MRS. FORD MAY BE

Dismissal of Suit Asked on Ground Grand Jury Testimony Is Barred.

WARRINER IS IN STRIPES

Big Four Defaulter Tells Again His Relations With Woman on Trial for Blackmail, Telling How She. Came to Him for Money.

CINCINNATI, Feb. L-Mrs. Jeanette Stewart-Ford may be freed tomorrow from the charge of levying blackmall on Charles L. Warriner, defaulting local treasurer of the Big Four Railroad. trial came this afternoon when the in's attorneys demanded the missal of the case on the ground that the ecuting Attorney refused to submit to the court a transcript of the evidence

to the court a transcript of the evidence given before the grand jury. A decision will be rendered temorrow.

This move by Mrs. Ford's attorneys created a sensation, following, as it did, the declaration of the woman's lawyers that "Warriner was not the only guilty person in the \$643,000 defalcation and that before Mrs. Ford's trial was concluded they would compel the revelation of his alleged accomplices."

Warriner in Stripes.

Warriner, attired in his convict garb, under the most rigid cross-examination preserved his indifference and again related on the stand the story of his relations with Mrs. Ford.

The proceedings failed to develop any incidents of as sensational a nature as Warriner's declarations of the first day that he had paid Mrs. Ford \$84,000 in "hush money." Warriner testified that Mrs. Ford had

night last Spring.
"Was that the only time she came

there?"
"No. She came several times after the exposure last Autumn."
"But before that, only once?"

Warriner said that on the occasion in question she told him she had just come from Chicago, where she had had a row with Edgar S. Cooke; that she was out of funds and that she asked for money with which to pay her hotel bill. He said he gave her \$20 or \$30, all that he had in his pockets. The fact that this interview took place on the porch of his home was emphasized by the questions of the prosecution.

Letters Tell of Money.

Then more letters from Mrs. Ford were introduced. One, dated February 5, 1903. 'Saw Mr. W. today for the first time since I struck Cincinnati. Got some money from him to pay my hotel bill and for your birthday, but not enough to spare you a ten-spot besides." Letters were also introduced to show

Mrs. Ford's Jealousy of Cooke's wife. It them she referred to Mrs. Cooke in un-complimentary terms and accused her of interfering with her (Mrs. Ford's) af-

fairs.

A telegram from Mrs. Ford to Warriner was offered, in which she wired:

"Descried in my hour of trouble."

A memorandum on it to Cooke says:

"This is pretty bad to be floating around," was acknowledged by the witness to be in his basewriting.

"Did you ever receive any communication from Mrs. Ford that did not ask for money?" jueried Assistant Prosecutor Cach.

'Very few," was the answer.

TIMBERS CRUMBLE

Wreckage of San Buena Ventura Washes Ashore at Gold Beach.

GOLD BEACH, Or., Feb. 1 .- (Spe cial. -- Some of those who were here when the San Buena Ventura came ashore on January 15 within view of the beach, are still busy storing away the wreckage which came ashore and was recovered from the surf. The vessel went to pieces in plain sight of the town. The lumber that constituted her cargo could be seen plainly as it came through her side as she pounded on the beach. All that is now left of the wreck is being covered rapidly by sand

was housed before the crew left the vessel, but the after cabin was snug and tight. Pieces of the timber that have been washed ashore were in bad condition and could be crumbled in the fingers in some instances. The deck timbers were sound, and the spare spars and cordage were good.

A cat survived the wreck, although it had been described when the crew took to the bents. It was brought ashore and has taken up its abode in Gold

BENCH CRITICISM UPHELD

Justice Brewer Says Judges Should Not Object to It.

NEW YORK, Feb. I.—"The courts, their delays, and cost of litigation, are justic criticised," says Justice David J. Brewer, of the United States Supreme Court, in an interview given out here today. Justice Brewer is in New York to preside at a meeting of the Civic Forum tonight. In his discussion of judicial evils he said in part:

"No judge ought to object to any fair criticism, and no just judge will so object. There is no duty more impera-tive upon the bar and the bench than to do what they can to simplify mat-ters, to put technicalities out of the way and see that substantial justice is

administered.

