

CODE MESSAGE BY
DARROW IS SHOWN

State Would Prove Bribery Ex-
pose Preceded Agreement
to Plead Guilty.

POINT VITAL TO DEFENSE

Telegram Dated November 29, 1911,
in Which Darrow Authorizes Ex-
pending \$1000 for New Evi-
dence Is Introduced.

LOS ANGELES, July 31.—Striking at the main reliance of the defense—that it had been agreed to have the McNamara case Assistant District Attorney Ford suddenly produced a code telegram sent by Leo M. Rappaport, of Indianapolis, attorney for the International Association of Bridge and Structural Iron Workers, addressed to Mr. Darrow, and dated November 29, 1911.

After devoting nearly the entire day to a cross-examination which revolved around the Indianapolis end of the McNamara case, Assistant District Attorney Ford suddenly produced a code telegram sent by Leo M. Rappaport, of Indianapolis, attorney for the International Association of Bridge and Structural Iron Workers, addressed to Mr. Darrow, and dated November 29, 1911.

Ford Translates Cipher.
He asked Darrow to identify it and the witness, with a smile, said he probably could if it were translated for him. Ford immediately called for the blackboard and wrote the cryptogram and its translation upon it.

The message, as translated, read:
"May I spend thousand to regain Indianapolis evidence?"

Another telegram sent by Darrow to Rappaport the same day was then produced, which deciphered read:
"May spend thousand if necessary."

Another code message, dated December 1, the day of the plea, revoked the authorization to spend the money. The defense apparently was surprised to learn the prosecution had the key to the code used by the McNamara defense. Ford said he had worked it out himself.

Darrow Explains Messages.
Darrow explained the telegrams passed between himself and Rappaport by saying they followed correspondence of an earlier date. The Indianapolis evidence sought by the defense consisted of correspondence files belonging to the International Association of Bridge and Structural Iron Workers, first seized by the Indiana state authorities and later taken by the Federal officials working on the so-called dynamite conspiracy case.

"We did not want those documents then, and we want them now," declared Darrow. "I instructed Rappaport to use every legal means to recover them. The state court had ordered them restored to the iron workers, but they were subsequently taken possession of by the United States marshal on the order of Federal Judge Anderson."

"I sent the telegram to Rappaport on December 1, telling him not to spend the money, because I had learned that the American Federation of Labor was not to furnish me any more funds, and I wanted to save a thousand dollars if I could."

Darrow's movements from the time of the McNamara arrests until the beginning of the trial of James B. McNamara, and his relations with the union labor, were gone into at length, with apparently no new developments.

HARMONY ATTEMPT FAILS

Roosevelt's Man Loses as Washington Progressive Arbitrator.

SEATTLE, Wash., July 31.—Charles R. Dietrich, of Palo Alto, Cal., a member of the California Railway Commission and who is reputed to be the man who smoothed out the differences between the Puget Sound Progressives, who wish to nominate third party electors only, and the Roosevelt supporters, who wish to nominate candidates for every state and county office, held conferences today with leaders of both factions, but failed to get harmony. It is understood that Dietrich listened to both sides and will take counsel with Roosevelt before recommending any plan of action. The radicals have called a state conference for Tacoma on Wednesday to elect delegates to the National Progressive convention and to call a nominating convention to nominate a state ticket. The Puget Sound Progressives, through the campaign committee selected by the Aberdeen Roosevelt state convention, chose delegates two weeks ago.

Dietrich left for Spokane tonight. He said he would return in time to attend the Tacoma conference of the radicals Wednesday.

MEDFORD IS HEALTHFUL

Semi-Annual Report Shows Contagious Diseases Are Less.

MEDFORD, Or., July 31.—(Special.)—With the birth rate exceeding the death rate two to one, and contagious diseases reduced by 500 per cent, Medford is enjoying the best health conditions in its history, according to Dr. R. W. Stearns, city health officer, whose report for the past six months has just been made public.

In this period there have been 79 births reported and 35 deaths, four of the latter being suicides. Typhoid has practically been eliminated, with only five cases, where there were 25 a year ago. The list of contagious diseases of all kinds amounted to 15 in the last report. Only 19 are enumerated in the report just filed. The new water system, better sanitary conditions, and the co-operative work of the physicians, are responsible for the improved conditions, according to Dr. Stearns' report.

EVERETT MAN GETS STOCK

Seattle "P-I." Deal Made—J. L. Wilson Plans World Tour.

