

# SWINDLER PREYS UPON LAWYERS

### Unique Method Employed by Clever Crook Who is Working Coast States.

#### MEDFORD ATTORNEY VICTIM OF SCHEME

#### Grafter Has Lawyer Collect Mythical Debt From Farmer Which Is Paid by Bogus Check That Is Cashed and Crook Departs.

(Special Dispatch to The Journal.) Medford, Or., Dec. 11.—A smooth swindler is traveling through the coast states, preying upon attorneys and securing money from them through fraudulent checks. The swindler goes to the office of an attorney, pretending to be a farmer, and represents that he has a claim against another farmer living some distance away. He says he has had a quarrel with this farmer over the debt, and instructs the lawyer to write to the alleged debtor that if he does not pay the money at once he will bring an action to collect. The swindler informs the lawyer that he is going into an adjoining county, but will soon return.

The lawyer writes, and he replies receives a letter signed with the name of the alleged debtor, admitting the liability and offering to compensate for a certain sum, usually about \$50 less than the debt. Inclosed is a check for the amount, payable to the lawyer. A day or so later the swindler returns and the lawyer shows him the letter and check. After a proper amount of hesitation the grafter agrees to accept the money and pay the lawyer a small fee for his collection. The check being made payable to the lawyer's order, is indorsed and cashed by him, and retaining his fee, he pays the balance to the swindler.

The check is found to be forged. The alleged debtor, of course, has no knowledge of the matter at all. In some manner the swindler becomes familiar with a farmer's signature and the bank he carries his account in, forges both letter and check and then departs for new localities. The description of the swindler given by a local lawyer who fell into his hands is: Height six feet, slightly drooping shoulders, dark complexion and smooth shaven, weight about 150, front teeth darkly discolored, has the appearance of being a preacher or doctor, wears a black frock coat, soft hat and is neatly dressed in dark clothes.

# FOUR NEW CARDINALS

(Continued from Page One.)

that the selection of the Italian cardinals presented greater difficulties than that of the foreign dignitaries. In the first place there are in Rome several prelates who at one time held the position of major domo of the Vatican and every one of them would claim the right to become a member of the sacred college on that account. The former pope had silently recognized this claim and had made promises to these dignitaries which his death prevented him from fulfilling. Pius X, however, is not inclined to recognize any such rights and, although he has selected Mgr. Cagiano de Azevedo, for a number of years major domo of the Vatican, for the year's hat, it is understood that he intends to abolish the office of major domo, thus reducing the cost of maintaining his court to some extent.

It was principally the necessity of holding down the expenses of the Vatican which caused the pope to hesitate in selecting new cardinals among the prelates connected with the Vatican. It is understood that but one Italian prelate will be created cardinal, Mgr. Cavallari, the patriarch of Venice. One of the foreigners to be promoted is Mgr. Joseph Samassa, archbishop of Agram, Hungary, who is now 77 years old and who was promised promotion by the former pope. His promotion will appease the Hungarian Catholics and also please the Austrian court. Another new cardinal elected is Mgr. Spinola y Maesta, archbishop of Seville, Spain. It was at first intended to nominate Mgr. Nozaleda, archbishop of Valencia, formerly the metropolitan of the Philippine islands. The latter was not selected because it was feared that he might be objectionable owing to the attitude which he had taken in the archdiocese against the occupation by the Americans.

Mgr. Joaquin Alcovarade de Albuquerque-Cavallari, archbishop of Rio de Janeiro, Brazil, was also chosen. He is the first South American prelate ever named for the sacred college. His selection will probably cause some dissatisfaction in other South American countries, but they will be appeased in the future. Besides the selection of new cardinals other matters of importance will be considered at the consistory. The situation in France is probably one of the most important problems. All the bishops appointed by the propaganda during the past year will have their nominations confirmed by this consistory. The consistory opened with little pomp. The following were made cardinals: Cagiano de Azevedo, of Rome, Joseph Samassa of Hungary, Mgr. Cavallari of Brazil and Spinola y Maesta of Seville.

#### Thought It Was a Cocktail.

From an Exchange. Diner was a little late. A guest asked the hostess to play something, and sitting herself at the piano, the good woman executed a Chopin nocturne with precision. After she had finished there was still an interval of waiting to be bridged. In the grim silence she turned to an old gentleman on her right and said: "Would you like a sonata before dinner?" "He gave a start of surprise and pleasure. "Why, yes, thanks," he said, "I had a couple on my way here, but I think I could stand another."