"The seat of the whole trouble, in my opinion, is in the fact that too many appeals are granted when justice does not demand it. Our courts triffe with instice by permitting delay after delay

"I advocate that the state enact laws to permit of but one appeal after the trial judge."

OFFICIALS IN SCANDAL Murder Charge Against May Talbot

(Continued from first page.)

the charges too far, as Rear-Admiral

she declared she "wanted the matter

Dr. Cowles Under Suspicion.

Dr. E. S. Harvey, of the State Board that Dr. Cowles was under suspicion of "cribbing" during an examination. Dr. John W. Sanborn, also of the State Board, said he considered Cowles a medical quack."

Miss Dorothy Hester, around whon

few months and had conversed with him over the telephone regarding her picture. Dr. Cowles was requested to return the photograph, she said, but instend of replying, asked Miss Hester f she would not call on him. She delared she had not found Dr. Cowles objectionable except once. when he telephoned her and suggested an appointment, and had never made any uch statement to any of the officers Dr. Cowles was called again to state is side of the picture incident. He sald he did not return it because Dr tobnett had threatened him if he did Robnett would carry out his threat.

RAILROADER LOSES LEGS

much of the testimony has centered. Rescue Parties Continue to Search Mine for Bodies of Dead.

ONLY ONE IS FOUND ALIVE

Firedamp Is Believed to Have Caused Disaster-Workmen Are Busy Preparing Graves at Trinidad for Bodies of Victims.

PRIMERO, Colo., Feb. 1.-Yesterday's Aged Sam Cochran, Bridge Carpenter, Hit by Train.

ALBANY, Or., Feb. 1.—(Special.)—Sam Cochran, 60 years old, an old bridge carpenter on the Southern Pacific Railroad,

This is NO., Colo., Feb. 1.—Yesterday's disaster in the main mine of the Colorado Fuel & Iron Company; which claimed the lives of at least 79 men, was caused by an explosion of fire damp, according to a survivor of the catastrophe on January 23, 1997, in the same mine, in which 24 lives were lost.

The same authorities claim the explosions.

************** REPRODUCTION OF "STOLEN" PHOTOGRAPH WHICH HAS CAUSED LATEST NAVY SCANDAL.



MISS DOROTHY HESLER, INNOCENT CAUSE OF COURT - MARTIAL,

fured, but the old man was thrown partly across the ralls and the engine passed over both legs. He was placed aboard the train and brought to St. Mary's Hos-pital in this city, where physicians am-putated both legs.

TERMINAL IS LOOKED OVER

Raffroad Officials Inspect Grounds at Newport.

NEWPORT, Or., Feb. 1.—(Special.)—Arriving on a special train, M. J. Buckley, general superIntendent of the Harriman lines in Oregon, Chief Engineer Boschke, Superintendent Fields, of the Southern Pacific, and Superintendent Walsh, of the Corvaills & Eastern, ar-rived this morning and inspected a place for entrance and terminus in

lemanding exorbitant prices for right of way and they must be assisted financially by Newport if the line is to be extended from Yaquina to this city.

TRUNK MYSTERY HINTED Finding of Woman's Body in Ruins

of Home Leads to Suspicion.

BENICIA, Cal., Feb. L.—The fact that the body of Mrs. Margaret McGuire, an aged woman, burned to death yesterday in her home near the Benicia barracks, was found partly in the framework of a trunk, has led to susploions of foul play.

Mrs. McGuire lived alone. Her house was destroyed by fire and her body was found in the ruins. BOARD DISCUSSES CLAIM

The Hague Court Representatives Take Up Venezuela Case.

THE HAGUE, Feb. 1.-Before The Venezuela exchanged memoranda on the ispute regarding the claim of the Orl-

ernment of Venezueja.

The steamship company, a New Jersey corporation, filed a claim for the alleged arbitrary repudiation of certain concessions by the Castro government.

