

SERVED ON MORGAN

Financier Subpenaed by a Ruse in the Power Case.

MUCH TO HIS LAWYER'S DISGUST

Process Server Secured Admission to Morgan Residence on Understanding That He Had Come From Counselor's Office.

NEW YORK, March 22.—Concerning the service of a subpoena on J. Pierpont Morgan in the suit of Peter Power against the Northern Pacific Railroad Company, Francis Lynde Stetson, counsel for Mr. Morgan, today made the following statement:

"In several of the newspapers of this morning have appeared items suggesting that the counsel representing Peter Power in his suit against the Northern Pacific Railroad Company have found or anticipated some difficulty in securing the attendance as a witness of either J. Pierpont Morgan or some member of his firm. Any such suggestion, whether or not intended, is unkind, as M. F. Perkins of the firm has already appeared and been examined. Mr. Stetson, of the firm, was ready to appear yesterday at the time appointed, but his examination was postponed, not at his request, but at the request of Judge Lanoster.

"Yesterday afternoon Mr. Morgan returned to the city, from which he had been absent during the past few days. Proceedings, of which he knew nothing until Thursday, were held. Immediately upon learning of the desire for his examination he instructed me to advise Mr. Power's attorney that he would not attend at any time without subpoena. At once I so advised the counsel, who answered that this would be entirely satisfactory, and according to my arrangement Mr. Morgan's voluntary appearance next week.

"Apparently because of the inability of the counsel to his process server, for which miscarriage he had good reason to express regret, Mr. Morgan was served last evening with a subpoena by a messenger who obtained admission to the residence which had good reason to believe that Mr. Morgan would not willingly accept service, and in making service in the manner in which he did, the process server employed me merely to fill his duty as a process server. I had previously endeavored to arrange with Francis H. Kellogg, general counsel for the Northern Pacific Railroad Company, that witnesses against the Northern Pacific Railroad Company should be produced without service of subpoena, and at times might be mutually agreed. Although Mr. Kellogg in the first instance agreed with Judge Lanoster and myself in Minneapolis that he would endeavor to arrange this, he subsequently announced his failure to do so, and notified me that I must obtain the testimony of witnesses as best I could.

"It therefore became my duty to my client to use every means of vigilance to have service made upon witnesses whose testimony I desired. Until 4:30 yesterday afternoon I had received no notification that Mr. Morgan would voluntarily testify, but I had been notified that I must obtain the testimony of witnesses as best I could.

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VENEZUELA REVOLUTION.

One Important Victory Will Cause the Country to Rise.

WILLEMSTAD, island of Curacao, March 22.—During the past five days the revolution in Venezuela has broken out almost everywhere. The government cannot control the revolutionaries east of Cumana. Barcelona is in the hands of the revolutionaries, and Carupano is partially in their power.

"The mission of Minister Velutino to Barcelona has not been successful, and he is returning tomorrow to the general rivers, with 1200 men, and will replace him at Barcelona.

President Castro has sent first Vice-President Gomez, with 5000 men, against the revolutionists under General Rivera, who is in the vicinity of Caparao, in the State of Falcon. Second Vice-President Ayala, who had previously been sent against Rivera, returned to Caracas with out vanquishing the revolutionary General.

It is believed that if the revolutionists win one important battle all Venezuela will rise against the government of President Castro. The latter is recruiting day and night, and every man and boy that can be had is being pressed into the service. The villages are deserted, and the negroes and Indians have sought refuge in the woods, in the hope of escaping recruiting officers.

Censorship in Colombia.

PANAMA, March 22.—General Blasquez, Governor of Panama, today informed the representative here of the Associated Press that, in order to prevent abuses in the communication to the outside world of news regarding the war in Colombia, he had issued a decree re-establishing the censorship of telegrams, and prohibiting absolutely the transmission in code of messages relating to the revolution. So far as commercial matters are concerned, however, merchants will be allowed the use of established codes, but they must leave copies of their messages at the office of the censor. As a matter of course, Governor Blasquez will allow the Council of friendly nations to send telegrams uncensored, without, however, renouncing his right to enforce the censoring of their messages and all other measures tending toward the re-establishment and protection of public order.

Pinson Due at Colon.

COLON, March 22.—The Postoffice Department has issued a notice that, according to the decree issued at Bogota, January 22 last, all rates of postage in the postal union will be doubled. The above-mentioned decree has already gone into effect.

The Government gunboat General Pinson is expected to arrive here shortly from Barranquilla, with troops under General Biondo. It is asserted that the rebel at Chiriqui are raising money by shipping cattle to Corinto, Nicaragua.

