



GLAVIS DEFINES HIS BALLINGER CHARGE

No Corruption; Misconduct, He Says.

HEARING BEGINS TO BRISTLE

Applause for Accuser Brings Threat to Clear House.

GLAVIS BECOMES ANGRY

When He Learns His Box in Seattle Has Been Broken Open and Letters of Land Department Found, Cries "Frame-Up."

WASHINGTON, Feb. 14.—The Ballinger-Pinchot congressional inquiry began to bristle with interest today when John J. Vertrees, counsel for Secretary Ballinger, undertook the cross-examination of Louis R. Glavis, principal witness for the "prosecution."

A climax was reached late in the afternoon, when Mr. Vertrees announced that a box belonging to Mr. Glavis and left with the grand jury at Seattle had been broken open a few days ago, and that a number of letters missing from the files of the land office in Seattle, copies of which have recently been published in a weekly paper, were found therein.

Glavis Angrily Cries "Frame-Up."

Glavis angrily declared that if any letters had been found in his belonging "a frame up" had been prepared for him. His denunciation of Federal officials who would stoop to such a trick to win favor with their superiors called out a demonstration of applause from the spectators.

Christiansen to Be Called.

Mr. Vertrees announced that A. Christiansen, Glavis' successor as chief of the field division, will be called to testify to the findings of the letters.

He offered in evidence a letter from Christiansen giving the details of the alleged discovery. This caused a long wrangle as to whether the letter should be received in evidence at this time. The matter was put over for consideration in executive session.

At the morning session Mr. Vertrees drew from the witness the fact that he had made no charges of corruption against anyone in the land office or in the Department of the Interior. Glavis declared that he had found evidence of corruption he would have taken the matter to a grand jury instead of to the President. He said he thought the facts warranted the opinion that Mr. Ballinger and Mr. Dennett had acted improperly and he charged them with official misconduct.

Ballinger and Dennett Accused.

Through a process of elimination the witness cleared all the other principals of willful wrongdoing. He said he was fully convinced that the acts he had offered in evidence warranted the judgment that neither Secretary Ballinger nor Commissioner Dennett was fit to hold an office of public trust.

As to Assistant Secretary of the Interior Pierce, Glavis declared he had rendered an erroneous interpretation of the coal land law of 1908, and that this decision, while not an act of wrongdoing, indicated that he was not fit to fill the office he now holds. Dennett, Glavis declared, was nothing more than a "tool" for Ballinger, and "would do anything Ballinger said."

Specific Charges Named.

At the afternoon session, Glavis, in response to a question by Mr. Vertrees, summed up the specific acts of wrongdoing which he charged against Secretary Ballinger. His statement was a long one, but was listened to with intense interest, and really for the first time gave a definite statement of the "prosecution's" case.

Mr. Vertrees indicated today that his cross-examination will be a thorough one. The inquiry will proceed tomorrow morning. Daily sessions will be held.

Errors Are Corrected.

A large part of the morning was spent in correcting the record of the witness' testimony. Because of Glavis' drawl and slip many errors had crept in. It was 12 o'clock when Mr. Vertrees took up the cross-examination.

The Cunningham claims, Glavis said, covered but a small part of the coal areas of Alaska, about 30 claims out of 900. Mr. Vertrees drew from the witness that the Cunningham claimants were the first of the Alaska claimants to pay up on their claims and that in numerous orders they were entitled to first consideration in any investigation that was to be made.

"You made a report to the President in September, 1909," asked Mr. Vertrees.

"Yes, sir."

"And on November 3 there appeared an article in a weekly paper entitled

MARTIANS FINISH CANAL ON PLANET

MARS' IRRIGATION SCHEME SEEN TO WORK WONDERS.

Professor Percival Lowell, of Flagstaff, A. T., Says He's Photographed Redeemed Desert.

