VICTIM OF PLOT, OR SELF SLAIN

Mystery Surrounds Death of Mrs. Mary Livering, Louisville Woman.

HER HUSBAND IN PRISON

Is Under Life Sentence on Conviction of Her Murder, but He Stoufly Maintains His Innocence.

LOUISVIELE, Aug. 1.-Was the death of Mrs. Mary Livering, of Louisville, the ghastly fruit of a polson plot, or was she a suicide weary of life? Upon the ultimate answer to these questions depends the fate of Charles Livering, husband of the dead woman, now under a life sentence for her murder. He has appealed his case to the Kentucky Supreme ourt and all Kentucky is speculating as to what will be the final outcome. Livering hopes to be acquitted in the end. His conviction rested upon the testimony of confessed accomplices, supported almost alone by circumstantial evidence. But what a story those accomplices iold. It had to do—that story—with a fraudulent will, a note purporting to be the last act of a suicide, but said to have been obtained by treacherous cunning, the concoction of deadily poissons while a sneer played about the lips of the prisoner, a husband's determination to kill the er. a husband's determination to kill the wife of whom he was weary and his flerce yearning to possess as his own that wife's estate-these and other matters and things quite as ghastly, quite as

Tells Shocking Story.

It was three years ago that Mrs. Livering died and for more than two years the husband dwelt in security. Then, day, a policeman, whose suspicions had been active all along, quinzed Mrs. Anna Gray, who, with her husband, was an intimate friend of Livering. What she told the policeman seemed to corrobo-rate his worst suspicious and that same day Livering was placed under arrest, charged with the murder of his wife. He was indicted and the case went to trial recently. The whole state of Ren-tucky was shocked by the testimony in that trial. Anna Gray and her husband, Lou Gray, were the principal witnesses for the prosecution. It was a grawsome

According to the testimeny of those people, it was a \$15,000 estate belonging Mrs. Livering that caused the though of murder to rise in Livering's mind and ultimately led him to prepare and give to his wife a dose of poison. The Liverings formerly resided in Shelby County and Livering was a farmhand in the ploy of the first husband, of the woman who later became his own wife. This employer died-of poison-and was supposed to have committed suicide. Not long afterward the wedding bells rang and the widow became the bride of Live-

Coveted Land.

to the farms in his own name to see the lact that he was lord of the domain spread upon the official records at the courthouse. But there was only one courthouse. But there was only one courthouse are the promoters way to accomplish his heart's desire and making him her sole heir by a legally drawn will, and then-for her to die. It a peculiar thing how hearty and hale indesirable wives are, and undesirable usbands, too, for that matter. But, if the evidence upon which Charles Livering was convicted be true, he kept his eye on his wife and observed that she was in robust health, not likely to die soon, unless, maybe, a railroad engine or a hig automobile should run into her—or, that he should take a hand and assist nature. Indeed, Mrz. Gray testified that Livering frequently urged his wife to commit suicide, once even taking her out in a boat and arguing with her that she jump into the river and drown herself. But she was obstinate and refused. "I have heard him say," testified Mrs.

"In conversations with his wife, Why don't you go ahead and kill yourself like you promised."

Livering sought to destroy the effect of that testimony by bringing witnesses who swore that Mrs. Livering was addicted to morphine and whisky, and that, after partiaking of these in large quantities, she would be despondent and express a desire to die. Mrs. Gray replied to that evidence by saying that Mrs. Livering never took drugs or whisky excopt when repeatedly urged to do so by her husband. The witness also said Mrs. Livering was of a cheerful, self-reliant disposition, and not morbid or despond-ent. And here arose the question of whether or not Mrs. Livering did commit suicide. For alongside her body when it was found was a note, in her own hand-writing, in which she declared herself to be weary of life and prepared to die by her own hand. The letter also stated her desire to be that her husband should inherit all her property.

Snicide Note Frank.

Mrs. Gray swore that "suicide note was a fraud and a fake, obtained by Livering through the faith and trust reposed in him by his wife. According to posed in him by his wife. According to the evidence, Livering persuaded his wife to write that note a mouth before her death on the plea that they would "play a joke" on a relative with whom there had been a quarrel. "He put the note in his pocket and I didn't see it any more until after Mrs. Livering was dead." said Mrs. Gray. "but I knew in what manner it was to be used."

