

GOOD EVENING

THE WEATHER

Fair tonight. Thursday increasing cloudiness; easterly winds.

Oregon Daily Journal

Journal Circulation Yesterday Was 25,881

VOL. IV. NO. 390.

PORTLAND, OREGON, WEDNESDAY EVENING, FEBRUARY 7, 1906.—TWELVE PAGES.

PRICE TWO CENTS. ON TRAINS AND NEWS STANDS, FIVE CENTS.

FIFTH VICTIM OF WRECK DIES TODAY; CORONER'S INQUEST IS INCONCLUSIVE

Mrs. Nellie Riley of Walla Walla Injured in Smash of Runaway Train at Bridal Veil Passes Away.

CORONER FINDS ONLY ONE NEW FEATURE

Spokane Flyer Was Waiting for Clearing Away of Wreck Ahead of Her When Pacific Express Struck—Conductor Glendenning Took Every Possible Precaution.

Mrs. Nellie Riley of Walla Walla, Washington, is fifth in the list of dead as the result of the collision at Bridal Veil yesterday morning when the O. R. & N. Pacific Express, westbound, smashed into O. R. & N. Spokane Flyer, also westbound, which was standing on the main track at Bridal Veil.

Mrs. Riley died at St. Vincent's hospital at 6 o'clock this morning. She was removed to the hospital on the arrival of the delayed train yesterday and surgeons announced that her injuries would result fatally.

Coroner Finley's inquest this morning failed to fix responsibility for the Bridal Veil disaster. Testimony at the inquest disclosed the reports that the engine of train No. 2, the Spokane Flyer, was in a crippled condition while waiting on the main tracks. It was brought out, however, that the derailment of a freight train between Troutdale and Bridal Veil was the principal cause of the collision.

At the Dulles both trains, No. 5 and No. 2, were notified of the derailment of the freight and ordered to come to a full stop at Bridal Veil and await further orders at that point. Worktrain No. 22, which was assisting the crippled freight, was given right of way. The Spokane flyer was waiting at Bridal Veil for the arrival of the freight before proceeding on its way to Portland.

But for the derailment of the freight and the subsequent order to hold all westbound trains at Bridal Veil pending the arrival of the freight the flyer would have been speeding safely on its journey toward the city when the runaway express came thundering into the yards.

W. R. Glendenning of Portland, conductor of the flyer, was the first witness at the inquest. He declared that trains Nos. 5 and 2 had been running only a short distance apart during a greater part of the night. On the arrival of his train at Bridal Veil he attended to his station duties, then ordered the train as far down the main track as was possible to go without blocking the west switch into which the freight that had been derailed must enter.

He went as far as he could, he said, in order that train No. 5, which he knew was following closely in his wake, might also have room on the main track in the yards.

Flagman Did Duty. Bridal Veil is a stopping place for all westbound trains, said Glendenning, and the precaution of sending out his flagman to establish the customary signals to the approaching train was not really necessary. However, as an extra precaution, flagman Lord was sent 300 yards in the rear of his train to flag No. 5.

T. C. Lord, the flagman, testified that he was standing at the required distance when No. 5 rounded the curve and approached the station. As soon as the train came into view, he said, he realized that something was wrong. He signaled to stop, but no attention was paid his warning. He was able to discern only the front part of the engine, he said. The rear was enveloped in a dense cloud of steam.

As the train passed him the flagman was able to discern a man on the running-board on the side of the engine waving his arms, as if in warning to the train ahead. Also he was able to distinguish the form of the engineer between the tender and the mail car, apparently trying to uncouple the air tubes, by which the train could have been stopped.

Fireman Testifies. Fireman Louis Morgan related graphically the manner of his escape from the runaway engine and his attempts to reach the throttle.