CHICAGO, Feb. 14.—(Special.)—An announcement of final proof that the planet Mars is inhabited was made by Professor Percival Lowell, the famous Martian expert and director of the observatory at Flagstaff, A. T., to Chicago astronomers as he passed through the city today.

Professor Lowell announced that he had seen a new canal spring into being last Summer, showing, he declared, that it had been just completed by the Martians.

Water had just been turned into it, and vegetation had just sprung up in an hitherto uninhabitable part of the great desert which comprises most of the planet's surface.

Not only did he see the new canal, but he photographed it. Previous photographs of this region, made as late as last May, failed to show any trace of the new canal. The fact that it developed between May and September, when it was first observed, Professor Lowell regarded as positive proof that it was artificial, and therefore that living beings exist on the planet.

The new canal is 1000 miles long and the strip of vegetation on its banks, revealing its presence to the eye and camera is about 20 miles wide.

CELL COSTS HAMILTON \$5

Filing Fee Due on Dismissal of Appeal Reaches That Sum.

OLYMPIA, Wash., Feb. 14.—It will cost Hamilton \$5 to permit him to be sent to the penitentiary, according to a ruling of the State Supreme Court today. Pursuant to a recent agreement between the defense and prosecution, a petition was presented to the State Supreme Court this morning, signed by Hamilton and his attorney, asking that his appeal from the conviction and sentence rendered in the local Superior Court January 4, 1910, be dismissed, and the Supreme Court has an order drawn ready to file directing the dismissal.

In the local Superior Court this morning, alighting action by Judge Mitchell, who is on the bench on other matters, are on the application of Prosecuting Attorney Wilson, dismissing the other criminal informations against Hamilton, in which he was to have been tried this month. Clerk Reinhart, of the Supreme Court, holds that the petition for dismissal of appeal will not be filed. The defendant pays a filing fee of \$5, and it is said the defense will refuse to pay such fee.

WOUNDED MAN IS BETTER

Stage-Driver Assaultant Will Be Accused of Modified Charge.

PRINEVILLE, Ore., Feb. 14.—(Special.)—Though he may be only charged with assault with a dangerous weapon with intent to kill, the case of Jack Johnson, the stage-driver, lodged in jail here for shooting George A. Russell, of Tacoma, on Saturday last, will be heard some time tomorrow.

Russell, who is a well-to-do horse-buyer and breeder, is recovering and is able to walk about the hotel here. He will attempt to travel to his home in Tacoma, where his wife and family are, as soon after the hearing tomorrow as possible.

A movement to unify all the mining and mineral land laws will be one of the results of the congress and several new measures for the regulation of mine inspection the use of safety appliances and the diminishing of the loss of life in mining will be advocated.

MINING CONGRESS CALLED

Meeting Next Fall Will Be Held in Los Angeles.

DENVER, Feb. 14.—The directors of the American Mining Congress announced this afternoon that the 12th annual convention of that body would be held in Los Angeles some time next Fall.

A movement to unify all the mining and mineral land laws will be one of the results of the congress and several new measures for the regulation of mine inspection the use of safety appliances and the diminishing of the loss of life in mining will be advocated.

ITO'S ASSASSIN TO DIE

Corean Murderer Acting for Secret Body Is Sentenced.

PORT ARTHUR, Manchuria, Feb. 14.—Inchan Angan, the Corean who assassinated Prince Ito, former Japanese Resident-General of Corea at Harbin, October 29, 1909, was convicted today and sentenced to death.

Angan was formerly an editor and was alleged to be a member of a Corean secret organization, the purpose of which was the assassination of Prince Ito.

BUT ONE OF JURY IS FOR HERMANN

11 Deliberators Would Convict Him.

HENEY'S POOR HEARING BLAMED

Prosecutor Left Man With Opinion in the Box.

GEO. SELKIRK HOLDS OUT

Reports of Jury Conversations to Be Investigated—Dozen Discharged Though They Expected Final Agreement.

