

MRS. HENRY WEEPS AND CURSES JUDGE

Children Mingle Tears With Hers as She Faces Obdurate Court.

KELLEY BOWED BY DESPAIR

Unable to Find Bail, Affinity Lies in Jail—Indictment and Suit for Damages Await Him if He Returns to Seattle.

SAN FRANCISCO, April 12.—(Special.)—With her banker affinity still in the County Jail, unable to raise the \$2000 bail necessary for his release, Mrs. Iva May Henry appeared in Judge Shortall's court this morning in answer to a warrant charging her with avoiding the effect of a writ of habeas corpus. The case was continued pending the outcome of the proceedings before Judge Morgan, which will be resumed tomorrow morning. The children spent the night in the Juvenile Detention Home on Harrison street. Flooding the courtroom with tears when Judge Morgan ordered Deputy Sheriff Kennedy to take the children to the Detention Home for safe keeping, Mrs. Henry blazed denunciations of Morgan and turned off the tears as soon as she saw that they had no effect on the magistrate.

Children Cry, Kelley in Despair.

Little Albert cried as if his heart would break when he was taken from his mother to the children's home, but the little girl, Anita, ever playful and too young to realize what the absence of her mother meant, took the new situation with the indifference of a spoiled child.

When Mrs. Henry returned to the Sheriff's office to await bail, she indulged in a whispered conference with Kelley. He seemed utterly resigned to his fate. With two warrants against him for his part in secreting the Henry children, the man who deserted his high rank in society and business in Seattle gave himself over to remorse when he was told that he was wanted in his home city on an indictment charging him with a statutory offense.

Kelley Sued by Henry.

To add to his troubles, he was served with a copy of a complaint in the \$100,000 suit filed against him by Henry yesterday, charging alienation of Mrs. Henry's affections.

Although Henry's attorneys say they have evidence that she has belied living with Kelley for many months, Mrs. Henry denies that there are any but platonic relations between them. Yet they had lived together in the little cottage in the Mission for over a week.

Mrs. Henry Will Appeal.

James W. Cochrane, Mrs. Henry's attorney, announced that she will apply tomorrow before the District Court of Appeals for a writ of prohibition against action set for tomorrow before Judge Morgan, of the Superior Court. Failing this, he said he would apply for a writ of habeas corpus giving the mother custody of the children. Final recourse, Mr. Cochrane said, would be request for a delay of proceedings.

The habeas corpus plea is abandoned partly to Mrs. Henry's experiences of today when, released on bail, she went to the detention home and asked to see her children. She was compelled first to get a court order and this gave her only an hour with them.

FIGHT FOR CHILDREN GOES ON

Mrs. Henry's Lawyer Claims Custody While Appeal Pending.

SEATTLE, April 12.—William C. Keith, counsel for Mrs. Iva May Henry, said today that he would leave for San Francisco tonight to look after the interests of Mrs. Henry. His contention is that an appeal having been taken from the court decree awarding custody of the children to the father, Mrs. Henry is entitled to keep the children until a final decision is rendered.

The belief that G. Foster Kelley was indicted by the Seattle grand jury is based on the fact that Mrs. Kelley went before the grand jury accompanied to the door by her counsel, just after the Henry divorce decree was handed down. As her act was voluntary and as the chief witness against Mrs. Henry also was before the grand jury, it is inferred that an indictment was returned. The grand jury is on a vacation and will reassemble April 17.

DISTRICT ASSEMBLY HELD

Women's Foreign Missionary Society Meets at Oregon City.

OREGON CITY, Or., April 12.—(Special.)—The second annual convention of the Women's Foreign Missionary Society of the Salem district of the Methodist Episcopal Church met in the audience-room in the Methodist Church at 9 o'clock this morning. Delegates were present from churches in the district and a programme was given. Three sessions of the convention—morning, afternoon and evening—were held. Officers elected were: President, Mrs. Edwin Sherwood; first vice-president, Mrs. E. C. Blackwell, Forest Grove; second vice-president, Mrs. W. B. Moore, Lewis; corresponding secretary, Mrs. D. Lester Fields; recording secretary, Mrs. B. C. Brackenberry, McMinnville; treasurer, Mrs. F. W. Sackett; superintendent young people's work, Mrs. O. M. Gardner; superintendent of children's work, Mrs. Von Slickon.

WEST PARDONS CONVICT

Larcenist Victim of Liquor Rather Than Intent to Steal.

SALEM, Or., April 12.—(Special.)—Governor West has granted a pardon to Edward O'Toole, who has been serving time at the Kelly Butte reformatory after conviction on a larceny charge. He had served about half of his sentence, which was for one year.