Then Mrs. Gray told of how the avoids.

Then Mrs. Gray told of how the suicide Then Mrs. Gray told of how the suicide was arranged, how cunningly, how cruelty, how pittlessly—and how clumsily and carclessly. She said the poison was pestied at her house. It was a mixture of soet and flour and strychnine, she said, which was pushed into capsules with a big nail. Mrs. Gray said he muttered imprecations against his wife as he rammed have the poison in the capsules, remarked the while that he guessed these would fix her." Then he went away to feed the deadly stuff to went away to feed the deadly stuff to the doomed woman, said the witness, but, in his haste, he left some of the cap-

juncture of the trial. The woman in the witness chair opened her purse, saying, "Here are the capsules he left behind," and she held them up so all could see. Mrs. Lavering was told that the pills were a tonic. She was not feeling well. The evening before her death Mrs. Gray called on her.

"Didn't you warn her?" asked the at-torneys for the defense.
"Yes," said Mrs. Gray, "but I didn't

told on him."

Livering was not at home the night his wife took the tonic. He came by the Gray home the next morning and asked if his wife had been there. He was informed she had not.

"Well," said he, according to Mrs. Gray, "I guess she's a dead one by this time." And not long afterward they received a message from him that his prediction had been verified.

Mrs. Gray said that after the woman's death Livering called on her and had her taken to the country for two weeks "to get over the excitement." Then he put us into a house he owned," she said, "and told me and my husband we could live in the house always at his expense.

"and told me and my husband we could live in the house always at his expense. He said, too, that everything he owned should belong to him, his sister and to me for the rest of his fife."

Livering brought him a blank sheet of paper, that is, blank with the exception of Mrs. Livering's name signed at the bottom of it, and on that paper he (Lou Gray) wrote a fraudulent "will" and he and Mrs. Gray signed it as witnesses. By and Mrs. Gray signed it as witnesses. By the terms of that "will" Livering was to be the sole heir of his wife.

Probate Is Denied.

After her "suicide" an attempt was made to probate the will in Shelby County where the real estate was situated, but the probate was denied on the plea, offered by Mrs. Livering's relatives that the document was fraudulent, that Gray swore Livering had told him Mrs. Livering's signature was obtained on blank paper by causing her to believe a lease was to be made out. Gray admitted without hesitation that he had perjured himself in the Sheiby County will litigation, in which he had testified to having seen Mrs. Livering sign the document.
Gray made a bitter denunciation of
Livering from the witness stand, and, refusing to keep silence at the judge's command, he was fined for contempt of court

The jury was agreed as to the guilt of Livering and would have fixed his pun-ishment at death had not the principal evidence against him been the testimony of accomplices. So the penalty was made life imprisonment. Livering accepted the verdict as calmly as he would have had the whole affair been some

Is Livering guilty? A jury has pro-nounced him so. If he is not, then surely he is the victim of a plot most hideous, But the question rests now with the Supreme Court of Kentucky, to which trib-unal it has been appealed and before which it will be heard at the approaching

SURVEY GORDON FALLS SITE THIS WEEK.

Promoters Expect to Have Large Woolen Mill in Operation by January 1, 1909.

Active work on the site of the new power plant and woolen mill at Gordon Falls, near Bridal Vell, Or., will begin tomorrow, when a surveying party un der the direction of Engineer J. H Cunningham will leave for that place to establish a permanent camp and exto establish a permanent camp ago in surveying and platting the new townsite. It is the intention of the promoters to begin the erection of the power plant and woolen mill at the earliest date possible.

Architects are now preparing plans for these buildings, together with plans for an excelsion mill, hotel and a few Lady attendant. cottages. Orders for goods already re-ceived makes it necessary that the mill shall be ready for operation by Janu-But though Livering was possessed of the widow, he had not got hold of the dead man's estate, consisting of farming lands valued at \$15,000 or more. It is said that his mouth watered for those lands. He longed to have the little deeds lands lands

that was to wheedle Mrs. Livering into making him her sole heir by a legally of land in the vicinity of Gordon Falls, Irawn will, and then for her Lo die. It which it is proposed to use as a sheep ranch. This will enable the owners to have their sheep sheared on the

Premises.
Representatives of the Methodist Church yesterday visited Mr. Coopey for the purpose of securing a site for a church and parsonage in the new town of Gordon Falls. It is understood that such a site will be presented to the denomination in question by the

owners of the townsite.