WIFE FOUND NOT GUILTY

Fails to Hold. Swift was his friend.

Senator Lodge made few comments on the charges, but later he called her by the telephone and said that they had been placed in the proper channels.

RENO, Nev., Feb. 1.—Mrs. May Talbot was acquitted of the charge of the murder of her husband, 3. E. Talbot, by the telephone and said that they had been placed in the proper channels.

sion was caused by ignition of gases from a flame originated probably through the carelessness of some miner, in direct violation of mine rules, either through the carelessness of some miner, in direct violation of mine rules, either through the crimping of a cap for a fuse or the contribution of the cont northward toward Brownsville on a rall-road velocipede. In the heavy fog they did not notice the approach of the north-bound Albany-Springfield train behind ried into the workings

Officials Await Report.

Officials refuse nent regarding the probable cause, inisting that it cannot be determined un-At 9 o'clock tonight the situation in the workings continued unchanged. Relief work was being pushed by frequent changes of shifts, the rescuing party having reached entry No. 12, seven-eighths of a mile from the mouth.

A check of bodies recovered tonight reveals that 47 have been removed, leaving 22 still in the workings. til the workings have been cleared.

Graves Are Being Dug.

Tonight a large force of men was put to work digging graves in the cemeteries of Trinidad, and tomorrow the bodies re-covered will be taken there for burial line Japanese miners recovered will be buried in the Catholic cemeters. Three

In restoring ventilation throughout the mine and hundreds of Primero's residents linger about the mouth of the shaft, awaiting the recovery of the entombed bodies.

Relief Is Provided.

Officials of the company on the ground the mine work have turned their atten tion to the relief of families of the vic-tims. Coroner Gullfoil has impaneled a jury to take up an investigation of the

Leonardo Virgen, a Mexican and the ne explosion occurred, is unable to give clear statement of what actually hap-

a clear statement of what actually hap-pened or tell from which direction the force of the explosion came.

Today orders were issued through of-ficials of the Colorado Supply Company, a subsidiary of the Colorado Fuel & Iron Company, to issue provisions to families of the victims until a permanent system of relief can be organized. of relief can be organized.

Americans Among the Dead.

In the list of known dead, compiled from records of Coroner Guilfere and the company, are: Dave Williams, Welsh, pitt boss, Jack Ellias, American, boss driver, William Helm, American, Jim Rummings, American.

J. W. Hoskins, American. Ed Rail. American. other known dead are negroes, ins, Italians. Hungarians, sSlavs

IDAHO WINS RATE HEARING

Interstate Commerce Commission to Decide Case at Boise.

BOISE, Idaho, Feb. 1.—(Special.)— ecretary Reilly Atkinson, of the league f Southern-Idaho Commercial Clubs, has received notice from the Interstate | to the measure.

freight rates on coal from Wyoming points to Southern Idaho points, is assigned for hearing hefore the Commission February 28, in this city.

The suit is for the adjustment of the coal rates from common points in Wyoming to all points in Idaho taking a higher rate than the rate to Butte, Mont, which is, and has been for a long time, \$2.25 per ton, while the rate to Southern Idaho points west of American Falls, except Minidoka and Burley and points immediate, is \$6 per ton. The distance to Butte is practically the same as the distance to Boise. The traffic committee finds the finnis down grade out of Pocatello to Junction or diversion points. It is estimated that, if the league is successful in this suit, a saving of not less than \$60,000 per annum will be effected in Southern Idaho.

DECISION WILL AFFECT RECLA-MATION WORK.

Contention Is That Government Has No Right to Reclaim Other Than Public Lands.

BOISE, Idaho, Feb. 1 .- (Special.)-The constitutionality of the reclama-tion act will be tested before the United States Circuit Court of Appeals at San rancisco February 18, the date set today when the appeal in the case of the United States versus David E. Burley United States versus David E. Burley will be heard. District Attorney Lingenfelter announced he will appear before the Court of Appeals on behalf of the United States in this case.