Police Judge Maxwell, of Portland, recommended the pardon and Boynton, Church & McCoy notified the Governor that they would immediately give O'Toole employment. They are contractors of Portland and state that O'Toole had been employed by them for some time in one of their camps before he went to Portland.

They stated he had always shown every honest tendency, and expressed themselves as satisfied that O'Toole was rather the victim of intemperate than any criminal intent.

FORMER PORTLAND MERCHANT, WHO COMMITTED SUICIDE AT DENVER.



GUS LOWIT.

LOWIT LEAPS FAR

Former Portland Man Jumps From Sixth Story.

RESCUER IS SHAKEN OFF

Career of Man Who Wrecked Golden Eagle Store and Helped Morris Wreck Oregon Trust Bank Closes in Tragedy.

(Continued From First Page.)

that the neck was broken and that Lowit must have died instantly.

LOWIT PARTNER OF MORRIS

Suicide Had Brief Career as Merchant and Bankwrecker.

Lowit's career in Portland was closely connected with that of W. Cooper Morris, cashier of the defunct Oregon Trust & Savings Bank, who is out on \$20,000 bonds and has a six-year penitentiary sentence hanging over him for embezzlement.

Soon after Lowit came to Portland he set up a drygoods store on the east side of Third street, between Morrison and Yamhill. This was first known as "London's" and later as "London's Department Store."

Early in 1906 Lowit leased the northeast corner of Third and Yamhill streets, which was at that time occupied by a meat market. The entire first floor of the building was remodeled, the goods from London's Department Store moved in, other goods added, and Lowit announced himself as proprietor of the Golden Eagle Department Store.

At the same time Lowit maintained one or more small stores in the North End, where he worked off such goods as he bought at bankrupt sales in the East and could not sell at the Golden Eagle store.

Lowit's relations with the Oregon Trust & Savings Bank did not become known until after the failure of the bank in August, 1907. After the books had been expeted he was indicted with W. Cooper Morris, the cashier of the bank, and W. H. Moore, the president, for the alleged mutilation of \$125,000 worth of Lowit's notes. The charge as to Moore was dismissed, he having pleaded guilty to another charge involving the wrecking of the bank and been fined \$1000.

After Lowit's indictment he was brought back to Portland from Denver, where he had gone after the failure of the bank, and after the Golden Eagle corporation had gone bankrupt. He was arraigned in the State Circuit Court for mutilating the notes, and pleaded not guilty. He was released on \$10,000 bonds, but was never tried.

Neither has Morris been tried on this charge, there being also five other charges against him. On one of these charges, embezzlement of cash and notes, he was tried before a jury in Judge Gantenbein's department, convicted of embezzlement of the notes, and sentenced to six years in the Penitentiary. He was released on \$5000 bonds, \$25,000 bonds holding him to appear and face the other five charges. His case was taken to the State Supreme Court, and the decision of the lower court affirmed March 28. Twenty days are allowed for filing a motion for a rehearing. Unless this is filed, the mandate will be returned to the lower court and Morris will be resentenced. Judge Gantenbein said last night he had no reason now to change the sentence of six years he formerly gave Morris, and that in resentencing he did not think he would do so.

The defunct bank was organized first as the Oregon Savings Bank, and began doing business in the Marquam building, then the word "Trust" was added, making the name the "Oregon Trust & Savings Bank." The office was moved to Sixth and Alder streets, and thence to Sixth and Washington, where pedestrians were accustomed to see an electric sign, bordered with moving snakes and bearing the legend: "We Pay 4 Per Cent."

While Morris was cashier of the bank and Lowit was manager of the department store, Lowit became very friendly with Morris, and is said to have presented Morris with a diamond ring. It

ALL CLEVELAND MOURNS

AT LEAST 150,000 LINE STREETS AT JOHNSON'S FUNERAL.

Business Is Suspended, Flags Floated at Halfmast—Playground Will Be Named After Him.

BOY KILLED UNDER AUTO

Slippery Streets Cause Bicycle to Skid at Corner.

RAYMOND, Wash., April 12.—(Special.)—Lee Elliott, a lad of 16, was run over and killed by an automobile at the corner of Seventh and Durycia streets today. The boy had attached to his handle-bars a basket which he used to deliver small meat orders. He was riding his wheel at good speed when upon turning the corner of Seventh and Durycia streets he saw the automobile approaching at three or four miles an hour, but too fast to stop before the collision.

An inch of hail and snow made the street so slippery that when he tried to turn out the bicycle skidded, throwing him under the machine. Mr. Ellsworth, owner and driver of the automobile, stopped to pick up the boy and take him to the City Hospital, where he died of internal injuries half an hour later. The coroner's jury found the accident unavoidable.

STATE BUYS PENDLETON LAND.