Unable to agree, the Hermann jury was discharged yesterday morning at 11 o'clock, the panel standing 11 to 1 for conviction. George Selkirk, a Portlander, the lone Hermann advocate among the dozen deliberators, admitted under examination as to his qualifications as a juror, that he harbored an opinion as to Hermann's innocence or guilt. Attorney Heney did not hear the response and left Selkirk in the jury box unchallenged.

Attorney Heney takes the result philosophically, but at first showed chagrin. Later rumors were heard in the Federal building that the graft prosecutor had begun investigation of actions of the jurymen who were kept under Government surveillance for more than five weeks.

Wife Visited Juror Often.

"Juror Selkirk talked to his wife almost every evening," said Marshal Reed, "and she called on him at the home of Mrs. Hamilton, on Alder street, where the jury was quartered, more than any other person. I do not know that any information from the outside reached the jury in any other way. I do know that Selkirk was advised of the visit of a delegation of Roseburg citizens, about ten days ago, and that Selkirk told other members of the panel of its arrival. If Selkirk received other information from the outside, I know nothing of it. I do know that after the jury was locked up for deliberation no information of any character was allowed to reach it."

When the jurors were questioned by Judge Wolverton as to the possibility of reaching a verdict, Selkirk asked permission to submit a written question. The note declared he was preventing an agreement and that he had a "conscientious conviction" in the case. He sought the advice of the court as to what a juror should do in such circumstances. Judge Wolverton did not advise him, but instead, dispersed the jury.

A few moments later the talesmen were assembled in the office of the United States Marshal and despite the warnings of Foreman Myers, Juror Pearson of Portland, refused to maintain silence as to which one of the dozen. In anger, he pointed to Selkirk.

Stubbhorn Juror Named.

"There he is," said Pearson, shaking his finger at Selkirk, who was leaning over the desk signing a receipt

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BOMBARDMENT OF MATA GALPA BEGUN

Heavy Guns Turned on Revolutionists.

HEIGHTS ARE VANTAGE POINT

American Consul Protests at Action of Madriz.

PEACE IS AGAIN SUED FOR

General Chamorro Asks American Consul to Ask Madriz if He Will Consent to Cessation of Bloodshed—Managua Tense.

MANAGUA, Feb. 14.—Heavy field guns, posted on the hills by the Madriz forces, yesterday began a bombardment of Matagalpa, which, on February 10, was taken by the revolutionists under General Chamorro.

The American Consul protested against the bombardment.

The Madriz troops, about 3000 men, were under command of General Lara, with General Chavarria and General Forto Carrero supporting him.

Subsequently the attack upon the city was abandoned but it is likely to be resumed at any moment. The bombardment lasted several hours.

Situation Tense in Nicaragua.

The situation in Managua is tense and no one can say what is likely to happen in the next few days.

Captain Constant Saen, who was in command of the firing squad at the death of the two Americans, Groce and Cannon, was shot to death in the streets this afternoon by a Nicaraguan soldier.

A large number of political arrests have been made. American Vice-Consul Caldera has received this message from General Chamorro:

Peace Again Asked.

"You know of the battles fought in the last few days by my command in Segal and San Ramona and the taking by my troops of Matagalpa and Jinotega and also the six-hour battle of the Uth, in which so much precious blood was shed on both sides. Being anxious to stop further bloodshed, I authorize you to convey to Madriz my readiness to reopen peace negotiations. If he accepts, notify me and I will notify General Estrada."

Rear-Admiral Kimball has notified the belligerents on both sides that they will be held responsible for the persons and property of neutrals in Matagalpa. The American Consul at Managua, Jose Olivares, arrived today at Metapa, 12 miles from Matagalpa. The consul is accompanying a courier who came here recently and appealed to him to prevent the destruction of American property.

ROOSEVELT TO HUNT POLE

Antarctic Expedition to Have Noted Leader, Says Scientist.

PORTLAND, Me., Feb. 14.—Ex-President Roosevelt may lead the Antarctic expedition to be sent from the United States, was the statement made today by Professor Donald McMillan, of Peary's North Pole party.

