

MRS. WAYMIRE IS DENIED NEW TRIAL

Ex-Captain Bruin Asserts That He Saw Mayor Embracing Woman in Office.

BASIS OF THE PETITION

Defense Also Urges That Accused Should Have Heard Verdict Read and May Carry Up the Case on That Point.

Armed with new evidence in the form of a statement from ex-Captain of Detectives Bruin to the effect that he had seen Mayor Harry Lane embracing a young woman in his private office at the Hamilton building, the attorneys for Mrs. Belle Waymire and E. E. Hadding, lately convicted of plotting to besmear the chief executive's reputation, went before Circuit Judge Gantenbein yesterday and asked for a new trial of the case. Bruin said he thought the young woman in question was Mrs. Waymire, although he could not be certain as he did not get a good view of her. The ex-police inspector and confidant of the late friend of Mayor Lane had also advised the lawyers of another occasion in which he greatly embarrassed the Mayor by unexpectedly entering the now-famous private office while a young woman was visiting therein.

Sets Time for Sentence.

In overruling the motion Judge Gantenbein said he was ready to pass sentence on the offenders and set Tuesday morning at 9:30 o'clock as the hour for passing sentence. It is generally believed that the two culprits will be sentenced to a term in the County Jail. The maximum penalty is six months' imprisonment, as the charge is merely a misdemeanor. Whether the two will receive the limit is a matter that remains to be seen.

Looked Like Mrs. Waymire.

As to Bruin's statement, it developed that the one-time administration sleuth had unboasted himself completely to Messrs. Fouts and McGarry. As outlined by the lawyers, Bruin went up to the Mayor's office one day on business. Through the stained window of the door he chanced to note an open space and observed the Mayor absorbed in the act of embracing a comely young woman. The woman appeared very much like Mrs. Waymire, but Bruin said he could not be sure about that.

THE INTERRUPTED DEBATE

An Open Letter by T. J. Fording to W. S. U'Ren.

PORTLAND, March 7.—Dear Sir: Having been stopped in the midst of our debate in Statement No. 1, and observing that your friends are anxious to know why a Republican cannot consistently sign that promise, I will at the same time reply to the host in your closing speech that addressed "fellow Republicans" but that you called "fellow citizens" in the name of the democratic party. I will admit that the point illustrated the difference of our view of Statement No. 1. That statement could not be made a part of the primary law because it would be unconstitutional but it was tacked on as a rider to the law, yet in conflict with that law.

letter and the spirit of the primary law.

So much for the law itself. What is our duty to the National Republican party? United States Senators are not state, but National officials, paid out of the United States Treasury, to make laws as much for New York as Oregon, and within six years a Senator may balance the scales in political power. What moral right has a Republican of Oregon to trade off his birthright and cheat every state of the Union out of a Republican Senator, all to accommodate a minority party that is too weak to elect a Legislature and is only too willing to trade votes for the Legislature for votes for their candidate for United States Senator?

No insinuation is here intended as to any candidate, but the same line of politics that has been pursued in the past will invite such action if a man signs Statement No. 1 as the price of any political sentiment he may have had. What life the Republican party of Oregon possesses today must be very largely credited to its relation to National politics, and the Republican who has so little gratitude as to forget that he owes fidelity to his country at large, may be caught signing Statement No. 1, though in so doing he must forget that the preamble to the primary law places loyalty to our own party free from any intrigue with any other party.

CAKE TO OPEN CAMPAIGN

WILL SPEAK IN WEST SIDE TOWNS THIS WEEK.

Will Visit Practically Every Section of State Before Primary Elections in April.

In the interest of his candidacy for the Republican nomination for United States Senator B. M. Cake will begin a vigorous campaign of the state this week. His itinerary will include practically every section of Oregon.

DEPICTS HUSBAND AS A BRUTE

Mrs. Bertha Johnston Tells Tale of Domestic Torture.