PENDLETON, Or., April 12.—(Special.)—For \$2000 Charles Myers has deeded to the State of Oregon, his 30-acre farm adjoining the land purchased for the Eastern Oregon branch asylum. The deed was placed on record yesterday. This leaves only one other small tract yet to be acquired by the state. The remaining tract belongs to C. C. Hendricks and condemnation proceedings have already been started to gain possession of the land at a reasonable price.

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- FRENCH PUFFS, SPECIAL \$3.65, in great vogue. It falls low on the head with soft rolls falling at the ears. Real French hair in natural shades.
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- MYRTLE PSYCHE, SPECIAL \$2.58. Round cluster of 16 soft rolls, dressed open and closed. Of extra quality soft fine hair.
- ADA CLUSTER, SPECIAL \$4.48. A large cluster of 36 puffs mounted on silk web and covers almost the entire head. All natural hair shades.
- VALESKA CLUSTER, SPECIAL \$2.65. A back head dress falling low on the head. Contains 15 puffs and four curls.
- FRENCH 24-INCH, 2-OUNCE SWITCHES, SPECIAL \$8.85. Made of first quality French hair. Superior mounted. All shades of gray from pure white to dark mixed.
- GRAY 24-INCH, 2-OUNCE SWITCHES, SPECIAL \$3.98. Made of extra fine quality German hair. Mounted 3 stem.
- TRANSFORMATIONS, SPECIAL \$3.85. 22 inch, made of French hair. Natural wavy.
- TRANSFORMATIONS, SPECIAL \$2.98. 16 inch, fine quality hair, all shades gray.
- 65c QUEEN HAIR ROLLS, 37c. Long refined human hair, washable, will not heat the head.
- 90c RAVEN HEADS, 65c. Made of real human hair. Washable, will not mat nor pull out.
- \$4.25 ODD PUFFS, \$1.15. In various styles and broken shades.
- GRAY CLUSTER, SPECIAL \$2.95, of beautiful mixed gray from pure white down, containing 10 and 12 soft rolls. Well mounted on wire.
- 24-INCH, 2-OUNCE SWITCHES, SPECIAL \$1.87. Club shape. Well mounted.
- 30-INCH, 3-OUNCE SWITCHES, SPECIAL \$3.85. Mounted 3 stem. Fine soft hair.
- GERMAN SWITCHES, SPECIAL \$2.75. 30 in 3 oz. Fine German hair.
- 24-INCH, 2 1-2-OUNCE SWITCHES, SPECIAL \$7.85. 3 stem mounted. Natural shades.
- 10c HAIR NETS, 5c. Large French net. In all shades.
- 30-INCH, 3-OUNCE FRENCH SWITCHES, SPECIAL \$18.75. Fine French hair.
- COMFORT HAIR WEVERS, SPECIAL 12c. 3 on a card. Give a perfect marcel.

Great Easter Sale of Hair Barettes, Pins, Bandeaux, Combs and Hair Pins.

STRANGE CHANGE UNITES

COMRADES IN GERONIMO FIGHT MEET AT HOSPITAL.

One Is Captain, Shot by Watchman He Has Beaten, Other Surgeon Probing for Bullet.

SAN FRANCISCO, April 12.—(Special.)—Separated after the battle against Geronimo, the famous Apache chief, in 1886, Captain Frank A. Cook, of the United States Army, and Dr. G. M. Terrill, formerly an Army surgeon and now in the local emergency service, came face to face for the first time in 25 years this morning in the operating room of the Central Emergency Hospital, where Cook is under treatment for a gunshot wound of the right lung, sustained in a fight with a night watchman at Spreckels Market, on Market street, shortly after midnight.

The Army officer's condition, while serious, is not necessarily fatal. He was removed to a private hospital this afternoon. Dr. Terrill, who was with Cook at the battle against Geronimo, of which encounter the Army officer was a hero, will care for the Captain. Captain Cook arrived here yesterday.

On the transport Sheridan, from Manila, with his wife, two sons and two daughters. He had been assigned to serve in the commissary department at the Presidio, after two years of service in Manila.

Last night the Captain called on many old acquaintances and celebrated his return. Shortly after midnight, driven by enthusiasm, he encountered

John J. Hayes, an aged watchman, to whom Cook gave a severe beating. The watchman succeeded in escaping, procured a revolver and fired two shots at the soldier, one of them entering the chest near the heart.

500 Colonists Choose Umatilla.

PENDLETON, Or., April 12.—(Special.)—

An addition of 300 settlers to the population of Umatilla County is the estimate placed by some as the result of the recent colonial movement on this part of the state. A great majority of these have found homes in the west end of the county, while some have located along the river west of this city and several have found their way to Pilot Rock and the Freewater-Milton sections.

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