Application has been made by several merchants for the privilege of establishing a store in the new town. concession, however, is not to be granted, it being the purpose of Mr. Cooper Mr. Peaslee and their associates to establish a co-operative store on the plan of those in operation in England. Un-der this arrangement each resident of the town will be a stockholder of the institution. No one will be permitted to own more than one share of stock, which will be valued at \$5. A cash business only will be transacted, Every three months the profits accruing from the sale of the merchandise will be di-vided among the members in proportion to the amount of their purchases If the member so desires, he can leav the money with the savings departmen and get his legal rate of interest for it. This method is followed to a great extent in England, at Oldham, Blackburn, Preston, Leeds, Manches-ter, Liverpool and other manufacturing

Refuses to Surrender Auto to Sheriff

J. B. Kelly Changes Mind, However, When More Deputies Appear to Enforce Writ of Replevin.

WHEN Deputy Sheriff Bulger Sent down to serve a writ of replevin on J. B. Kelly for an automobile, the peace officer didn't know just exactly what he was running up against, so he did not take a company of the Oregon National Guard with him. But Bulger wasn't long in getting feinforcements when he was surrounded. And the Deputy Sheriff got the machine he went

Automobiles cause trouble in many ways—it was a new kind that Bulger found. Ira T. Beeman is the owner of the chug-wagon. Something got wrong and the auto had to be sent to an expert. J. B. Kelly, who was a candidate for the nomination for State Senator not long ago, has a motor-car hospital on the corner of Second and Salmon

streets and hither went Beeman. In due course of time the owner of the horseless pleasure wagon went around to see if the break was mended. It was He asked for his bill. It was handed him. Beeman thought the bill would be in the neighborhood of a dozen dollars; instead he declares that

it was over \$100. And he couldn't get the auto until the bill was settled. Straightway Becman proceeded to se-cure a writ of replevin in order to have his machine for a Saturday night spin. tell her there was poison in the capsules. About noon yesterday Bulger went total number of rescued was later I didn't dare to. Mr. Livering had threat-down to serve the papers on Kelly. brought up to 20.

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When the owner of the hospital saw what was doing, he informed the Dep-uty Sheriff that the machine could not be taken out of the place until settled At that, Kelly called all of his men gathered about the repaired joy cart. Buiger then showed his star workmen up and six or seven husky cart. Buiger then showed his star and told them not to monkey with the

strong arm of the law, But his arm didn't look so them, and they laughed. At that, Bulger at once telephoned the Shariff's office for help, ald and assistance. Deputy Sheriff Jones quickly slipped a pocket-sized Gatling gun in his hand and made a run for Second and Salaran Dannie Sheriff San Warner mon; Deputy Sheriff Sam Wagner-Sam is not a relative of Lou-follower after. When help came, Mr. Kelly changed his mind, and the automobile was secured without one drop of blood nfter. having been shed in its defense,

BREAKING OF AIRPIPE SAVES PERNIE MINERS.

Three Dead and One Dying as Result of Cave-in at Crows

Nest Pass.

VANCOUVER, B. C., Aug. 1.-A Pro-Three dead and one dying is the death rell of yesterday's frightful acci-

dent in the Coal Creek mine. Twenty miners, penned in by hundreds of feet of earth and rock, escaped as by a miracle. The gas was about to overcome them and several had slipped to the ground ready to die, when a flood of fresh air filled the chamber in which they had gathered.

A falling rock had broken the compressed-air pipe just at the point where the men were gathered. Here by accident fresh air was let loose instead of being delivered hundreds of feet further into the depths of the workings, where it would have been of little benefit to the entombed men.

With the first alarm, hundreds of women, who had snatched their babes in their arms, crowded around the pit head. Children freed from school

head, Children freed from school joined them.