SEATTLE, July 31.—Alonso S. Taylor, of Everett, Wash., has purchased an interest in the Post-Intelligencer Publishing Company and has become vice-president of the company and general manager of the paper. Ex-United States Senator John L. Wilson, majority owner of the paper, is about to depart on a journey around the world. Scott C. Bone will continue editor of the Post-Intelligencer, and its policy will not be changed.

GRAY'S EXTRA SPECIAL SALE

On Chesterfield Clothes and Knox Hats Begins Today

We put on sale special lots of the famous Chesterfield
Clothes at the following price slaughter

\$25 and \$20 Suits \$13.50
\$35 and \$30 Suits \$18.50
\$45 and \$40 Suits \$25.00

Come today and buy clothes to supply your needs for a
year. Special sale prices on Furnishings

Special Sale for Ten Days on

KNOX HATS

\$3
Knox Beacon
\$2.25

R. M. GRAY
273-275 MORRISON AT FOURTH

\$5
Knox Hats
\$3.75

TRUST IS ALLEGED

Forest Grove Case Heard
August 10—Charges Made.

CONCERN'S BOOKS ORDERED

Judge Refuses to Allow Stricken Out
Important Paragraphs in Com-
plaint—Interesting Develop-
ments in Hearing Expected.

HILLSBORO, Or., July 31.—(Special.) The Forest Grove paving case, in re an injunction sued out by T. M. Little, against the city, asking the court to enjoin the city from letting a paving contract to the Warren Construction Company, was before Judge Campbell today, on an amended complaint. The company demurred, but the court allowed the complaint, as amended, to stand, and trial was set for August 10.

The case, as it now stands, charges that there is a paving conspiracy which prevents competitive bids on bitulithic work, and the allegations are that the Warren Construction Company, Warren Brothers Company, the Clarke-Henry Company, the Montague-O'Reilly Company, the Hassam Paving Company and Elwood Wiles, contractor, are all in a combine to prevent competition.

A court order has been made calling for all the Warren books to be brought into court. Attorney Richard Montague appeared for the Warren Construction Company, and from his statement it appears that he might resist the order, bringing the books and accounts of the paving concern into court.

Developments Are Expected
The work under the injunction on Second Avenue, Forest Grove, and the content promises to be full of developments.

The case is of local interest for the reason that the Warren people paved eleven blocks in Hillsboro in 1911, and will pave three blocks this year. It was originally intended to pave 18 or 20 blocks with bitulithic this year, but a strong remonstrance against so expensive a pavement prevailed, and Rockville, a new pavement, will be installed.

Attorney Montague asked that paragraph 12 be struck out of the complaint, but Judge Campbell held that that paragraph must stand for the present.

Paragraph of Interest
This paragraph, which is of interest to Northwest towns, purporting to pave, in part follows:

"That the Warren Construction Company, a corporation; Warren Brothers Company, a corporation; Clark-Henry Company, a corporation; Montague-O'Reilly Company, a corporation; Hassam Paving Company, a corporation; Elwood Wiles, contractor, are all engaged in the construction of standard bitulithic and gravel bitulithic paving within the State of Oregon, and conspired and agreed, each with the other, to maintain the price thereof and not to bid one against the other except with the understanding that a certain one of said corporations or individuals should submit the lowest or lowest bid and receive the contracts for construction, and the profits of the different improvements in different localities in the State of Oregon obtained by either or any of the corporations or indi-

vidual, should be divided between the said corporations and individual in this paragraph named who have conspired and confederated, as herein alleged, thus to stifle competition and to prevent legitimate competition on paving improvements in the various cities and towns in the State of Oregon."

HUSTON ASSERTS MONOPOLY

Portland Property Owners May Es-
cape Paving Charges, He Says.

No Portland property owner will have to pay for his street paving, if it is demonstrated that the paving companies are in a combination or trust, according to S. B. Huston, associated with Bagley & Hare, of Hillsboro, attorneys for litigants there, who have attacked the paving companies. Mr. Huston said last night, he believes it can be proved that the paving companies are not only in a trust, in Oregon, but that their operations extend into the state of Washington. If this is the case, they would come under the ban of the Sherman anti-trust act, should the United States officials see fit to invoke it against them, says Mr. Huston.

"If we have some proof of a combination outside of Oregon, we do not intend to take this case into the United States Court," said Mr. Huston last night.