DANISH ISLANDS SUGAR.

Imports After Ratification Will Be Delivered Duty Free.

WASHINGTON, March 22.—The Secretary of the Treasury has replied to an inquiry from the Danish Minister here that in harmony with the decisions of the United States Supreme Court in the insular cases, sugar shipped to this country from St. Croix after the exchange of ratifications of the treaty of cessation would be delivered free of duty in the absence of any provision in the treaty to the contrary, until such time as Congress shall see fit to provide. Sugars imported from the Danish West Indies would be delivered free of duty in the absence of any provision in the treaty to the contrary, until such time as Congress shall see fit to provide.

Machias Leaves St. Thomas.

ST. THOMAS, D. V. I., March 22.—The United States gunboat Machias, after visiting both ports of the island of St. Croix, returned here yesterday and sailed for San Juan today. It is reported that the purpose of her visit was to obtain measurements and plans for United States Government lands and buildings.

PADEREWSKI HAS HIS WAY

Caused a Lot of Commotion Among Rock Island Yardsmen.

DAVENPORT, Ia., March 22.—Paderewski caused a lot of commotion among the yardsmen of the Rock Island road here when he came from Chicago to Davenport to give a concert, traveling in his private car. Here he insisted that the car be turned around for the return trip, as he could not or would not sleep except with his head toward the engine. It was soon found that there was no turnout in this vicinity big enough for his 70-foot Pullman.

DISASTER IN JAPAN.

Avalanche Slid Upon Petroleum Works, Causing Over 100 Deaths.

VICTORIA, B. C., March 22.—A terrible accident is reported from West Japan, where an avalanche slid down upon petroleum works beneath a hill, February 18, causing the death of over 100 Japanese. George Alfred Lamb, of counsel for Peter Power, made the following statement tonight:

"I accept responsibility for the service made upon Mr. Morgan, and the manner in which it was made, and good reason to believe that Mr. Morgan would not willingly accept service, and in making service in the manner in which he did, the process server employed me merely to fill his duty as a process server. I had previously endeavored to arrange with Francis H. Kellogg, general counsel for the Northern Pacific Railroad Company, that witnesses against the Northern Pacific Railroad Company should be produced without service of subpoena, and at times might be mutually agreed.

BONDS ARE MISSING.

NEW YORK, March 22.—Fifteen \$1000 bonds, the property of the Jennie Clarkson Home for Children, are missing. The securities were in the care of George W. Lewis, who is a trustee of the home, and is situated at Katona, in Westchester County, has its chief endorsement, amounting to \$100,000, in the hands of the estate of the late W. R. Clarkson. It has as yet received only about \$30,000 of this sum, as the income goes to Clarkson's widow and sister during their lifetime.

Frenchman Executed in Hanoi.

PORT AU PRINCE, Hayti, March 22.—Leon Gabriel, charged with treason, fired a shot of poison at General Canosa, the chief of Police, who intended to arrest him. The General, who was not wounded, drew his revolver, fired at Gabriel and wounded him. Gabriel was arrested, and the body of the French citizen, and came from Guadeloupe. Serious complications with France are feared. The body of Gabriel was taken to the French hospital. The French colony is much affected by the event.

Last Performance at Lyceum.

NEW YORK, March 22.—The last performance to be given by Daniel Frohman's Lyceum Theater took place tonight. For about 17 years the Lyceum was one of the principal homes of high-class dramatic art in this city. It is now to make way for commercial improvements, and the work of demolition will be begun in a month. Mr. Frohman is to build a new Lyceum uptown.

Old Mint Buildings Sold.

WASHINGTON, March 22.—Assistant Secretary of the Treasury Taylor today sold to Felix Isman, a real estate dealer in Philadelphia, the old mint buildings and grounds. The price was \$396,000, part of the purchase money to be paid immediately and the balance within six months.

A Dangerous Disease.

Group is dangerous, but there is timely warning. The danger signal is a hoarse cough. A day or two before the attack the child becomes hoarse, then a rough cough appears, following night the child has a cold, and it can be prevented. It can be warned off. There is a safe cure. It never fails. It is called Chamberlain's Cough Remedy. Given as soon as the child becomes hoarse, or after the rough cough appears, it will prevent the attack. It will prevent the attack. It will prevent the attack.

RESULTS IN THE STATE

Simon faction worked with might and main for the control of the primary held this afternoon, but the result is that Simon will not get any support from this end of the county. The delegates to the county convention are as follows: East Cottage Grove, C. J. Howard, Frank Wheeler, C. H. Vandenberg, W. M. Landesa, Elmer Doolittle, Frank Jordan, H. Yanket, A. J. Anderson, John Sherwood, J. I. Jones, Colonel W. H. Blair.

