

# HAMILTON SEEKS TO DELAY TRIAL

## Supreme Court Issues Writ of Habeas Corpus for Accused Man.

### ANOTHER LOOPHOLE FOUND

Defect in Revised Statutes May Make Invalid Embodiment Charge on Which ex-Adjutant-General is Detained.

OLYMPIA, Wash., Nov. 20.—(Special.)—A writ of habeas corpus on behalf of ex-Adjutant-General Hamilton was issued by the State Supreme Court today, and as a result it is predicted his trial set for Tuesday in the local Superior Court will be postponed for weeks and possibly months.

### Attorney-General is Puzzled.

That this is feared by the Attorney-General is evidenced by the activity of that officer today in looking up authorities to sustain a contention that an appeal in habeas corpus does not prevent trial of the main charge, and by further fact that the prosecution contends that the writ issued by Justice Rudkin was not a habeas corpus but a show cause order. If it was a habeas corpus, Hamilton is in the jurisdiction of the Supreme Court and the inferior courts cannot proceed with the trial.

### Saving Clause is Overlooked.

As to the contention that the new criminal law with its lack of saving clause barring prosecutions, the Supreme Court today rendered a decision which may be in point. It is a case from King County, where William Hanover had been convicted of practicing medicine without a license. The Supreme Court set aside his conviction, holding that the law existing had been repealed by the new medical law in effect when he was tried, and that as there was no saving clause in the new law, his trial was void.

### CARRIES GUN READY TO USE

#### Girl Out of Work Saved from Imminent Suicide.

BELLINGHAM, Wash., Nov. 20.—(Special.)—Dying under her arm a revolver wrapped in a piece of paper, which she says she had obtained to use in case she could not find work, Iris Yates, a young girl of South Bellingham, was arrested, and, after her pitiful story had been related to the police, was turned over to the Y. W. C. A. to be taken care of.

### EAST SIDE PROPERTY SOLD

#### Weaver and Jaeger Pay \$9000 for Business Property.

For a consideration of \$9000, L. F. Weaver, manager of the Studebaker Brothers Company, Northwest, and J. P. Jaeger, of Jaeger Brothers, Jewelers, yesterday purchased 30x35 feet at the northwest corner of Union and Almsworth avenues.

### SCENES AT MINE WHERE 20 MEN WERE RESCUED ALIVE YESTERDAY.



HOPING AGAINST HOPE—WIDOW AND YOUNG ORPHAN.

## 20, BURIED 7 DAYS, TAKEN OUT ALIVE

### One Among Living in Cavern Preached, Sang Hymn. Others May Live.

### SEARCH FOR DRINK LUCKY

#### Mule Alive in Depths, Superstition Stopping Its Slaughter—Gloves Tobacco, Prisoners' Food. Women Now Hopeful.

(Continued From First Page.)

ing, "George Eddy," he shouted. "We've got George Eddy here."

"Oh, George," came a woman's piercing cry from the crowd, "is it you, is it you; come here, George; here I am waiting for you."

### Brother Saves Brother.

A dramatic moment came when William Clelland was brought. At the news of the disaster a week ago, Robert, a brother, and also a miner, came here from South Wilmington, Ill. He was informed on his arrival that all of his position made shift to write a few words of encouragement to his wife.

### Happy Woman Envious.

In a little four-room cottage, Mrs. George Subacas, became the envious of the first to be taken home.

### Rescuers Tell Story.

One of the leaders of the rescuing gang is David Powell, Powell, a tall, muscular, red-headed man, with iron hair, went on duty at 7 A. M. His story follows:

### Water Their Savior.

"Nobody reached us today—we reached them. We wanted more water and we crawled over our own barrier and started. We did not know where we were, and were always falling over things. We walked about ten feet apart so as not to fall on each other. The last fall in nearly blocked the passage and we had to worm our way through a long aperture scarcely large enough to hold us. We were growing weak."



THEIR HUSBANDS AND SONS ARE IN THE BURNING MINE

### Eddy Writes to Wife.

George Eddy, a hero among the heroes, who escaped from the St. Paul mine, in the darkness and despair of his position made shift to write a few words of encouragement to his wife.

"November 14, Dear Wife and Children: I write these few lines to you, and I think it will be for the last time. I have tried to get out twice, but was driven back. There seems to be no hope for us. I came down this shaft yesterday to help save the men's lives. I hope them men I got out were saved. Well, Lizzie, if I am found dead, bury me in Streator and move back. Keep Esther and Clarence and Jimmie together as much as you can. I hope they will not forget their father, so I will bid you all good-bye and God bless you all."

### Sermons Preached Daily.

Twice daily Clelland delivered a blunt, stouthearted sermon, cheering on the fall ring men.

"Keep up your hearts, lads. God is with us. Don't despair. Others have been shut off from the light of day, but we are, and in God's good time come out alive," is the way one of his sermons is quoted. Then followed the Lord's prayer invariably.

When Clelland and Lorimer started out to find more food, a trip that had more men remained temporarily behind.

"If we don't succeed in getting water, kill the men," were the instructions the Lithuanians held up their hands in horror, for they had a superstition that if, in such an extremity, they sought to prolong their own lives, even at the sacrifice of a dumb brute, they would surely die.

Rather than take this chance they speedily followed the trail of those who had started to obtain water.

George Semmerich's inexperienced efforts to make the contents of his lunch pall last as long as possible shows how greedy the imprisoned men were for food.

Semmerich's pall had contained four slices of bread, one piece of pie and a small dish pickles. Semmerich's estimate of how long this food would last proved woefully wrong, for, deducting what he gave to others, it had all disappeared within 24 hours.