The special train from Michel, with President Lindsey and his staff of officials on board, sild down the five miles of the 2 per cent grade in less than 7 minutes. Lindsey immediately joined Superintendent Strachan and the pit bosses who had entered the mine as far as it was possible to get. The tun-nel was absolutely closed, and after baif an hour of fruitless work it looked as if the 24 missing men were surely

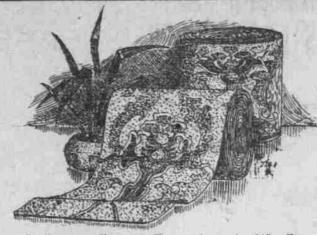
But just then faint rappings could be beard on the air pipe, which indicated that some at least were still alive. Then it became a race which would reach the entombed men first, the picks and shovels of the rescuers or the killing gas that was undoubtedly rapidly

accumulating.

The miners of the sparching party drove a hole through the main fall of coal, reached an inner chamber, bored another hole and found 15 half dead men on the other side. The cheers on the surface were bardly finished when other men were found and the

FALL SHOWING & CARPETS AND RUGS NOW COMPLETE

Comprising the newest and most exclusive designs in Body Brussels, Axminsters and the famous Bundhar Wilton. In the Body Brussels are designs and colorings especially adapted to general use, including also a complete line of exclusive bedroom patterns. In the different grades of Axminsters are all the new combinations of tan and brown, in Oriental and artistic conventional designs. Our line of Bundhar Wiltons for this season surpasses all previous displays for beauty of design and coloring. We particularly mention the L'Art Nouveau, Oriental and conventional patterns, in all the popular colorings. Carpet Department, 6th floor.



SALE OF GO-CARTS AND CARRIAGES

Fourteen patterns are offered in a three-day sale and priced for quick clearance with the intention of reducing our stock of children's vehicles. Sale commences tomorrow. Mail orders and out-of-town inquiries will receive careful and prompt attention.

SPECIAL \$13.75-The Allwin patent folding Go-Cart; all metal frame; full nickel-plated; has reelining back; can be folded most com-

SPECIAL \$14.75-Reclining Carriage with best spring and gear construction; green fiber body. Cushions and parasol.

coach finish; upholstered in same color leather cloth. Best gear and construction; parasol.

SPECIAL \$22.75-Reclining Carriage, with best gear and construction; body of green fiber; upholstered and fitted with parasol.

SPECIAL \$22.50 Carriage with reclining back; body in coach finish; upholstered in corduroy; best spring and gear

SPECIAL \$14.25-Folding Go-Cart with wood body; coach finish; best gear and construction. Upholstered in leather cloth, Par-

SPECIAL \$15.00 - Folding Go-Cart, with wood body; green coach finish; upholstered in leather cloth. Reclining back; parasol.

SPECIAL \$19.75-Reclining Carriage in cream enamel: SPECIAL \$23.00-Reclining Carriage with high-grade gear and spring construction; body in best coach finish; upholstered and fitted with parasol.

SPECIAL \$24.00-Reclining Carriage in brown coach finish -best gear and spring construction; upholstered and fitted with parasol.

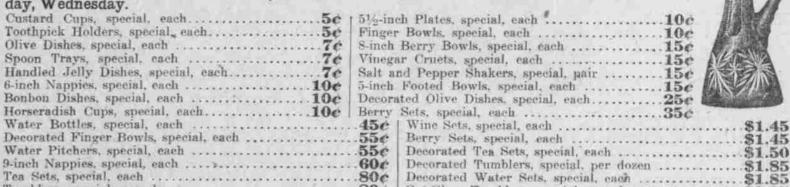
SPECIAL \$31.75-Auto Carriage with brown reed body; reclining back; hood and upholstery in leather cloth. High-

grade gear and construction.

SPECIAL \$37.50-English Perambulator, in best cream coach finish; upholstered best quality leather cloth; reversible hood.