West Cottage Grove—Joe Powell, N. W. White, E. M. Sharp, Curtis Veatch, A. G. McRensold, Wilbur McFarland, J. E. Young, W. C. Johnson, D. G. McFarland, F. G. Eby.

CLACKAMAS IS FOR PORTER.

Wants the State Printer—Brownell for Senator.

OREGON CITY, March 22.—Republican primaries were held in Clackamas County today. Returns show that State Senator Porter will have the seat delegation to the state convention for State Printer. George C. Brownell will be nominated for State Senator without opposition. The indications are that County Judge Ryan

DR. B. E. WRIGHT, PROMINENT DENTIST



Dr. B. E. Wright, the dentist, has removed to 547 1/2 Washington street, where he and his associates have the largest and best-equipped dental office on the Pacific Coast. Dr. Wright is a graduate of the State University of Iowa, and a member in good standing in the following ethical organizations: National Dental Association, Pacific Coast Dental Congress and the Oregon State Dental Society, having served as president of the two latter organizations for 1901.

primaries in Jackson County today, so far as heard from, local candidates for Legislative and county offices being the principal issues. There is little doubt, however, from the returns thus far in, that a state delegation favorable to the renomination of Governor Geer will be sent from Jackson County.

The Republican primaries in Ashland today voted unanimously to support the candidacy of E. J. Carter for State Senator, and the delegation elected to the county convention was instructed to use all honorable means to secure his nomination. There were contests in only a few precincts of the county.

At the hearing this afternoon Attorney Backus represented the Burns girl, and made his argument, contending there was not an iota of evidence to show that his client was connected with the death of Brooks. Assistant District Attorney Schurman followed in an argument intended to cast suspicion on the girl, holding that there was plenty of circumstantial evidence on which to bring her case to the attention of the grand jury. Justice Mayer at once gave his decision, in which he reviewed all the evidence and held that nothing had been brought out by the state sufficient for him to hold the girl for trial in the criminal branch of the Supreme Court. Justice Mayer is of the Special Sessions Court and sits as an associate magistrate. Ruth Dunn, the young woman on whose account it is alleged, Brooks wished to break off his relations with Florence Burns, testified that she saw Walter Brooks on the Monday, Tuesday and Wednesday evenings before his death. At the request of Attorney Backus, for the defense, her evidence was stricken from the record, but the state will seek to establish statements made by his client to detectives he had not been informed of her rights when she signed the statement. Assistant District Attorney Schurman opposed this motion, but Justice Mayer granted it, saying he had searched carefully for a precedent where the statement of a defendant, who had not been informed of a charge against him or her, had been used as evidence and had failed to find one such case. Justice Mayer said he would not warrant in the questioning of a witness by a police officer before the prisoner had been arraigned before a Police Magistrate or informed of his rights.

NELLIE CROSEY'S MURDER

JAMES WILCOX FOUND GUILTY IN THE FIRST DEGREE.

The Judge Denounces a Prearranged Attempt to Influence the Jury—Florence Burns Discharged.

ELIZABETH CITY, N. C., March 22.—James Wilcox was tonight found guilty of the murder of Nellie Crosey. The jury, after having been out 30 hours, brought in a verdict of guilty in the first degree. The prisoner heard the verdict without apparent emotion. When the verdict had been read, Judge Jones said:

"It is sadder for me than you, Mr. Wilcox, that the jury for several days have the law. You have had a fair trial. Part of the public was afraid to give to you. I am informed that the movement of the Courtroom here Friday, when a crowd marched out, was very common. I hope such was not the case. If it is true, and the offenders were brought before me, I would send every man, woman and child to jail for contempt. If the move was for a purpose, it was a disgrace to the fair name of the county. I hope it did not influence you, gentlemen, in the least. Judgment will be rendered at 10 o'clock. Judgment will be rendered at 10 o'clock. Judgment will be rendered at 10 o'clock.

"Counsel for the defense will appeal to the Superior Court.

FLORENCE BURNS ACQUITTED.

No Evidence to Connect Her With the Murder of Brooks.

NEW YORK, March 22.—Florence Burns, the young Brooklyn woman who has been in the custody of the police of this city since February 15, under suspicion of knowing how Walter Brooks met his death, was discharged from custody by Justice Mayer tonight. Brooks, who was a young commission merchant here, had been keeping company with Florence Burns. He was found in the room was turned on and there was a bullet-wound in the head. The District Attorney tried to show that Florence was likely to have killed Brooks because he was trying to break off his association with her. The defense advanced the theory that she had a grudge against Brooks because he had broken off his relations with her. Justice Mayer has been examining the two theories. He finally decided, when the hearing closed tonight, that nothing had been brought out sufficient to hold Florence Burns to the grand jury. After her discharge she returned to her home in Brooklyn.