It is contended in the appeal that while the Government has the right to reclaim public land, it cannot reclaim private land, for by so doing it engages in a private enterprise. This contention was upheld in a Colorado case.

Mr. Burley is general passenger agent for the Oregon Short Line, with head-quarters at Sait Lake City. Some years ago he entered 280 acres of desert land ago he entered 280 acres of desert land in what is now the Deer Flat reserve of the Payette-Boise project. The Government later withdrew from entry a large body of land adjacent to Boise, Caldwell and Nampa, with the ides of reclaiming it and building a big reservoir out of the Deer Flat. This was subsequently done, water being taken from the Boise River through the New York canni to the reservoir, and the land of Mr. Burley was flooded. An attempt was made to purchase the land from Mr. Burley, for which he demanded \$50 an acre. The Government refused to pay this amount, went to trial and a verdict of \$30 an acre was received. Mr. Burley took an appeal. The decision in this appeal is of utmost importance to the West.

CONTEST ON IN BOSTON FOR G. S. SLAYTON ESTATE.

Divorced Wife Claims Share-Six Princyllle Relatives May Demand Fortune.

BOSTON, Mass., Feb. 1 .- (Special.) several heirs in Oregon. Slayton died leaving a fortune of nearly \$250,000. Today, his wife, who divorced him in 1893, made a formal claim to a widow's share of the estate. She declares, through her attorney, that she is en-titled to the same amount that she would have received had Slayton died

intestate. In his will Slayton made no mention of the Oregon heirs, and if Mrs. Slayton succeeds in establishing her rights it will pave the way for the Oregon heirs o start similar proceedings. them are Edgar T Slayton and George W. Slayton, nephews, both living in Prineville; Roy Howard, John R. How-ard, Floy Slayton and Edith F. Slayton, grand-nephews and grand-nieces of the deceased. All reside in Princyllie T. M. Baldwin, of Prineville, is acting as guardian for other heirs in Roach

CHERRY MINE IS OPENED

Much Must Be Done Before Bodies Can Be Removed.

CHERRY, Ill., Feb. 1 .- Work was re kept the subterranean passages closed for two months. Efforts will be made for two months, Efforts will be made to clear the mine of noxious vapors, to wall in any smouldering fire, and to recover the 160 bodies that have been entombed since the fire broke out on November 12.

Spectators at the unsealing of the mine were mostly young widows, some only 16 years old. The women stood quietly in the slush and mud about the tipple.

As the cage finally came to the top, a Scotch woman leaned over the iron ralling around the shaft. She paid no heed to the helmet men on top of the lift, but watched for the elevator floor, which was empty. "They are not the cage finally came to the top.

which was empty. They are not there," she said, as though she had ex-pected to see the bodies of her hus-band and two sons brought back. There is much to be done before any the militia to prevent a riot might destroy the town."

PAULHAN MAKES FLIGHT

Over 30,000 Denverites See Frenchman Circle Mile Track.

DENVER, Feb. 1.—Thirty thousand people swarmed into Overland Park to-day to see Louis Paulhan in an exhibition flight in his Farman biplane. After three preliminary attempts, Paulhan twice circled the mile track. That the exhibition was not more suessful was due to the crowd itself. They broke down fences, swarmed over the field and the police had difficulty in clearing sufficient space to allow the achine to start.

Prohibition Legislation Killed.

FRANKFORT, Ky., Feb. 1.-Hope for sion of the Legislature was killed today when by a vote of 16 to 14, the Senate referred the Watkins County unit local option hill to the committee on religion and morals which is admittedly adverse

Soldiers Shoot Down 'Apaches' Engaged in Looting Submerged Houses.

RELIEF FUNDS STILL GROW

City Council Arranges to Furnish Money for Rebuilding and to Provide Work on Streets for All Who Are in Need.

PARIS, Feb. 1.-The height of the water at midnight at Pont Royal was 27 feet 3 inches, a fall of nearly four feet from the highest point, and the flood continues to drop at the rate of three-quarters of an inch an hour.

