentence pronounced yesterday upon James Ryan, recently found guilty of manslaughter for the killing of Edward Dixon last May. His attorneys immediately filed notice of appeal and asked for a stay of execution for 30 days in order to permit them to file a bill of exceptions and ask for a writ of probable cause. Ryan will therefore not be taken to the penitentiary at this time, and at or before the expiration of 30 days will probably be admitted to bail in the sum of \$10,000. Arrest Follows Flood. Man Salvages Another's Wood Supply and Is Arrested. SALEM, Or., Nov. 26.—(Special.)—Because James Plunsky caught a quantity of wood that floated past his house on South Mill Creek during the big flood yesterday, W. C. Johnson this afternoon had Plunsky arrested for larceny. Johnson had his winter's supply stacked up in his yard when the flood came along and carried it away. Plunsky, living a block farther down the stream, saw the wood coming and helped himself, not knowing, it is said, who owned the wood or where it came from. Body is Blown to Atoms. Spokane Contractor Meets Death by Dynamite Route. SPOKANE, Wash., Nov. 26.—Lewis Frederick, foreman for Mitchell Bros. contractor, was blown to atoms by a stick of dynamite which accidentally exploded in his hands this afternoon. Frederick was superintending the drying of sticks of dynamite close to a bonfire and he successfully carried numerous sticks to a dry compartment in the contractor's shed before the fatal accident happened. The body of the foreman was blown a distance of 40 feet. HOG WEIGHS 410 POUNDS. Clark County Farmer Sets Record for Dressed Porker. VANCOUVER, Wash., Nov. 26.—(Special.)—A porker weighing 410 pounds dressed, was raised by E. W. Lavden on his ranch on Burnt Bridge Creek, near Vancouver. He sold the hog at the stockyards in Portland for \$41.10. This is thought to set a new record, all other claims to date for heavy-weight hogs being far outdistanced. Unidentified Body Buried. OREGON CITY, Or., Nov. 26.—(Special.)—The unidentified body found in the Willamette River, near Risley Station, was buried here today in the county cemetery. The body had evidently been in the water six months. The man was about 6 feet tall. One shoe, well made, is the only means of identification. The pleasant purgative effect experienced by all who use Chamberlain's Stomach and Liver Tablets, and the healthy condition of the body and mind which they create, makes one feel joyful.

GRIME IS PUZZLER

Charles Mickels Is Brutally Slain Near Pendleton. BLOW CRUSHES IN HEAD Apparently Struck From Behind by Cowardly Assassin—Only Claw to Identity Is Letter in Pocket and Initial Handkerchief. PENDLETON, Or., Nov. 26.—(Special.)—With his brains literally beaten out of his head and the entire top of his skull crushed to a pulp, a man supposed to be Charles Mickels has been made the victim of one of the most brutal and baffling murders in the history of Umatilla County's long list of black crimes. With every indication that the man was felled by a cowardly blow on the back of the head, it is apparent he was given no chance for his life. A letter in a coat pocket addressed to Charles Mickels and a silk handkerchief with the initial "CM" were the only clues to identification. The letter was mailed to Pilot Rock, but no one of that name is known there. The officers are completely puzzled to account for the crime or to secure a clue to the perpetrator. THE LATEST IMPROVED COLUMBIA With Twelve Selections Only \$28.90

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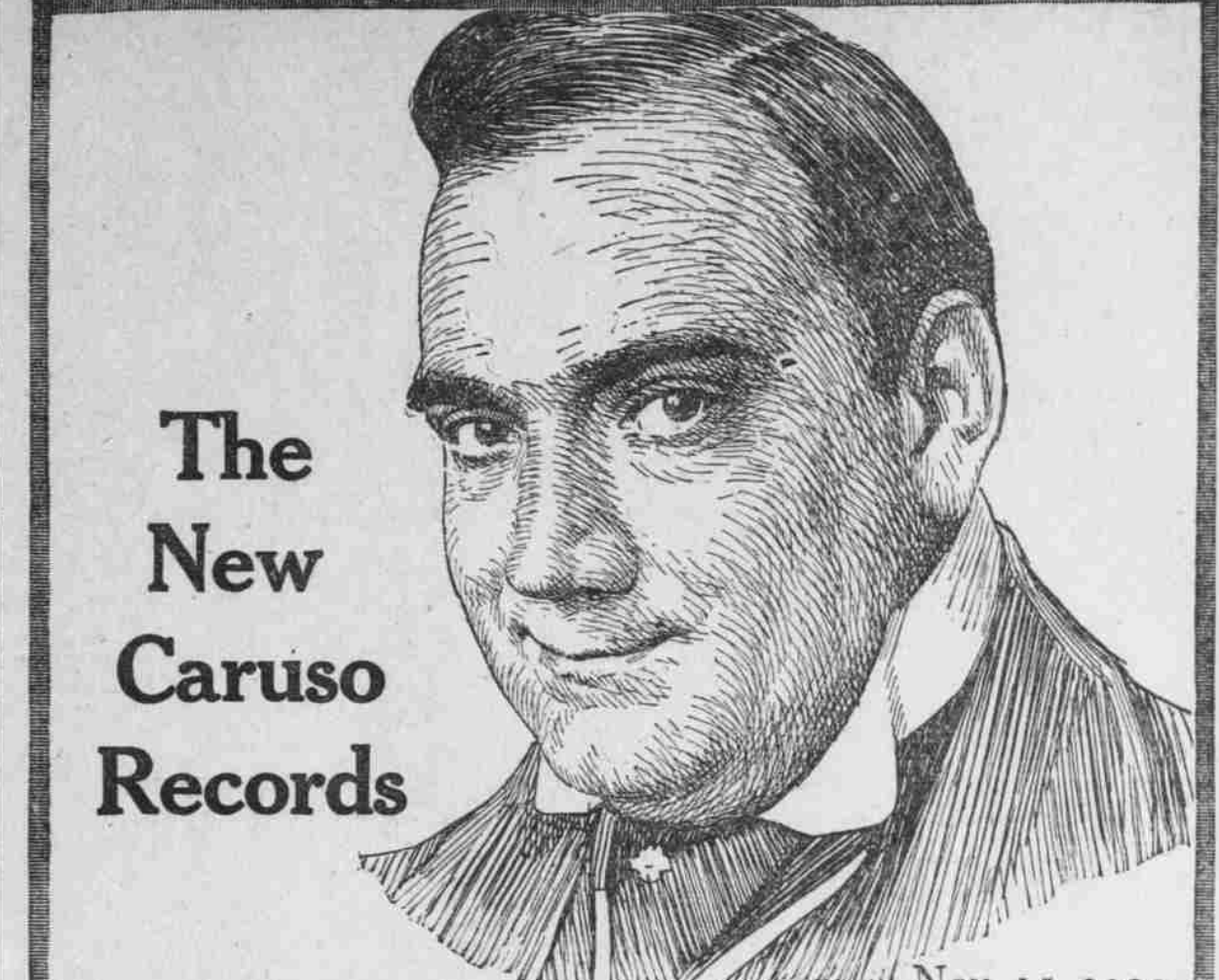
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