"Fortunately the prisoners still had a practically unimpaired plub of tobacco. From this they extracted all the nourishment possible and then swallowed the quid."

This diet kept Semmerich's stomach in so feverish a condition that for three days the supply lasted he experienced practically no pangs of hunger. The leather band of his cap was next pressed into service as a substitute for tobacco, and as a destroyer of appetite served quite as well as tobacco. His gloves followed.

"It was a weird scene. The lights of the torches on our caps kept bobbing up and down as we labored, filling the place with moving shadows."

"Now, let's stop and listen again," said Powell. Much to our joy the pounding sounds came louder. A few more digs brought down the dirt from the top and a little black hole appeared before us.

"How many of you are alive in there, boys?" We will save you in a minute.

"In faint, husky tones the men called back: 'Yes, we are alive and you bet we are hungry, too. Have you got some lunch out there?'"

### "Style may be defined"

Proper Clothes in Proper Places—

Suit.



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### Master Tailors make the SCHLOSS

### "Clothes Beautiful"

### For Evening Wear.

They confer upon them the ripe experience of many years at shears and needles

# THANKSGIVING

## Points The Way To The Holidays.

### And the holidays bring with them Social Functions

### which require, at their very best,

### The Dinner Coat, The Full Dress, The Frock Coat,

### It may seem impossible to link Full Dress and Moderate Prices but don't pass judgement until you've found the store that has these garments made by

## Baltimore Schloss Bros. & Co. New York

the lunch you can eat. Be as patient as you can."

"One of the men inside answered back: 'Most of us are all right and feeling fine, but there is one poor fellow here, a Frenchman called Frank, who is almost gone, and I'm afraid he will be dead in a few minutes if he doesn't get some fresh air.'"

"When the pile of dirt finally tumbled down some of the men were staggered by the brush of air and the lights from our torches, for during seven days they had lived in total darkness."

"With a shout we jumped over and met them, throwing our arms around their necks and almost lifting them from their feet. Their joy was indescribable. They pounded us on our backs and continued to laugh and shout until the whole place reverberated with the cheering."

"My first concern was to get after the poor little Frenchman, who was nearly ported dying. I found him outstretched on his back breathing his last. Holding a torch over his face, which was ever heard or read of. 'Do you give your soul to God?' He answered: 'I am afraid I will never get up alive.'"

"That was true. I administered the last sacrament and in a minute he was dead."

"I then joined the others and walked toward the shaft, there occurring one of the greatest acts of heroism I have ever heard of. It can hardly be believed. Walter Waite, one of the men we rescued, on hearing that there were others alive in another part of the mine, threw on the blanket with which he was covered and shouted: 'Well, then by God, I am not going out of this mine until I get the others.'"

"We remonstrated, saying that for him to remain down there longer would mean his death."

"We will take you up to the fresh air and give you some warm food and

in Young's Bay. The Port was created by a vote of the people at the municipal election held last December.

### Four Undesirables Caught.

A quartet of undesirables who gave their names as William Schrader, Lonnie Black, Johnny Hays and Hazel Lewis, were captured in levee rooming-houses last night by Detectives Carpenter and Price. They are confined in cells at police headquarters, in default of bail. The quartet will be arraigned in court tomorrow.

A steam collier built entirely of cement is being constructed by the Italian Government from Tongue Point to Smith's Point and

## Disc or Cylinder Which Will It Be?

### It's impossible to carry in your mind's ear from one store to another the reproducing qualities of different makes of Talking Machines. Yet, how can you intelligently decide whether you want a

### Columbia, an Edison or a Victor, unless you hear and see them all?

### That's the great advantage in selecting your machine at Eilers. Here, and here only, can you test side by side all the different machines and records. Besides, in dealing at headquarters you are absolutely sure of the very lowest prices.

### All the Machines—All the Records for them—All the time, is the motto here.

### Why deprive your family of this great entertainer any longer?

### \$1 weekly places it in your home.

### COLUMBIA, EDISON, VICTOR MACHINES

### dispensers of pianoreliability

### 353 Washington Street, at Park St.

### Pianos, Pianola Pianos and Talking Machines selected now will be held and delivered as Christmas gifts, if desired, without extra cost.

## Brown Your Hair

### With Mrs. Potter's Walnut-Tint Hair Stain.

"You'd never think I stained my hair, after I use Mrs. Potter's Walnut-Tint Hair Stain. The hair doesn't turn blue, but makes it grow out nice and fluffy."

It only takes you a few minutes once a month to apply Mrs. Potter's Walnut-Tint Hair Stain with your comb. Stains only the hair, doesn't rub off, contains no poisonous dyes, sulphur, lead or copper. Has no odor, no sediment, no grease. One bottle of Mrs. Potter's Walnut-Tint Hair Stain should last you a year. Sells for \$1.00 a bottle at first-class druggists. We guarantee satisfaction. Send your name and address on a slip of paper, with this advertisement, and include 25 cents (stamps or coin) and we will mail you a trial package, a trial package in plain, sealed wrapper, with valuable book on hair. Mrs. Potter's Hygienic Supply Co., 641 Groton Bldg., Cincinnati, O.

Mrs. Potter's Walnut-Tint Hair Stain is recommended and for sale in Portland by Woodward Clark Drug Co., wholesalers and retailers; Everett's Pharmacy, 285 Morrison street; S. G. Sklemore & Co., 151 Third street.

"I crawled up as near the hole as I could without interfering with the men."

"God bless you, men; we will get you out in a minute, and give you all