Mrs. Bertha Johnston applied to the Circuit Court yesterday for a divorce from Harry Johnston, now of Pendleton, and if half the charges in the complaint are true, Johnston is the most unloving brute that ever figured in a local divorce case. Mrs. Johnston's complaint reads far more like a romance of medieval torture practices than a modern application for separation.

BUSINESS OPENINGS

At Marshfield on Coos Bay.

Mr. J. L. Bowman, proprietor of the Brownsville Woolen Mills Store, on Third and Stark streets, is looking for some good live merchants to go down to the Coos Bay and open stores in the various sections of the state until the week before the primaries in April, when he will return to Portland.

IT'S WITH PLEASURE

That we announce to the ladies of Portland and vicinity that our coat and suit department is now stocked with the latest and best of suits, frock coats, and we cannot express upon our customers too strongly that in this department there are better values and better selections than have before awaited them at this address, Le Palais Royal, 375 Washington street.

SURVEYING INSTRUMENTS

The J. K. Hill Co. have second-hand

the J. K. Hill Co. have second-hand surveying instruments of all kinds, all makes sold, exchanged, repaired and adjusted. Third and Alder.

Agree on 320-Acre Homesteads.

OREGONIAN NEWS BUREAU, Washington, March 7.—Western Senators and Congressmen have agreed upon the 320-acre homestead bill which will be pressed vigorously. It requires residence, except on land which had no water, also requires cultivation of one-quarter of the entry by the end of the third year.

Tomorrow and Tuesday will positively be the last days for discount on West Side gas bills.

Portland Gas Company.

Olympia Beer, "It's the water."

Brewery's own bottling. Phone, Main 271, A 2467.

Read Sharkey's add today.

PLEA SELF DEFENSE

John Wynne Will Try to Prove Killing Justifiable.

STATE ALLEGES MURDER

Witnesses to Swear That W. H. DePuis Was Shot in Cold Blood in Ordinary Saloon Brawl.

Self defense is to be the defense in the trial of John Wynne, charged with murdering W. H. DePuis, in a saloon brawl last December. The theory that Wynne believed he was in danger of being injured when he fired on DePuis is given some color by the fact that the victim was the aggressor in the scuffle that preceded the tragedy. The state will contend, however, that the fight was an ordinary saloon brawl and that since DePuis exhibited no murderous weapon, Wynne had no cause to fear violence.

The story of the killing was told from the witness-stand by several witnesses for the state yesterday. The case was all but completed as far as the prosecution is concerned and after the testimony of several minor witnesses has been heard tomorrow the defense will have its inning. Martin Denny, proprietor of the saloon in which the tragedy occurred was the principal witness of the day.

time affidavits will be prepared asserting that the public mind throughout the district has been inflamed until a fair trial by jury would be an impossibility.

The District Attorney's office regards this new measure as only a little more sparing for time. The case has reached a stage where there appears to be no other alternative than trial, all dilatory pleadings having been exhausted.

To just what district the defendants will ask a transfer of their case is not stated, although the First Judicial District is mentioned. Oregon City and Astoria are both hinted at as the possible point of trial in the event a change of venue should be allowed.

Mr. Newell Ready to Make Good.

Portland, March 7.—(To the Editor.) My letter in The Oregonian yesterday.

Mrs. Bertha Johnston Tells Tale of Domestic Torture.

Mrs. Bertha Johnston applied to the Circuit Court yesterday for a divorce from Harry Johnston, now of Pendleton, and if half the charges in the complaint are true, Johnston is the most unloving brute that ever figured in a local divorce case.

Mrs. Johnston says she was married at Vancouver in 1896 and notwithstanding the recent date of the marriage the complaint specifically states that they have a boy of 11 years. Shortly after they were married, Johnston got to staying out at night. That was the beginning. Then he took to beating and cursing her, several times beating her half to death, the complaint recites. Eventually he got to deserting her, leaving with the announcement that he would never return but dropping back for a few meals in the course of a week or so.