HYDE USES GRAND JURY TESTIMONY

SWOPE CASE WITNESSES ARE AT ONCE SUBPENAED.

Lawyer Prosecuting Slander Suit

Learns All That Is Known by Opposite Side.

KANSAS CITY, Mo., Feb. 14.—All witnesses who tell their stories to the grand jury that today began investigating the Swopes mystery may have to repeat them before Frank P. Walsh, the attorney who is prosecuting Dr. B. C. Hyde's suit for alleged slander.

What transpires in the grand jury room may be kept a secret, but immediately after witness examinations are completed they will be subpoenaed to give their depositions before Mr. Walsh.

James Aylward, one of Mr. Walsh's associates, stationed himself near the entrance to the grand jury room today and as the witnesses appeared to testify he served them with subpoenas.

Miss Pearl Kellar, the nurse who attended Colonel Thomas H. Swopes in his last illness, was commanded to appear in Mr. Walsh's office tomorrow morning.

T. J. Mastin, an attorney for the Swopes estate called Virgil Conking, County Prosecutor, from the juryroom, and complained of this action.

Mr. Conking requested Judge Latashaw, of the Original Court, to instruct the subpoena server not to summon the grand jury witnesses, but the judge declined to grant the request.

TAUBE'S DEATH MYSTERY

Trouble Over Alaska Property Results in Another Tragedy.

SEATTLE, Feb. 14.—The death of Peter Taube, of this city, president of the American Marble Company, was found on the company's property on Fox Island, Alaska, last Friday. The cause of death has not been learned.

The company has had much trouble over its property. Five years ago William Deppy, a stockholder, was shot and killed on the company's land by Robert Ball, a disbarred Michigan attorney, who had gained control of a majority of the stock. Ball was sentenced to 12 years in prison and is now in the National Hospital in the Insane in Washington, D. C.

Mr. Taube, who, with Deppy and another stockholder, had lately laid claim to the property and sold it to the Vermont Marble Company, a stockholder, was contented by other stockholders, who said Taube north in December to look after the property.

RACE TO SAVE FORSAKEN

Chilean Cruiser Off to Rescue 88 Left on Board Illegated Lima.

ANCUD, Chile, Feb. 14.—The Chilean cruiser Ministro Zenteno and five steamers of the Pacific Navigation Company are racing south today, in the desperate hope that they may save the 88 persons who, when last reported, were clinging to the stern of the British steamer Lima as the vessel was pounding herself to pieces on a reef in the Humboldt passage, in the Strait of Magellan.

Two hundred and five persons were taken from the wreck by the British steamer Hattinet, under difficulties which finally compelled the Hattinet to abandon the work of rescue. Four of the Hattinet's crew sacrificed their lives before the captain commanded his crew to cease their efforts.

STATE SHOULD CONTROL

Mondell Would Incorporate Authority in Power Grants.

OREGONIAN NEWS BUREAU, Washington, Feb. 14.—Representative Mondell today introduced a bill amending the present law granting rights of way across public lands for irrigation and power purposes, so that direct recognition will be given to the authority of the state to control in every way the operation of ditch and power companies.

The measure makes such recognition a part of the grant, so that there can be no question that all power developments will be fully under the control of the communities in which they are established.

PROTEST WITHOUT EFFECT

Prussian Socialists Get Nothing for Trouble but Broken Heads.

BERLIN, Feb. 14.—Except for a hand-pegged head to be seen here and there in the East Side streets and a few cases in the hospitals suffering from sabre wounds, no effect of the demonstration against the proposed Prussian franchise reform measure was to be observed here today. The Socialist papers protest bitterly against the law and the unnecessary and provocative violence of the police.

Reports from the provincial cities indicate most serious collisions between the police and the people. Official figures from Halle, Saxony, give the number of wounded there as 162.

BROTHERS MARRY SISTERS

Judge Bryson Officiates at Double Wedding in Eugene.