"If it is demonstrated these companies are in a combination, it will stop all their work. Those who have not yet paid the assessments for street paving will not be obliged to pay them, if it is proved these companies are in a trust, and that they have agreed not to bid against each other, but to have parceled out the territory. If they have done that, there has not been competitive bidding, and that is what the law requires."

"We contend that bitulithic is a patented pavement, and that it is, therefore, a monopoly. To have competition, the opportunity must be afforded for any one to lay the pavement. This company offers to allow anybody else to lay it, provided the top dressing is purchased from the bitulithic people."

The price of this top-dressing is made \$1.10 a yard. One proposition is that this price is so high, as to prevent anybody else from laying the pavement at a profit.

"The Supreme Court decided recently in the Hassam case, which Attorney A. E. Clark brought, that if the pavement is patented, it cannot be laid."

DUFUR FRUIT CROP FIXED

Arrangements Made for Handling
Yield of 1912.

DUFUR, Or., July 31.—(Special.)—The Dufur Valley Fruit Growers' Union held a largely attended meeting here Saturday, at which time arrangements were made for procuring pickers, storing the fruit and the other matters incidental to the proper handling of the crop. The union arranged to have the pamphlet on the proper care, grading, etc., of the crop, which is issued by the Northwest Fruit Growers' Association, distributed among all the members.

Every one present at the meeting reported the outlook bright for a record crop, both as to quality and quantity. County Fruit Inspector Carroll, of Mosier, has been here for the past few days inspecting the orchards, and he says that they are looking exceptionally fine.

Fairview Miner Kills Rattler.

GOLD HILL, Or., July 31.—(Special.)—Eleven rattlers and a button constituted the orchestral equipment of a rattler killed by H. A. Mears at the Fairview mine, three miles north of the city, a few days ago. The snake was five feet long and over six inches in circumference, and was the biggest killed in this district for some years. He was coiled near the door of Mr. Mears' cabin, and put up something of a fight before he was dispatched with a long-handled shovel.

WEDDING IS RUSHED

Telegram Calling Bridegroom
to Tacoma Upsets Plans.

ALL HURRY TO CATCH BOAT

Hugh C. Harlan Dashes to Phone,
Proposes, Is Accepted, Finds Min-
ister, Invites Guests and Is
Wedded in Few Hours.

LOS ANGELES, July 27.—(Special Correspondence.)—By the time they reach Tacoma, within a day or two, Mr. and Mrs. Hugh C. Harlan will have just caught their breath after their wild race to the altar and sprint to catch the boat to Tacoma. It was a short-order, cafeteria wedding, as it were, for the blushing bride was hurried to the altar on a moment's notice, the minister who tied the nuptial knot was figuratively lassoed on the street, and the groom raced madly to his own happiness with a speed that utterly bewildered his friends.

As a matter of fact, it was an up-to-date, rush-and-get-it-over-with wedding where the bridegroom showed the material that a young business man is made of by planning it, arranging for the inviting of guests via the telephone, securing the consent of the bride-to-be, and capturing a minister all in a few hours.

Miss Florence Smith, niece of Edward C. Ayes, of Tacoma, twenty-first street, and Hugh C. Harlan, of Glendale, were the principals in the minute romance. The wedding had to come off in a hurry, because Harlan suddenly received a telegram summoning him to Tacoma to take a responsible position with a manufacturing company. They two had been engaged three years, and the date of the wedding was set for next month, but the telegram changed the situation.

When Harlan received the message and saw that his future depended on an immediate response to his orders, he rushed to a telephone and called up Miss Smith.

"Hello, Florence, will you marry me?" he began, when Miss Smith broke in with an exclamation.

"Why, what's the matter, Hugh?" she said, in astonishment. "I have promised to marry you so many times that I have forgotten the number."

"Yes, I know," said Hugh, talking at lightning speed, "but I want you to marry me now, this minute, instantly!" he explained.

"Why?" gasped Miss Smith.

"Hush," explained Miss Smith, "I saw a great light. She thought a moment and murmured a soft 'yes' into the telephone instrument."

"All right, good!" shouted Mr. Harlan. "I'll get the minister right away. In the meantime you call up as many of our friends as you can get on the phone and tell them to come to the wedding."