C. N. Smith, brakeman on train No. 5, was also called to the stand. He testified that he realized that something was wrong with the train when it passed the section house just east of Bridal Veil. The train was running rapidly, he said, more so than is customary at that point. Knowing that the train must stop at Bridal Veil he turned the conductor's valve, applying the airbrakes and thereby prevented more serious consequences. Had he turned the valve a few moments sooner the train would have been brought to a stop before it struck the other train.

Chief Engineer Graham of the O. R. & N. was called and testified concerning the condition of the engines of both trains. The engine of No. 3 was in good condition and but for the broken injector pipe on No. 5 the engine of that train was all right at the time of the collision. Other testimony was heard before the case was submitted to the jury.



Wrecked Engine of the Pacific Express That Crashed Into the Spokane Flyer at Bridal Veil.

BRAVE MEN RODE WITH DEATH

Fireman Morgan Tells How He Closed the Throttle of Runaway Train.

WAS IN ACCIDENT OF SAME KIND BEFORE

Engineer Swain Horribly Scalded but Will Probably Recover—Everywhere Is Heard Praise of His Efforts to Stop Train.

To the heroism displayed by Engineer W. H. Swain and Fireman Lewis Morgan of the runaway Oregon Railroad & Navigation Pacific express, many passengers on the trains wrecked at Bridal Veil yesterday probably owe their lives. Had it not been for the courage and devotion to duty that prompted Morgan to risk being cooked alive or crushed to death while he fought his way over the engine cab through clouds of boiling steam to the throttle, that he might shut off the force that was driving the train to destruction, the runaway would have plowed into the Spokane flyer at full speed. Driven by a steam pressure of 200 pounds to the square inch and the accumulated momentum of a four-mile run, the express would undoubtedly have plunged through the entire length of the flyer.

But Morgan, with a thought for the safety only of the lives on the runaway express and the helpless passengers on the flyer, clung to the running board of the jumping engine until he succeeded in closing the throttle. He tried to reach the air-brake lever, but could not find it in the blinding steam. Realizing that his efforts to prevent a collision were useless, Morgan leaped from his post to save his own life only at the instant the trains came together.

While Fireman Morgan was clinging to a runaway engine and fighting his way through the steam, the engineer, with the flesh on his arms and hands cooked, was lying on the bumpers back of the tender striving in vain to cut the air-pipe and set the emergency brakes. Though each effort caused the flesh to peel from his hands, he remained at his post until the crash came and he was thrown off upon the ground. The cloud of steam was so dense that neither the fireman nor engineer saw each other from the time the injector burst until the crash was over. But each was working desperately and risking his life in an effort to stop the train. They failed because it was beyond human power to accomplish the task.

With his badly burned and lacerated head, hands and arms wrapped in bandages, Fireman Morgan was found at his home, Aldina avenue, this morning. Though it was evident he was suffering much pain, the young fireman only laughed when reference was made to his heroic work on the runaway train. To him, taking his life in his own hands is a daily occurrence, and in his own eyes his conduct of yesterday was nothing unusual.

"The injector pipe exploded just as we reached the foot of the grade, about four miles east of Bridal Veil," said Morgan. "When the report sounded I thought it was the water-glass. In an instant the cab was filled with scalding steam forced through the broken two-inch pipe of the injector with a pressure of 200 pounds to the square inch. I knew what the trouble was in a second. I couldn't see the engineer, the levers or anything in the cab. There was no time for either of us to do anything but leap from the cab to the tender to escape being cooked alive. The whole engine and tender were enveloped in a dense cloud of steam so that I could see nothing. I had to feel my way up on the tender. I couldn't see the engineer and

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Lewis Morgan, Fireman of the Pacific Express, Who Risked His Life to Save Those of Others.

DEFENDANT IMPANELED TO SERVE AS JUROR IN HIS OWN CASE

James Anderson Has Decided Opinions as to Innocence or Guilt of James Anderson, Charged With Assault, and Is Excused From Jury Service.