EUGENE, Ore., Feb. 14.—(Special.)—A double wedding was solemnized at the Matlock rooming-house, at the corner of Eighth and Willamette streets this afternoon, when Police Judge Bryson adjusted the nuptial tie which bound William Hebert and Miss Nellie R. Holt, and Charles E. Hebert and Miss Eugenie Holt.

The groom are brothers and the brides are sisters. All the parties are well known in the Upper Willamette Valley.

OTHERS IN BURKE HOSPITAL WATCHED

Doctor Charged With Attempted Murder.

NOW OUT ON \$20,000 BOND

Dynamite Believed to Have Been Got at Mine.

TWO MORE ARRESTS LIKELY

Girl Whose Baby Is Said to Be Dr. Burke's, Suspected Him. His Brother and Brother's Wife of Wanting to Do Him Harm.

SANTA ROSA, Cal.—(Special.)—District Attorney Lea and Sheriff Smith are engaged today on secret investigations concerning the evidence which they are collecting in an effort to substantiate the charge of attempting to kill Luella Smith and her baby by dynamite, lodged yesterday against Dr. William P. Burke, head of the Burke Sanitarium.

"There are certain phases of the case which it has been impossible for us to make public up to the present time," declared Assistant District Hoyte today. "We have been pursuing investigations along certain lines which demanded the utmost secrecy. For this reason Mr. Lea has been forced to conceal his movements to a certain extent."

Burke Out on Bail.

Dr. Burke is now at liberty on \$20,000 bail, charged with dynamiting the murder of Luella Smith and her baby. Dr. Burke procured the dynamite used in blowing up Miss Smith from his mine near Groveville. It was to procure evidence against others implicated in the plot to put Luella Smith out of the way that took District Attorney Lea out of town this morning.

Four days ago Miss Smith told the authorities that she believed one of three people touched off the dynamite which blew her up, or that all three knew of the plot and actively participated in it. "Who are three you suspect?" she was asked.

"Dr. Burke, his brother, Alfred, and his brother's wife, Aggie," she returned quickly.

Brother's Wife Hostile.

"Mrs. Aggie Burke and her husband did not like me around the place," continued. "She did not like what I said about Dr. Burke being the father of my child."

District Attorney Lea said this morning he had a complete case against Dr. Burke, and strongly intimated that before he had completed his investigation others would be enmeshed in the plot to kill.

"While I don't like to say that I am going to convict any man," said Lea, "I believe I had sufficient cause against Dr. Burke before Sheriff Smith ascertained where Burke got the dynamite with which we believe we will be able to show he attempted to murder Luella Smith and her child."

To everything that the men said Dr. Burke listened most attentively and in order that there could be no mistake had the men prepare and touch off a charge for him.

Dr. Burke visited his mine at Kanaka Peak on February 1 and at that time told the men in response to their questions, that he touched off the dynamite under the boulder and that it had been completely shattered.

The last link in the evidence against Dr. Burke was secured by Sheriff J. M. Chubbuck, of Butte County, assisted by Sheriff Smith, of Sonoma County. It was thought at first that the explosive was secured at the Phoenix mine at Hirtleton, but the officers denied this yesterday, saying Dr. Burke had gone to his Kanaka Peak property, which was in a remote section and which employs fewer men.

PIONEER IS 80 YEARS OLD

Mrs. M. D. Griffin Celebrates Anniversary in Dufur Home.

DUFUR, Ore., Feb. 14.—(Special.)—Mrs. M. D. Griffin, one of the pioneers of Eastern Oregon, celebrated her 80th birthday at the home of her son, Willbur Hendrix, here today. Mrs. Griffin was born in Russell County, Virginia, February 14, 1830, she crossed the plains in an ox wagon with her parents in 1848 and settled near the present city of Dufur and has lived here ever since.

At the anniversary celebrated here today there were four generations present, two sons, seven grand children and two great grand children.