On one of these occasions Johnston came in after a month's absence and beat her half to death because she didn't have dinner ready for him, says his wife. As a side diversion, he amused her with little stories of his conquests and was particularly boastful regarding his escapade with one "Kate" who wanted to "take him to Alaska and support him." All this time, in fact ever since the day of their marriage, Mrs. Johnston says she has earned her own livelihood and that she has had to seek the help of relatives in securing decent clothing.

Mrs. Johnston's last experience with her husband occurred, according to the complaint, on the public street, when he knocked her down and then ran, evidently fearing some male pedestrian might resent such brutality. Johnston is now in Pendleton, having recently gone there after telling his wife to support herself and the baby the best way she could, the complaint sets out.

NOVELTIES IN

SPRING SUITINGS

All the latest designs and colorings in fine foreign and domestic fabrics for gentlemen's garments to order.

New shades of wood browns and leather colors, moose and caribou browns, elephant grays and blues,

NICOLL has them now, other houses will have them next season.

Satisfaction guaranteed in all cases. Garments to order in a day if required. Full Dress and Tuxedo Suits a specialty.

A NEW HORNLESS TALKING MACHINE

Eilers Piano House Exhibit Latest Achievement of the Victor Co.

Eilers Piano House, the oldest and largest Piano and Talking Machine dealers in the Northwest, have on exhibition in their store the latest achievement of the Victor Talking Machine Co.

It is a Talking Machine without a horn.

This new-style instrument is a big step in the advancement of the Talking Machine.

The rendition of famous songs, solos by operatic stars, etc., are duplicated with marvelous fidelity. There is no scratching, grating noise, simply a pure and exact duplication of the original selection.

All those who have been fortunate enough to hear it are enthusiastic in their descriptions. Yesterday afternoon several well-known local musicians could not believe that a Talking Machine was in operation, so perfect were the reproductions. A cordial invitation is extended to everyone to hear this new invention at the Eilers Store, 353 Washington St., Cor. 2^d Park.

doors which were found locked and the approximate dates. My office is in room 33, Washington building.

W. J. P. NEWELL, Attorney at Law.

Bryan to Speak in Chicago.

LINCOLN, Neb., March 7.—William J. Metzger, jeweler, optician, 342 Wash.

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FOR MEN

\$10

We are showing MORE styles and BETTER styles than ever at this low price. Don't let the modest price deter you--as you will find the IDENTICAL fabrics and patterns in up-town stores at \$15.00 and \$20.00.

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For 20 Years a Leader in Dental Work in Portland

This is a long time, and shows conclusively that I have always kept my word and given my patients the best treatment that it was possible for them to secure here or elsewhere. This is the correct time in the year to have

PLATES MADE AND FITTED

I give my personal attention to this branch of the work and can guarantee the best possible results. There is a great difference in plates, and unless they fit perfectly are a constant source of annoyance. If you need a plate we will extract useless teeth or decayed stumps without causing you the slightest pain and supply a plate or bridge on the same day, if necessary. I have a number of patients from all parts of the state who require prompt as well as efficient service. Remember you cannot be too particular about your plate; the best is a comfort and the other kind almost worse than nothing. Where two firm teeth remain a plate won't be necessary, then

WE ATTACH A BRIDGE

which works perfectly and chews your food almost as well as the natural teeth. A well-made bridge is one of the greatest blessings it is possible for a skilled dentist to provide his patient. A well-placed bridge lasts a lifetime and never causes annoyance of any kind.

WE WANT YOUR PATRONAGE

with the feeling that the result will be mutually satisfactory. Drop in and let me tell you what is needed. You can have the work done to suit your convenience and pocketbook. Out-of-town people can write, making appointments, which will be promptly kept by this office. Our terms are the most reasonable in Portland, considering the high-grade work always supplied.

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