At the hearing this afternoon Attorney Backus represented the Burns girl, and made his argument, contending there was not an iota of evidence to show that his client was connected with the death of Brooks. Assistant District Attorney Schurman followed in an argument intended to cast suspicion on the girl, holding that there was plenty of circumstantial evidence on which to bring her case to the attention of the grand jury. Justice Mayer at once gave his decision, in which he reviewed all the evidence and held that nothing had been brought out by the state sufficient for him to hold the girl for trial in the criminal branch of the Supreme Court. Justice Mayer is of the Special Sessions Court and sits as an associate magistrate. Ruth Dunn, the young woman on whose account it is alleged, Brooks wished to break off his relations with Florence Burns, testified that she saw Walter Brooks on the Monday, Tuesday and Wednesday evenings before his death. At the request of Attorney Backus, for the defense, her evidence was stricken from the record, but the state will seek to establish statements made by his client to detectives he had not been informed of her rights when she signed the statement. Assistant District Attorney Schurman opposed this motion, but Justice Mayer granted it, saying he had searched carefully for a precedent where the statement of a defendant, who had not been informed of a charge against him or her, had been used as evidence and had failed to find one such case. Justice Mayer said he would not warrant in the questioning of a witness by a police officer before the prisoner had been arraigned before a Police Magistrate or informed of his rights.

Mr. Schurman said he hoped the court would make it possible to have that view thoroughly tested. "It is going to work the greatest innovation in the system if I vote," he added, "only the City of New York is in the entire country. Thousands of cases have been decided in court here on statements made by prisoners to officers before the arraignment."

Several of the members of my lodge, who had been cured through Peruna, insisted that I try it, and rather reluctantly I bought a bottle. I noticed, with great relief, that it afforded me almost instant relief, and during the following week I kept getting better. Within three weeks I was not only cured, but felt stronger and more vigorous than I had done for months. "I believe that the cold took such a hold on me because I was run down in health, but Peruna restored me to perfect health."—Patrick Devlin. Catarrh is an old ailment. Even the strongest, most athletic men are liable to colds during the winter months. A cold, if neglected, is almost certain to cause catarrh of the head, which rapidly spreads through the system, setting up catarrh of the throat, lungs, stomach or pelvic organs. What a host of winter ailments would be prevented by a preventive as well as a cure for colds. Peruna is such a remedy. If taken at the first symptom of catching cold it keeps the catarrhal condition before it becomes established and makes impossible a spread of the disease. Should the cold be neglected and result in catarrh, Peruna will cure, but it will take much longer and will result in much unnecessary suffering. If you do not derive prompt and satisfactory results from the use of Peruna, write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis. Dr. Hartman, president of the Hartman Sanitarium, Columbus, O.

PRESIDENT ATHLETIC CLUB

Says: "I Owe My Health to Pe-ru-na."



Herbert Lundberg, 235 East 123d street, New York City, President Harlem Athletic Club, writes:

The Peruna Medicine Company, Columbus, Ohio: Gentlemen:—"It will probably interest you to know that I thank Peruna for the magnificent health I enjoy. If I am ever under the weather, get over-worked or suffer from a cold, the use of Peruna for a day or two quickly restores me. Several members of our athletic club have had the most gratifying results through its use, especially as during the late epidemic of la grippe. Several of them were completely cured and restored to perfect health."—HERBERT LUNDBERG.

Hon. Chas. H. Turner, 501 G Street, Washington, D. C., is ex-member of Congress from New York City, two terms; was doorkeeper of the National House of Representatives for four years. Is a member of Tammany Hall and is very influential in New York City. His writes:

"I have used your remedy, Peruna, as a general tonic with satisfactory results. I have many friends who have testified to its virtues, and I fully believe it has a valuable remedy."—C. H. Turner.

Mr. Patrick Devlin, Conductor of Macabees and Unique Lodge, No. 95, writes from 42 Delaware Place, Chicago, Ill., as follows:

"Last Fall, when I was outside daily in the rain and cold, I caught a heavy cold, to which I paid no attention until it spread over my entire body and every bone and muscle ached. A most disagreeable catarrh of the mucous membranes was the result.

"Several of the members of my lodge, who had been cured through Peruna, insisted that I try it, and rather reluctantly I bought a bottle. I noticed, with great relief, that it afforded me almost instant relief, and during the following week I kept getting better. Within three weeks

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