In the meantime Will Harlan had been notified to don his best bib and tucker and act as best man. He hurried home from his work and made himself look as much like a best man as possible in 20 minutes. Miss Smith called up a girl chum, Miss Esther Smith, and told her she would have to be bridesmaid. Miss Esther gasped, gurgled, started to explain, why "I just can't" on such short notice, but finally she consented and flew about the house. She soon appeared at the Lupton home looking like a May-blossom bridesmaid.

The wedding was a complete success, even if it was a hurried-up affair. It occurred last Thursday evening. Sat-

urday morning the bride and bridegroom, followed by a troop of friends and relatives who showered them with rice and old shoes, boarded a boat for Tacoma.

PORTLAND FIRM WINNER

Contract for Paving Foster Road
Will Total \$17,138.

MILWAUKIE, Or., July 31.—(Special.)—The City Council has let the contract for paving the Foster road to the Rockville Contracting Company, of Portland, for \$17,138. The improvement consists of macadamizing this street from Main to the Oakfield road, a distance of three-quarters of a mile, with a strip 16 feet wide in the center of Rockville hard-surface, constructing concrete gutters and curbs, and concrete sidewalks on both sides of the street. The water company has been authorized to lay a four-inch water main on the street while the improvement is being made. The Foster road is one of the most important and heavily traveled roads leading out of Milwaukie to the southeast, muddy in winter and dusty in summer.

At the meeting of the Council in August proceedings will be started for improving Front street with macadam and hard-surface crushed rock to be used on fills and hard-surface on solid portions—through Milwaukie. It will be improved 70 feet wide.

TOKIO, July 31.—Business in the capital and generally throughout the country, which came to a standstill with the death on Tuesday morning of the Emperor, Mutsuhito, was resumed today. Emperor Yo Shihito, having expressed the desire that there be no further cessation owing to the

JAPAN AGAIN BUSY

New Emperor Tells Subjects to
Resume Tasks.

EDICT OF ACCESSION READ

Yo Shihito Subject of Great Ovation
by Populace on Streets as He
Passes—Exact Date of Im-
perial Funeral Not Fixed.

The exact date of the imperial funeral has not been announced. The special bureau which has been formed for the purpose of making the funeral arrangements, of which Prince Fushimi, Sr., has been appointed chief and vice-chief, Watanabe, sub-chief, with 40 high officials will meet tomorrow.

losses entailed on the poor people and the interference with international exchanges.

Emperor Yo Shihito was kept busy throughout the day, during which he issued an edict proclaiming his accession to the throne which he read before a vast concourse of high officers. He also proclaimed his succession to the command of the army and navy.

The Japanese foreign office has notified the foreign powers that the imperial birthday has been changed from November 3 (Mutsuhito's natal day) to August 31 (Yoshihito's birthday).

After the farewell taken of the late Emperor's body by the members of the imperial family today, the body was deposited in a casket with a quadruple covering, the outer one measuring nine by four feet, and was then placed in a special mourning chamber.

On his way to the Aoyama palace, where it is understood he will reside until after the funeral a great ovation was given Emperor Yo Shihito, immense crowds gathering along the streets where they stood with bared heads.

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IT IS NOT WISE

To keep your money in the bank when you can
double it quickly in lots in a good growing city

CONGRESS VOTED \$100,000

FOR THE IMPROVEMENTS IN TILLAMOOK BAY, INCLUDING THE JETTY AND DEEP CHANNEL DIRECT TO

BAY CITY

This is the first installment, and it is expected that work will begin this Summer. As the balance of the money is required for the prosecution of the project, it will be provided for by Congress.

BAY CITY is the only possible large townsite on Tillamook Bay. According to the Government Engineers, the large sawmills necessary for the manufacture of the lumber must be established on the bay. It goes without saying that BAY CITY will develop rapidly. There is enough timber tributary to Tillamook Bay to make a payroll of \$1,000,000 a year for over 300 years.

The Harriman system is operating daily trains between Portland and BAY CITY, and the United Railways (Hill system) has bought extensive terminals at Bay City, including water frontage. The largest lumbering company in the Pacific Northwest is preparing to build a ONE-MILLION-DOLLAR mill just outside the corporate limits of BAY CITY. With the harbor improvements ASSURED, investors will make no mistake in buying all the BAY CITY lots they possibly can. Values will soar and IMMENSE PROFITS will be made.

Lots \$65 to \$1500, on Easy Terms

Call or write for particulars. New book full of authentic information about Bay City and the Tillamook country will be out in about a week. This will be sent FREE to all requesting a copy. Use coupon.

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