James Anderson, a member of the regular impaneled jury for the February term, has decided opinions regarding the case of the State of Oregon against James Anderson. The defendant is charged with the crime of assault and battery, the complaining witness being E. F. Gray. The case is being tried before a jury in Judge George's court. George S. Shepherd is attorney for the defendant.

When 12 summoned jurors had taken their places in the courtroom this morning Shepherd and Deputy District Attorney Bert Haney began to examine them for their fitness to serve. Among the dozen was one James Anderson, who assaulted him on December 29 because the orders were not being gotten out as quickly as wanted. "The cook says that his arm was broken."

"Have you any opinions as to the innocence or guilt of the man accused?" asked the attorney.

"Yes, sir, I have," was the reply. At this juncture Attorney Charles J. Schnabel entered the courtroom. Schnabel had been engaged by Gray as a private prosecutor in the case, and he quickly noticed that the juror being questioned was the defendant in the case to be tried. Schnabel explained the fact to Judge George, who smiled broadly, as did the jurors. Anderson was quickly excused from serving on the jury.

Municipal Judge Cameron fined Anderson \$25 several weeks ago and the case was appealed. Gray alleges that he was a cook in a restaurant owned by Anderson, who assaulted him on December 29 because the orders were not being gotten out as quickly as wanted. "The cook says that his arm was broken."

"I do," quickly replied the man in the jury-box.

MORMON APOSTLE LEAVES FIVE WIDOWS

Logan, Utah, Feb. 7.—Apostle Merrin Merrill of the Mormon church, died at Richmond, Utah, last night. He was credited with having five wives and over 20 children.

DYNAMITE EXPLOSION IN UTAH KILLS FIVE

Grantville, Utah, Feb. 7.—A messenger from the Western Pacific Railroad camp, 25 miles west of here, reports an explosion of dynamite yesterday. Two laborers are dead and seven injured. Doctors and the coroner have left for the scene.

IS KILLED BEFORE HE CAN CROSS TRACK

Handusky, Ohio, Feb. 7.—Charles Ash this morning saw the 15-hour Pennsylvania Chicago-New York train a mile away and started across the track. He was hit and ground to pieces. His companion barely escaped. The train didn't stop. The same train killed an unidentified man six miles ahead of where it struck Ash.

AVENGE BLOOD CAPTAINED BY WILL UNMASK OF PROPHET COWARDS

Witness at Smoot Inquiry Says That Endowment Oath Binds One to Pray Ceaselessly for Vengeance.

BELIEVES POLYGAMY INCREASING IN UTAH

Women of America Press Prosecution of Mormon Senator and Present Large Petition Signed by Over a Million People—Apostle Smith Among Those Present.

Washington, D. C., Feb. 7.—The supplementary hearing of testimony in the Smoot case was begun today before the senate committee on privileges and elections, of which Senator Beveridge of Indiana is chairman. The hearing probably will be prolonged, as numerous witnesses are to be heard and a mass of testimony introduced.

Senator Smoot was present, accompanied by a number of Mormons, including Apostle Smith. The protestants who are seeking to have Mr. Smoot expelled from the senate on the ground that he pledged his first allegiance to the Mormon hierarchy, thus setting it above the United States government, are represented before the committee by A. S. Worthington, who represented John G. Carlisle.

There was a big attendance, chiefly of women. Walter Wolfe, formerly professor of Brigham Young college of Provo, Utah, was the chief witness for the prosecution today. Wolfe told of the plural marriage of Professor Benjamin Cluff to Florence Reynolds. Wolfe said that he had taken endowment oaths 15 times, each time taking the oath to pray ceaselessly that God avenge the blood of the prophet upon this nation. The witness said that he believed that polygamous cohabitation had increased since Utah was admitted as a state. He said that Smoot knew of the conditions.