THE CROCKERY DEPT-UNUSUAL VALUES IN A THREE-DAY SALE OF GLASSWARE

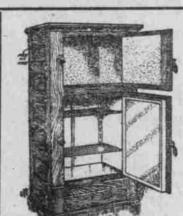
Clearance selling of odds and ends from our line of glassware in pressed, etched and cut-glass designs. Take advantage of this sale for replenishing your household stock. Monday, Tuesday, Wednesday. Toothpick Holders, special, each......5¢ Finger Bowls, special, each10¢ Spoon Trays, special, each Bonbon Dishes, special, each 10¢



Cut-Glass Tumblers, special, per dozen

Cut-Glass Sherbet Glasses, special, per dozen \$2.75





TWO SIZES IN

SANITARY REFRIGERATORS

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In the Basement Department tomorrow and Tuesday, a special sale of two popular sizes in the wonderful "Sanitary" Refrig-

NO. 5 SIZE-SPECIAL \$14.75

Galvanized iron lined; outside measurement: Width 25 inches, depth 16 inches, height 46 inches. Ice capacity 40

NO. 205 SIZE-SPECIAL \$16.75 White enamel lined; outside measurement: Width 25 inches, depth 16 inches, height 46 inches. Ice capacity 40 pounds.

SHIRTWAIST BOXES

Monday and Tuesday in the Drapery



Department, a sale of Shirtwaist Boxes in dainty cretonne coverings, pleated edges, padded seats and lined. Your choice from several in striped and floral effects, at the special . \$4.95

COUCH COVERS SPEC. \$4.75

Extra heavy couch or davenport coverings of good width and length; 6 feet wide by 8 feet long, in Gobelin and other tapestry fabrics. In the Drapery Department-Sixth Floor.

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ART WALL PAPERS in the Decorative

Dept.

Sixth Floor.

WINGFIELD STEALS MARCH

MARRIES SECRETLY AHEAD OF TIME TO DECEIVE WOMAN.

Pretended Common Law Wife Storms When She Learns She Is Supplanted.

SAN FRANCISCO, Aug. 1 .- (Special.) -George Wingfield, millionaire mining op erator, of Goldfield, Nev., married secretly Thursday night Miss Maud Murdock, daughter of Robert Murdock, cashler and manager of the United States National Bank, and they are now spending their

honeymoon in Southern California. The wedding was announced for Saturday afternoon, but Mr. Wingfield anticipated this date, as he reared trouble from a woman with whom he used to live in a woman with whom he used to live in Nevada and who claims to be his wife. This woman appeared late last night at the Stewart Hotel and was greatly incensed when she heard the marriage had occurred. She declared that Mr. Wingfield had spent Wednesday night with her and promised her money if she made no trouble. She claims under Nevada law can Consul-General at Log Angeles,

Francis Hotel by threatening to shoot Mr. Wingfield wired yesterday to Goldfield's three big saloons ordering the pro-prietors to set up wine for the boys and charge it to him. As a heavy rain set in, the mining town was doubly soaked.

NAMED CONSUL FOR PERU Prof. Vejar, Acting Chilean Consul,

Gets Additional Appointment.

Professor A. J. Vejar, acting Chilear Consul, has recently been appointed Peruvian Consul in Portland, with of-fices in the Commonwealth Building. Professor Velar came to Portland last November, and soon after was ap-pointed acting Chilean Consul to suc-ceed W. H. Jenkins, who resigned shortly before Professor Nejar's arrival. Professor Vejar is a native of Valencia, Spain, but for many years resided in Mexico City. He first visited

Permitted to Change Name. Katherine Elizabeth Leary was yesterday granted permission by the County nan Court to change her name to Katherine her

General G. Andrade. He is at present head of the department of languages in the Portland Y. M. C. A. Elizabeth Pitzginbon. She says in her petition that for the past 20 years she has been flying with Mr. and Mrs. Thoushas been living with Mr. and Mrs. Thomas Fitzgibbon, of this city, her parents having died when she was but 2 years old, and that she would like to bear the name of those who have been so kind to

Every woman covets a shapely, pretty figure, and many of them deplore the loss of their girlish forms after marriage. The bearing of children is often

destructive to the mother's All of this can be avoided, however, by the use of Mother's Friend before baby comes, as this great liniment always prepares the body for the strain upon it, and preserves the symmetry of her form. Mother's Friend overcomes all the danger of childbirth, and carries the expectant mother safely through this critical period without pain. It is woman's greatest blessing. Thousands gratefully tell of the benefit and relief derived from the use of this

wonderful remedy. Sold by all druggists at \$1.00 per bottle. Our little book, telling all about this liniment will be sent free.

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