HERMANN ASSAILS FOES' BEST POINT

Defendant in Box Contradicts Meldrum.

MESSENGER POTENT WITNESS

Commissioner "Damned" Benson, Testifies ex-Employe.

OFFICE CONFAB IS DENIED

Women and Capitol Watchman Rally Against ex-Surveyor-General's Testimony-Aged Accused Man Answers Firmly.

Flat denials of testimony adduced by the Government were made yesterday not only by Binger Hermann, who took the stand on his own behalf, but by others, including two women. Probably the most telling testimony brought out was that given by a former messenger under Hermann at Washington. said he had walked in on Hermann and enson in the Commissioner's office and heard Hermann say in wrath, "damn you, Benson, don't you come here and

make such a proposition to me."

Hermann was self possessed. He responded to questions firmly and at time was dramatic in assuring the jury his assertions were true.

In, the morning session Attorney Worthington had prepared the way for Hermann's testimony by calling Mrs. Moda Silverstein, ber sister and Watchman Helmstrom, of the Salem Capitol all of whom contradicted the testimony the most important witness fo Government, ex-Surveyor-General

Messenger Aids Defense.

The defense had placed nine prominen citizens of Oregon on the witness stand to festify as to the good character an reputation of Hermann for honesty and integrity. Then evidence was cited from the Washington trial to show it might have been possible for letters, upo which the prosecution lays much ress to pass through the General Land Office without the knowledge of Hermann, C H. Muller, messenger at the Washingto office in the regime of Hermann, and called to show that Hermann and John lator and partner of F. A. Hyde, were

Hermann, upon being told to recount the history of his life to the jury, said: 67 years old. I am the defendant in this

When I was 17 years old my father came to Oregon with a colony of settlers and we located in the wilds of Coquille River I taught school there, and after two or three years passed in clearing stumps from the land, we all ne of removed in 1892 to Deuglas County. I taught a line over a mountain to Meadow Camp, and not being heard of for three or four up the study of law in the office of Judge days, search was instituted by members

Chadwick, at Roseburg, which was force willage. Later Mr. Chadwick became Governor of this state.

I was admitted to the bar 44 years ago on Ostrober 10 hast. After that I went to San Francisco and studied in the office of Judge Q. C. Pratt and John C. Fulton, I then required to the Impana Valley and took up the practice of my protession. In 1861 I was elected to the State Senate, and in 1871, I think it was I was appointed by Prosident Grant as Receiver of the United States Land Office. After two years service I resigned and was out of public life until 1884, when I was elected to Congress to represent the enwas elected to Congress to represent the s

Commissioner's Duties Taken Up.

In 1807 President McKinley appointed me Commissioner of the General Land Office. McKinley and I had been members of the Congress together for five or my years. I entered on the duties of that pastion in March, 1807, and continued as Commissioner until Pebruary I, 1805. William about three months after my resignation, owing to the death of Representative Tongue, I was renominated and elected in my solid district, and was re-closted at a later date. When these differences arose I desilies to again become a condidate. That to again become a candidate. That

was in 1907.

During my term as Commissioner and within the first two or three years of my term I realized that a great many hand fraints were arising through the operation of the item land law of 1807, which permitted the epoculators to purchase school land base and the owners of putented lands to relinquish that base for more valumble lands in any part of the United States. I thought it has to the document that the law be resealed or modified so that that the base he repealed or modified so the when one ngist a worthing piece of base land when one held a worthing piece of base lands he should be composed to receive worthless lands in Heu thereof. In my various annual reports to the Secretary of the Interior and to Congress I made recommendations in accordance with that these and that continued to the last hour of my turn.

The Farallon has stores for three months. She has no wireless equipment, she congress I made recommendations in accordance with that these and that continued to the last hour of my turn.

The Secretary called on me to know what I would advise concerning the formation of furnities for these concerning the formation of furnities for the contract receives and I receive the contract receives and I receive the contract of the contract receives and I receive the contract of the contract receives the contract of the contract

ture forest reserves, and I replied that their should be no more reserves created until Congress should repeal or modify the law, I also appeared before the committees of Congress and arged these views.

Law Change Sought.

Up to 1900 the Secretary of the Interior co

To be 1900 the Secretary of the interior construed the law to permit lieu lands selections within uncurreyed lands of the public domain. I ruled at one time that lieu lands could not be selected on unsurveyed lands but the Secretary reversed that chelston.