Soldiers are still guarding many public ulidings and strong detachments have een sent to the outlying districts to top the wholesale piliaging that is still A boat patrol surprised a band o Apaches' robbing a villa tonight at oulogne Sur Seine. After an exciting rase, in which a fusillade was ex-nanged, an infantry sergeant sank the

robbers' boat with the blow of an oar. Two "Apaches" were killed, and the others were captured. Money to Be Lent.

The City Council, following the lead of the national government, is arranging with the co-operation of the savings institutions to furnish money for rebuilding stores and houses, and furnishing supplies.

The government decided

supplies.

The government decided upon a general scheme of employment whereby those who desire work may find it in repairing roads and public buildings. The Municipal Council has adopted the suggestion of presenting medals to those who have been conspicuous in the relief work. These medals will bear the appropriate inscription: "Fluctuat nec Mergeritur!" inscription: "Fluctuat nec Mergeritur!"
the motto of Paris.
Students in the Latin Quarter have
formed a relief society and have agreed
to care for their few American comrades

the suffered in connection with the flood Relief Fund Grows.

In addition to \$6,000 received from Massachusetts, new subscriptions to the relief fund from the United States are as follows: French colony of New York, \$40,000; French colony of San Francisco, \$10,000; American Red Cross, \$6000; W. K. Vanderbilt, \$20,000; Mrs. A. D. Huntington, \$6000.

In addition to the regular establishment f Red Cross and other relief societies, or Red Cross and other relief societies, public-spirited citizens have thrown open their buildings and transformed them into hospitals. Many men are devoting all their time to the work of relief, while women of the Societe des Femmes de France, a Republican organization, have entered the hospitals as nurses. Monsignor Amiette, Archbishop of Paris, is personally directing the work of the Catholic clergy and charitable owners.

Robbers Harshly Handled. The killing of brigands who prey upon the helpless on the outskirts of the city continues. Last right a number were shot and four men and four women narrowly escaped lynching when they were found robbing deserted houses at Alfortville. They had constructed a raft, from which they entered the still partially submerged homes. submerged homes.

President Fallieres has subscribed another \$30,000 to the relief fund.

SENATOR RESIGNS SEAT

Retirement and Appointment From North Dakota Kept Secret.

WASHINGTON, Feb. 1.-Fountain L. WASHINGTON, Feb. 1.—Fountain L. Thompson, recently appointed Senator from North Dakota, has resigned on account of ill health and W. E. Purcell, of Wahpeton, has been appointed his successor. Purcell was sworn in today. Senator Thompson took his seat in the Senate on December 6 last, having been appointed on November 10 to fill the vacancy caused by the death of Senator Martin H. Johnson, of North Dakota, in the recess of Congress.

The intention of Senator Thompson to resign had been kept a secret about the

resign had been kept a secret about the resign had been kept a secret about the Senate and few had notice of such a purpose on his part. A large majority of the Senators were in Ignorance until 12 o'clock today, when Mr. Purcell appeared

Mr. Purcell is a Democrat. He is 53 ears old and one of the leading lawyers his state. Ex-Senator Thompson is now at San Antonio, Tex. He is said to be suffer-ing from an affection of the heart.

INDIAN MURDERER FREED

Columbia George Who Killed Woman Spirit Doctor Pardoned.

WASHINGTON, Feb. 1 .- An ancient umbia George, an Indian on the reser vation, had an infant which became ill. He called in a woman spirit doctor and the child died. He was told that in accordance with a tradition of the tribe it was his privilege to kill the doctor, George got intoxicated and also gave the old woman whisky dosed with strychnine. A life sentence was given him. George apparently was most indifferent, but somebody interested himself in the case and an appli-Washington President decided to commute the sentence to expire immediately.

ONE HIGH SCHOOL WANTED

Toledo Gracefully Acknowledge Claims of Newport for Institution.