# OREGON SHEEP KING WAS ONCE MESSENGER BOY IN THE NAVY



Charles Cunningham.

(Special Dispatch to The Journal.) Pendleton, Or., Dec. 11.—Charles Cunningham, the eastern Oregon sheep king, who recently sold his big sheep ranches for close to a quarter of a million dollars, was born in Galway, Ireland, in 1848, and came to New York when a boy. He was messenger boy in the American navy in the last war, and was on the Galens sloop of war which was captured off Mobile, and which was afterwards sunk at Apia, Samoa. He later went to New York, where he remained a short time.

He came to San Francisco in 1865, and, after spending a short time there, went to Walla Walla, where he lived a short time, and came to Umatilla county in 1873. His first job in Umatilla county was sawing wood for his board at the Hotel Pendleton for Henry Raley. After this he herded sheep for Cass Matlock at \$1 a day, and had a desire at that time to learn the sheep business from the ground up. He herded sheep for two years where Athena and Adams townships are now located, and which is in the center of the Umatilla wheat belt at this time. In 1875 he engaged in the sheep business with Jacob Frazier, the latter paying for the sheep and Mr. Cunningham paying as he could. They were in partnership three years, meeting with the best success.

In 1878 Mr. Cunningham founded the present Cunningham sheep business. His first herd quarters were established at Webb along near Pilot Rock. He bought out all of Frazier & Hackett's fine sheep. It was Mr. Cunningham's ambition to have the best bands of sheep in the county, and he worked to that end.

When William Ross, a big sheepman whose ranch was on Birch creek, was

# ACTOR LOSES HIS TONGUE THROUGH SMOKING

### Excessive Use of Weed Costs Entire Organ—Bids Dog a Touching Farewell.

(Special Dispatch to The Journal.) Chicago, Dec. 11.—"Good-bye, Buff, I'll learn to talk so that I can make you understand, old fellow. You'll never hear your master's voice again like it used to be, but maybe you'll hear it in a photograph some day like the dog in the picture."

These were almost the last words uttered by Fred L. Power, playwright, actor, poet and stage manager, just before he went to a hospital and had his entire tongue cut out on account of a cancer caused from excessive smoking. The words were spoken to his St. Bernard dog.

#### Child Dies of Diphtheria.

(Special Dispatch to The Journal.) Milton, Or., Dec. 11.—The 3-year-old child of Mr. and Mrs. Amos Richardson, who was taken ill with diphtheria the early part of the week, died Saturday morning. The child was sick only a few days and had the disease in the most malignant form. There have been a number of cases of diphtheria in the vicinity of Milton this winter, but it is almost entirely wiped out now.

#### Ovee Municipal Election.

(Special Dispatch to The Journal.) Coe, Or., Dec. 11.—The following officers were elected for a term of one year in the city election Saturday: Recorder, J. E. Stearns; Marshal, William Hancock; councilmen, William Alexander, J. C. Pixton and William Reynolds.

# COURT SETS FREE MRS. BLYTHE

### By Legal Technicality Woman Escapes Who Secured Big Thanksgiving Offering

#### AFFIDAVIT WON'T DO IN A PROSECUTION

### Because They Could Not Bring Witnesses From Canada Prosecuting Officials Are Forced to Let Woman Walk Out of Court Scott Free.

Through one of the technical by-paths branching from the thoroughfares of law Mrs. R. A. Blythe, accused of swindling Charles Wright of the Oregon hotel of \$500 by means of a worthless draft, went free. Deputy District Attorney Haney today moved the dismissal of the charge of obtaining money by false pretense which was filed against her.

Mrs. Blythe went to Wright Thanksgiving day and proved to him that she was his cousin. She said she had received a telegram from her husband that he had been hurt in an accident and was in a hospital at Chicago. On her request Wright let her have \$200 and received in exchange a draft on the Montreal bank at Winnipeg for \$200. Later he telegraphed the bank officials and discovered that Mrs. Wright never had any funds there. He says that she told him she had \$1,000 on deposit in the institution.

Detectives Day and Vaughn located Blythe and his wife at the Belvedere hotel. Blythe asserted that he had money coming from England and trusted he would receive it in time to good the amount received from Wright.

It was discovered by Mr. Haney this morning that in order to secure a conviction one of the Montreal bank officials must be brought to Portland. In a criminal case the state cannot file affidavits. As there is no law for extraditing such an official, and as none would come willingly, Mrs. Blythe had to be released.