I appeared before the committee on appropriations of which Senator Alison was chairman, and asked him to include in the sanitry civil bill a clause which should either repeal or modify the lieu land act of 1897, especially to provide against acquiring lieu land tights on unsurveyed lands. The Senator thought it inexpedient to once than to modify the law on as to confine it to surveyed lands. I then went to the House committee on pastin lands and presented argument on the subject. Interest, when I was elected to Congress. I intro-(Concluded on Past

WOUNDED LAD HAS PLUCK BEYOND AGE

HOT IN LEG, HE WALKS ACROSS STREET TO CALL DOCTOR.

Bullet Plows Through Thigh as He Snaps Revolver-Regrets Missing Schools Work.

VANCOUVER, Wash., Jan. 31 .- (Spedal.)—Raymond Graham, the 12-year-old on of Mr. and Mrs. J. W. Hill, accidentally shot himself in the fleshy part f his left leg yesterday afternoon a the family home on Eleventh street where he was alone at the time. His clothes catching on fire, he tore them off, threw them in the woodshed at the back of the bouse, put on another suit, walked coss the road to the Baptist parsonage and had Mrs. Poole telephone for a doc He then returned to his own hor got a blanket and spread it on the table and sat down to await the com-

ing of the doctor. The boy's parents had gone down own in the afternoon. A revolver be onging to the lad's brother-in-law, R Hoskins, baggage-master at the Union Station, was on a shelf in the dining-room. The boy took the gun down and, as he was pulling at the trigger, I suddenly went off. The bullet entered the flesh on the inside of the left leg, went downward and, glancing from th one, came out on the outer side of the leg just above the knee.

The boy is suffering a good deal to lay, but Dr. Cass, the attending physician, said tonight that the lad was get ting along nicely. Raymond himself is wortying over the fact that he is unable to take the term examinations at

NAVY "HOP" BASI SOF ROW

Paymaster at Trial Admits Ejecting Civilian Doctor From Dance.

BOSTON, Jan. 31 .- A partial admis on that he used force in eejeting a villan, Dr. E. S. Cowles, from a "hop" at the Charlestown Navy Yard last De cember, was made today by Paymaster George P. Auld in a letter read at the beginning of his courtmartial on charges of maltreating an inhabitant while on shore and of conduct unbeoming an officer.

Auld's letter was directed to Rear-Admiral Swift, then in command of the navy yard, and in it he said that he took hold of Dr. Cowles' shoulders.

Dr. Cowles testified today regarding the alleged assault and admitted that before the "hop" he took a picture of Miss Dorothy Hesler, of Evanston, Ill. from the rooms of Dr. Robnett and did not return it.

The courtmartial has aroused great interest in naval circles and the trial room was crowded.

ENGINEER LOST NINE DAYS

Bernard Schweringen, Found Unconscious in Lower Siuslaw.

Bernard Schweringen, a civil engine-Western Maryland and am for the Lacy Timber Company, is in a serious condition at the home of F. Fi. we result of having lost his way in the

Schweringen was sent January 26 to run a line over a mountain to Meadow Camp k. at Beseburg, which was then a of his engineering corps. They found him Saturday morning, nine days after his departure, lying in the timber uncon and hunder. . He may not recover.

The Lacy Timber Company, for which Schweringen had been working, recently sent three large crews of timber men and engineers into the lower Siuslaw country to cruise and survey a large tract which the company purchased a short time ago.

SEARCH ON FOR LOST SHIP Alaskan Vessel Farallon Hasn't Been Seen for Month.

SEATTLE, Wash., Jan. 31.-The steamship Victoria is making a special run from Seward to Uyak, on Kadiak Island. Alaska, to search for the Alaska Steamship Company's ship Farallon, which left Port Graham, January & for Hamma

Bay, and has not since been seen.
If the Victoria finds that the Farallon has not called at Uyak, on the north shore of Kadiak Island, she will continue to look for the missing vessel. The past nonth has been very stormy in Northern waters, and while the owners express onfidence that the Farallon is safe and has taken shelter at some island port, there is deep anxiety among shipping

The Farallon has stores for three

Visit in May.

MADRID, Jan. 31 -- A birth in the royal family of Spain is expected the latter

Queen Victoria already is the mother of three children, Prince Alphonso, Princa Jaime and Princess Beatrice, the latter having been born on June 22, 1909,

THREE KILLED IN CRASH Automobile Hits Trolely Car on

Denver Street. DENVER, Jan. 31.-Two women and one man are dead and another man fatally hart, the result of a collision between a trolley car and an automobile tonight. The dead and injured were conthe automobile wasting .

DEMOCRATS HELP **GLAVIS IN ANSWER**

"Other Side" Is Silent. Says Nelson.

BALLINGER'S TALK PRIVATE

Witness Admits No One Overheard Conversation.