NEWPORT, Or., Feb. 1.—(Special.)— Lincoln County has now two high schools, one in Newport and one in To-ledo. There has been an effort made to combine these into one county high school, and some controversy has arisen between the two cities.

Dr. H. J. Minthorn, chairman of the Newport School Board, gave publicly several reasons why the location of the expanded school should be in Newport, basing his argument on the fact that Newport pays a larger school tax than any other place in the county; that the town has already the best pub-lic school in the county and can better accommodate a larger institution; that rents are lower in Newport during the Butterick Patterns, Victor Talk's Machines

Lignan-Wolfez C

Merchandise of Merit Only

-Every day brings new Spring fashions to the store. New arrivals in suits and shirtwaists, in silks and dress goods. Pretty French fashions in wash fabrics.

-Charming Between Season Millinery, by far the prettiest display we've ever made at this time cf

Pellard Suits For Spring 1910 New Arrivals

-Are now being exhibited and on sale in our Suit Department. For Southern California they are just the right garment. In imported worsteds and foreign fabrics. Modeled in Russian blouse and tailored styles. Coats are 32 inches long, the skirts are all full plaited. In all the delicate shades of flowers and fruits.

> Smart Millinery Between Season Hats Now Being Shown

-In our Millinery Section. Cunning Craftsmanship has wrought delightful new shapes for Spring—a radical departure from last season's styles. Both in black and colors. In Milan, Sumatra, Java and Leghorn straws. In handmade, rough straw and hair hats.

New Automobile Bonnets for Touring The same as those Illustrated in Vogue

> Foulard Silks Distinctive Styles Not Shown Elsewhere

-Once more they claim your attention. Their firm hold on popular taste will not be relinquished. This season's stylescompel admiration. Beautiful, tasteful designs upon plain and faconne grounds. Look at all the Foulards shown in Portland, then see ours. The chances are largely in our favor for receiving your final choice in the beautiful Foulards that we've just placed on display.

Kimono Crepes A Pretty Cotton Fabric Rivalling Silks in Beauty

-Never has such a display on Crepes ever been seen in Portland. Peculiarly elegant are the designs, artistic and delicate the color combinations. Particularly so, the medium and dark colorsgenerally so hard to find. We have them in abundance in both light and dark grounds-but there is no telling how long they will last-judging from the way we have been selling them the past few days. Price 20c a Yard.

Mrs.Dean, Nemo Corset Demonstrator

Willillustrate and demonstrate with living models the merits of FROM Nemo Corsets. There is a Nemo Corset for every figure 4P.M. -Ask to see No. 522 new

Spring model.

FROM 2 TO 4P.M.

would gladly indorse Newport as the location of the County High School and commended highly the efforts of the Newport School Board to secure good cation for the county.

2 TO

ELECTION DAYS NUMEROUS

Walla Walla Citizens Have Busy Voting Programme Ahead. 5

The chairman of the Toledo School direct primary law and to the city char-Board, J. F. Stewart, replied that he ter, which provides for holding the city

elections on the second Monday in July, while the state law provides for the county election to be held on the first Tuesday after the first Monday in No-

Registration for this unusual number of elections is three times as large as it was at this time last year. Reg-istration books close 20 days before the general election.

Bishop Has Noteworthy Funeral. PHILADELPHIA, Feb. 1 .- Several

WALLA WALLA. Wash., Feb. 1—
(Special.)—Walia Walia is to have four elections this year, two primary, one city and one country and the corresponding regular elections, making this the banner election year of the Barden City.

This number of elections is due to the direct primary law and to the city charter, which provides for holding the city

bishops and hundreds of clergymen and laymen, some from distant parts of the country, attended the funeral services in the Archer-Street Church here today of Bishop Cyrus D. Foss, of the Methads Episcopal Church, who died last Saturday. Bishop Luther B. Wilson, of Philadelphia, officiated, assisted by Bishop W. F. McDowell, of Chicago, and Bishop Earl Cranston, of Washington. bishops and hundreds of clergymen and