In connection with the case there will be submitted to the committee the most numerously signed protest ever presented in the United States senate. The protest against Senator Smoot is signed by over a million names, members of the National League of Women's Organizations. It is bound in a series of 45 volumes, each containing the names of the signers for one state. Some of the volumes have already been submitted by the senators for the respective states, while others will be presented to the senate on the day on which the committee for privileges and elections will submit its report on the Smoot case. The protest for Utah will be intrusted to Senator Sutherland, who

(Continued on Page Two.)

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TWO TUGS AT NEAH BAY ALSO REFUSED TO ACT

President Roosevelt Orders Federal Commission to Investigate Disaster and Conduct of Boats, Officers and Management—Also Condition of Shore Line in Vicinity.

Had it not been for the timidity of the captain of the tugboat Wallowa, which was lying at Port Crescent at the time the Valencia was wrecked near Cape Beale, every passenger on board the doomed vessel might have been saved. The captains of two tugs at Neah bay were also notified of the wreck, but they declined to go to the scene until they received orders from the home office at Seattle.

Additional light was thrown on the horror this morning by a letter received by District Forecaster Beals from Chief Operator L. G. Sutton, stationed at Port Crescent.

In his letter to Mr. Beals Sutton declares that the Monday night the Valencia was wrecked the government wire connecting Port Crescent went down, breaking in 49 different places. He describes it as one of the most violent storms of the season. The work of repairing it was started at once and by Wednesday at noon it was in good shape again. He at once notified the captain of the tug Wallowa of the wreck, the first man in a position to perform any real service who had been told of the affair. Operator Sutton declared that the captain replied that he was a stranger in those waters and would not take any chances.

Francis with despair, the operator sent a message to the captains of tugs at Neah bay and implored them to do something to save the people on the Valencia. They sent word to the operator that they were subject to the orders from Seattle, and until they got permission they would be powerless to do anything. Mr. Sutton then immediately notified the home office at Seattle. But the officials of the tugboat company refused to take any action in the matter until 23 hours had elapsed.

(Continued on Page Two.)

ATTEMPT TO RAILROAD BRISTOL OUT OF DISTRICT ATTORNEYSHIP ON SECRET CHARGES RECEIVES A SUDDEN CHECK.

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BRISTOL WILL HAVE FAIR CHANCE TO REPLY

Boss Jack Matthews, It Is Suspected, Is the Moving Force Behind the Attack Which Resulted in Roosevelt's Withdrawing the Nomination From the Senate.

The effort to railroad William C. Bristol out of the office of United States district attorney has met with a check. When President Roosevelt notified the senate yesterday that the nomination had been withdrawn it was the preliminary to giving the accused official the opportunity, strangely denied to him while the charges were before the senate committee, to know reliably the precise nature of the offense charged against him and to make his defense.

Political influences hostile to Bristol have been active in the effort to oust him from office and many of his friends believe that "Jack" Matthews, the deposed United States marshal, was a moving spirit in the cabal which fathered the charges. The identity of Bristol's accusers is still jealously guarded and L. H. Maxwell, secretary of the Cons Bay Land & Investment company, refuses to disclose the name of the person to whom he gave the letter which forms the basis of the charges.

Declares Charges False. Mr. Bristol himself refuses to say anything until he has received from Washington official information as to the precise accusations against him. He says then in due time he will have a full statement to make which will demonstrate the falsity of the charges. But for the present he remains silent. The action of the president in withdrawing Bristol's nomination forecloses the possibility of its rejection by the senate without giving the accused official any chance to be heard in his own defense. The extraordinary secrecy which has shrouded the moves of his assailants, the effort to keep from his knowledge all information which would ordinarily be accorded as a matter of right and without demur, and the unwillingness of his accusers to be known, lead Bristol and his friends to believe that the purpose was to have his nomination rejected by the senate before he could lift a finger in self-defense.

Nature of Attack. Bristol's assailants have vouchsafed to the public some scanty information as to the nature of the charges. In articles published in the Oregonian it is

(Continued on Page Two.)



Relative Circulation of the Three Daily Newspapers, in the Comparison...