CAMPAIGN DELAYS WORK

Special Agent Urged Not to Antagonize Contributors to Fund--Pinchot Reaches Committee Rooms With Bundle of Data.

WASHINGTON, Jan. 31 .- When the Ballinger-Pinchot investigating committee adjourned late today until next Friday morning at 16 o'clock, Louis R. Glavis was still on the stand. He will be further questioned at that time. Glavis was cross-examined today by everal members of the committee, the Democrats taking by far the more

rominent part in the questioning, and

framing their interrogations in a way centuate certain parts of the testimony already given by the witness. At the close of the hearing, Sen ator Nelson called attention to the fact that the committee was proceeding, "feebly" and blindly, as there was no one present to cross-examine the

representative of the "other side." Root Active in Inquiry.

Personally, he said, he had no desire to question the witness further. It was thought best, however, that Glavi nain in the city until certain docments called for from the Interior De partment have arrived and have been examined.

Senator Root moved that these does ments should all be printed before being considered. Attorney Brandels. representing Glavis and others, said many of the documents he had asked for proved to be irrelevant, Senator Root remarked that so far as he could see there was nothing ir-

relevant to this inquiry. Cross-examined by Senator Fletcher, of Florida, Glavis said today that Ballinger, while Commissioner of the mittees of Congress and by his testi-mony had favored a bill that would validate all of the Alaska coal claims.

Law Firm Stationery Used

He also said that an affidavit filed Sepetember 4, 1908, by Clarence Cun ningham, had on it a backing which bore the name of the firm with which Ballinger Glavis said when Ballinger asked him not to proceed with his investigation of the coal claims until after election because of the slowness of campaign contributions, no one was present to overhear the conversation,

The name of Dona'd A. Mackenzie was brought into the inquiry this afternoon when Glavis testified Macker zie told him the reason James R. Gar-

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PORTLAND, OREGON, TUESDAY, FEBRUARY 1, 1910.

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Pacific Northwest.

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tailroad Commission sets date for hearing on new demurrage code Page 18. Hermann, on stand in own behalf, denies ex-Surveyor-General Meldrum's testimony, Page 1. earing-house may take over assets of de-funct Oregon Trust Bank and pay de-positors. Page 11.

Many anary complaints against car service received by Council committee. Page 9 All Oregon visited by snow after moderate weather. Page 14.

GRAND JURY HAS BABY CASE

Parents of "Wilson Quadruplets" to Be Found and Punished.

LOS ANGELES, Jan. 31.-Superior Judge Wilbur referred to the grand jury today the case of the Wilson quadruplets with instructions to begin an investigation to determine the identity of the par ents who had abandoned the babes. The court called attention to the fact that the law imposed a penalty of im

The grand jury is instructed also to make a general investigation of the conduct of the maternity homes, such as that maintained by Mrs. C. P. Smith, who confessed that she had supplied the quartet of bables with which Mrs. W. W. leceived even her husband into the belief that she had borne them all.

ARBITRATION IS SOLUTION

Railroads and Telegraphers to Settle Controversy.

WASHINGTON, Jan. 31.—Artibration has been decided upon as a solution of the controversy between the Big Four Baliroad and its telegraphers, it was appropried today. was announced today.

The controversy between the Baittmore & Ohio Southwestern and its telegraphers also has been referred to

NO ROSE WITHOUT ITS THORNS.

IN SWOPE'S BODY

Experts Make Report to Executor.

PROSECUTION TO FOLLOW

Paxton Refuses to Discuss Parks and young Gliespie found tracks Building Permits 45 Per Cent Suit Filed by Hyde.

\$100,000 SUM DEMANDED

Attorney Representing Mrs. Hyde. Wife of Plaintiff in Slander Charge, Is Refused Admission to Chicago Conference,

CHICAGO, Jan. 31.-Strychnine was found throughout the viscera of the late Colonel Thomas H. Swope, the Kansas City millionaire, according to a report nade by Drs. Walter S. Haines, H. Hekoin and Peter C. Vaughan to John J. Paxton, executor of the Swope estate,

The same poison is also believed to have been found in the body of Chrisman Swope, a nephew of Colonel Swope, but it was announced that the examination of his organs had not been completed. and would be continued.

Prosecution Will Follow.