# HEIRS WILL LOSE LEGACY IF THEY SWEAR

### Will of Harmon J. Rood Provides That Beneficiaries Must Not Use Profanity.

(Special Dispatch to The Journal.) Denver, Dec. 11.—One of the oddest wills that have ever come before the courts in this state is that of Harmon J. Rood, which was offered for probate here today. Rood, who was a resident of Brookfield, Vermont, died last May at Muskogee, Indian Territory. Miss Gertrude Lavelle of Denver, adopted daughter of the deceased, knowing nothing of any will and believing she was entitled to the estate, took charge of it. Subsequently two wills were discovered in an old dictionary, and she relinquished the property.

The estate is valued at \$10,000. By the terms of the latest will Rood leaves \$250 each to Sarah Rugg of Salem, Mass., Massachusetts, and Nellie Gleason of Gloucester, Massachusetts, provided they first gave \$250 of their own. Two nephews were given \$500 each, but they also must save and lay aside a like amount before the terms of the will are carried out. He especially makes the conditions that if either his nieces or nephews use coffee they will lose \$250.

# FUNERAL SERVICES

(Continued from Page One) General George H. Williams should deliver an oration over the grave of his friend, he has decided that this eulogy should be in memorial for the Bar association.

# AN APPRECIATION.

M. S. Hudson Tells Why Many Loved John H. Mitchell. Portland, Dec. 10.—To the Editor of The Journal—"If every one for whom he performed some kindly act were to lay a blossom upon his grave, he would sleep tonight beneath a wilderness of flowers."

If these words could be spoken of any man, they could be said of John H. Mitchell. For 15 years he has given me the tenderness of a father, the affection of a brother and the loyalty of a friend, and he gave all without reservation. No matter what is written upon the stone above his grave, his true epitaph is written in the hearts of those who loved him. The tenderness and forbearance of this man was a marvel to all who knew him. Dogged, persistent and energetic in all his battles, he never had time nor inclination for rancor nor petty malice, which is always and everywhere the property of a small soul.

I was with him on Portland day at the fair, and as we approached the entrance I said, without intent to flatter: "Senator, this magnificent pile of buildings would exist only in imagination but for you."

His face lighted up, and he replied quickly and with feeling: "It was good of you to think it and say it; but how many do you think of this vast crowd have ever given it a thought?"

Out of loyalty to Portland and the state he loved he spent that day upon the fair grounds, and left only when the excruciating pain of his broken ribs caused him to seek relief at the hospital. But for his vindictive, which he and his friends believed was sure to come, death was a welcome release from pain. Yes, he is gone, and it may be said in truth that none of his contemporaries and none of his critics will carry to their grave so much of reverence and love of the whole people as this kindly man, who loved to deal all ways in words and deeds of kindness, but in bitterness and rancor not at all.

H. S. HUDSON. Preferred Stock Canned Goods, Allen & Lewis' Best Brand.

# FINDS WIFE BIGAMIST AFTER 5 YEARS' WEDDED BLISS

### Woman Discloses Facts While Talking in Sleep and Divorce Action is Begun.

(Journal Special Service.) San Bernardino, Cal., Dec. 11.—William Vinson has commenced proceedings against Jennie Vinson to have their marriage annulled, alleging his wife is a bigamist. The couple were married five years ago and since have been prominent in church work.

Wednesday night Mrs. Vinson while asleep disclosed the fact that she had been married in Flagstaff, Arizona, to a man named McAuliffe. Vinson awakened her and upon taxing her with her rambling statement she confessed her former marriage, saying her husband was alive and that no divorce had been secured.

The next day Mrs. Vinson disappeared. She explained that McAuliffe deserted her after they had been married a year. She set out to find him and finally located here as a widow.

# DRUNKENNESS AMONG THE UMATILLA INDIANS

(Special Dispatch to The Journal.) Pendleton, Or., Dec. 11.—That the sale of liquor to Indians and consequent drunkenness among members of the tribes on the reservation has increased since last year is shown by the record of arrests in the public headquarters, practically double the number being arrested for drunkenness in November this year than for the same month in 1904, and a number of arrests have been made in December, which only represents a few of those who have had liquor. Seven Indians have been arrested since Saturday night on a charge of drunkenness and disorderly conduct.

Although the case testing the validity of the state law against the sale of liquor to Indians has been appealed to the supreme court, a decision will probably not be given before the spring session in Pendleton.

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