Mr. Paxton said that criminal prose The Kansas City party returned home onight and will be present at the inquest crow. Members of the Kansas City party refused to make any statements concerning what they knew about the exmination just completed. At Dr. Hains' me it was said he was out of the city and probably would not return today. Dr. Hecktoen left his residence early today. When told that Dr. B. C. Hyde, of Kansas City, had brought suit against him recover \$100,000 for alleged slander, Mr. Paxton refused to discuss the matter. W. T. Johnson, an attorney represent ing Mrs. B. C. Hyde, was refused admission to the conference. Mr. Johnson came here today to be present when the

HYDE SUES FOR BIG DAMAGES

report of the doctors was made.

Swope's Physician Takes Offensive Against His Accusers.

KANSAS CITY, Jan. 31.—The filing of damage suits by Dr. B. C. Hyde. the Swope family physician, against an attorney and two physicians nected with the investigation of the deaths of Col. Thomas H. and Chris man Swope, marked his active entrance into the case here today. are for sums aggregating \$700,000. Following the filing of the suits, statements were issued by Dr. Hyde and his wife, who was a niece of Colonel Swope and a sister of Chris-man Swope, regarding the deaths of the two men. Mrs. Hyde expresses absolute confidence in her husband. The first suit filed was against Attorney John G. Paxton, executor of the Swope estate, and who has been prom-(Concluded on Page 3.)

WELL-AIMED BLOW FELLS WILDCAT

ELK CITY YOUTH HAD CLOSE ESCAPE FROM INJURY.

Animal Shot, First Attacks Dog and Then Turns on Boy Who Strikes Death Dealer.

ELK CITY, Or., Jan. 31 .- (Special.) Striking a wildcat across the head with such force as to break the stock of his rifle, alone saved Holly Gilespie, of this place, from receiving scratche from the animal which might have ulti mately caused death.

In examining the tracks about some dead goats on the Gilespie ranch, Paris of the wildcat and gave chase with a pair of hounds

The cat was treed, and when shot fell to the ground, grappling one of the hounds. The hunters mixed in the fight, trying to kill the cat without in juring the dog, but falled, until the cat freed itself and made for young Gilespie, who saved himself in the nick of time by striking the animal a telling

Warmers and tanchers along the Big Elk River, who have lost sheep and goats lately and who have been hunt ing the woods for cats, have disco ered that a great part of the killing has been done by dogs. As a conse-quence, owners of all suspected canine are complying with a request on the part of sneep and goat owners or are taking it upon themselves to call their dogs into the woods and shoot them. The last raid was made on Colonel F J. Parker's flock of sheep. Three sheep were killed and several wounded. The disposition of three suspected dogs re-

TIDE AIDS THIEF IN NIGHT Hawsels Cut With Ax; Vessel Floats Away; Captain Rescues.

ABERDEEN, Wash., Jan. 31 .- (Spe ial.) JWith her four stern lines sev strong flood tide and a heavy south west gale, the schooner Taurus, loading for Honolulu, missed serious acciden Sunday morning only by the wakefulness of Captain Leibig, who, between 3 and 4 o'clock, was awakened by noise on deck and, rushing up, found the stern of his vessel swung out into the stream and being rapidly drifted

The strong tide and gale from the ca were fast carrying the vessel away when the crew arrived on deck and lowered the anchors. This alone saved the vessel.

The hawsers had been cut with an ax and had the act not been discovered immediately the big vessel would have swept up the river and crashed into ed in entering the donkey engine-room and stealing a considerable amounts of clothing.

CANADIAN NORTHERN WINS

Valuable Coal Land Option Goes to Hill-Harriman Rival.

VICTORIA, B. C., Jan. 31.—The Can-adian Northern Railway has secured on option on the entire Dunsmuir coal mining and real estate property on Vancouver Island, it is stated on good authority. Eleven million deliars is the sale price, \$109,000 having been while building permits for January did No official annous ement can be ob-

examined and fully reported on for building operations. Similar weather con-Pacific and Harriman people have been figuring on the purchase of the prop-

bonding of Dunsmuir mining and real-ty properties to Portland people, who were acting under the direction of President Howard Elliott, of the North-Pacific Railway, were initiated ing \$431,415.

WQMAN GOT \$1000 YEARLY

From Him.

CINCINNATI, Jan. 31.—Charles L. Warriner, defaulting treasurer of the Big Four Railroad, as a witness in the trial Four Kallroad, as a witness in the trial of Mrs. Jeannette Stewart-Ford, today said that he had paid Mrs. Ford \$1900 for seven years from October, 1902. Mrs. Ford is charged with having blackmailed Warriner. The witness described Mrs. Ford as a woman who could never have enough money and himself as a man never tree from her demands. This was the first time Warriner had uttered anything publicly regarding Mrs. Ford, and his tostimony aroused great interest. testimeny aroused great interest Attorney Thernecke, in his opening statement declared the defense would asthe Big Four railway were short in their

sunts and added: Ve propose to show that the ma-ery of the state is being invoked to a vulgar affair between two women for the love of one man-and a very poor cimen of a man he was

CORVALLIS, Or., Jan. 1.- (Special.)-

PRICK OF PI NCOSTS ARM Corvallis Woman Loses Right Hand by Blood Poison.

Afflicted with blood poisoning resulting from a pin prick or putting a pricked hand into blueing water while washing about three weeks ago, Mrs. W. A. Buchanan has suffered the loss of her right arm. She rallied nicely from the operation and gives promise of recovery

of recovery.

Her husband, County Treasurer
Buchanan, is minus his right arm at the
shoulder, which was severed from his
hody several years ago by a newer saw
flying from its moorings.

GREAT BOOST IN FIGURES OF MONTH

Business Greater Than in January, 1909.

CLEARINGS GAIN 48 PER CENT

More Than Last Year.

BRILLIANT YEAR PREDICTED

Grain Exports Foreign Show Small Drop, but Coastwise Are Larger, and Are Almost Double Those of All Puget Sound Ports.

Statistics reviewing the industrial ind commercial activities of Portland for the month ending yesterday are flattering. Not only do these figures show substantial increases over the colume of business for the corresponding month in 1909, but they reliably forecast new high records for the calendar year 1910. This will be the unmestioned result if the same proporion of increase established for initial month of the new year is maintained for the remaining 11 months.

Clearings Increase 50 Per Cent.

Records covering building permits and bank clearings not only tell of the growth of a great city, but reflect infallibly the volume of business transacted. These records for Portland last nonth approximate 50 per cent greater The bank clearings for the month ending yesterday aggregated \$38,055,580.78, or an increase of \$12,346,282.78 over January, last year, when the clearings amounted to \$25,709,298.78. This is an increase of 48 per cent. The average learings for last year, which exceeded the record of the highest preceding year by \$40,000,000, were less than \$32,-000,000. At the same rate of increase for the remaining 11 months of 1910, the bank clearings for this year will be more than double those for last year. These clearings yesterday reached a total of \$1,533,186.86. For the same day

last year they were \$1,173,518.01. Clearings Exceed 1909.

The clearings for last month exceeded October the total clearings were \$40,908,-548.21 and in November they were \$8,-403,584.25. The January clearings this year were also greater than those of any single 1908 and exceeded the best month of that year, October, by more than \$5,000,000. Only an unlooked-for depression will keep the clearings of Portland banks this year from going well over

the banner year, 1909. While building permits for January did

anot measure up to average in the aggretained today, owing to the absence of gate of improvements represented, they ex-Governor Dunsmuir up the coast.

The Mackenzie-Mann people have un-I May to complete the purchase. In there meantline, the properties are to be there tended to interfere with extensive he purchasers.

It is stated that both the Northern percentage of increase in these operaditions prevailed last month so that the tions fairly shows a decided improvement over the record of a year ago. erty for some time.

Indeed, negotiations looking to the the month which closed vesterday, 38

The movement of real estate last month likewise exceeded that for the corresponding month of 1909 by \$127,900. For the month there were 1503 transfers, with coniderations as recorded, aggregating \$2,-Warriner Says Mrs. Ford Got \$7000 338.892. This total does not correctly rep resent the actual value at which the property was transferred because of the practice of many property owners in naming in deeds a nominal and fictitious consideration of \$1 when the property sold is worth upwards of several thousand dollars. Even then the transfers for last month were 6 per cent greater than for the same month last year, when 1233 transfers were recorded for considrations aggregating \$2,201,048.

Grain Exports Beat Scattle.

Grain exports for this port for Janpary fell below European shipments for the same month a year ago, but coastwise shipments reached bushels, as compared with 400,811 bushels a year ago. Records compiled by the Merchants Exchange show that these shipments, coastwise, from Port-land for the month were almost double those of the combined Puget Sound ports, which amounted to only 262,425 Lumber exports amounted to ,368,266 feet, as against 1,740,380 feet or January, 1999. Coastwise lumber shipments for last month amounted to

As has been remarked, there was a slump in grain exports last month. The aggregate of these shipments for Janpary was 349,016 bushels, as against 644,244 bushels a year ago, but at the same time they were more than double the export shipments of the Puget Sound cities, which were only 144,242 bushels. These shipments from Puget Sound for the month were about 150,-000 bushels less than for the same month in 1909, when 392,725 bushels were forwarded to the foreign markets from those points. Foreign flour shipments from this

(Continued on Page 2.)

ent or the for the abandonmen