THE OREGON DAILY JOURNAL, PORTLAND, WEDNESDAY EVENING, AUGUST 18, 1

IS CLOSED

# HENEY WILL KEEP **ON PEGGING AWAY**

Declares He Will Carry Out Original Intention of Prosecuting the Land Fraud Cases in Which He Secured Indict-

ments if it Takes All Summer.

Beecial Assistant Attorney General Trancis J. Hency declared this morning that he is going to carry out his original intention to keep pegging away until he tast freed all land freud cases in which has tried all land freud cases in which hes procured the indictments.
Trancessary," he said. "Til stay here until summer."
Thereessary," he said. "Til stay here until summer."
However, there is no likelihood of the prosecutions going on one after the trials of the score form more after the trials, will try only two here the trials of Watson and Robert Keen here the trials, will try only two here to be made by Cir.
The deemed certain that Judge Hunt.

It is deemed certain that Judge Hunt will be asked to hear the rest of the land fraud cases, which will mean that he will be back in Portland by the first Monday in October, which is the first day of the term.

Went Cases to Be Tried.

next two cases to be tried are the ountain reserve case, in which enator Franklin Pierce Mays is cipal defendant, and the Wheelr county illegal fencing case. It is ex-scied that both will be disposed of by spiember 5. Then will come the jull using to the first Monday in October, uring the interval Judge Hunt will go ontana, pass upon legal matters by him in fhe federal court at and attend the marriage of his daughter, Miss Elizabeth Hunt, in September 18 is to become the ride of George Thompson, a well-mown young banker of New York City. The wedding is to take place in Helena, and many friends of the family and the

and many friends of the family and the prooms will come from the east to at-tend the ceremony. As guests will be-gin to arrive a week or more before the ceremony, Judge Hunt is anxious to get home as soon as possible. Meanwhile Judge Wolverton can re-urn to Oregon and spend s month dis-osing of legal matters other than land raud cases brought before his court or new pending. If he is assigned to the fontana district again he will go di-uet to Butte and be on the bench there it the opening of court for the fall arm.

## May Besume in October.

uid the expected arrangements be the land fraud trials will be re-d here in October and run along month or more. If Prosecutor ey sticks to his plan the trial of the e-Benson California land fraud case Vashington must necessarily be post-of and the trial of Congressman

SEAL RAID

SEA WOLF CAUSED SALE OF GUNST

Solicitor Sims Says He is in- Local Manager Says San Fran-

his land.

stoveless cabin that had been spected by his land. Asks About That Fence. Prosecutor Heney questioned Clyde Brown as to the location of the fence of the Butte City Land, Live Stock & Lum-ber company. Judge Bennett, attorney for Zachary, objected to the introduction of what he called side issues. Heney ex-plained that he expected to show that the fence on Watson's land was part of the big inclosure of the Butte Creek company that included 18,000 acres of government land. After the defense had argued some more he withdrew the ques-tion, saying he would prove his point later by presenting a statement signed by Zachary. This statement was sent to Prosecutor Heney while as United States attorney he was alding the grand jury in an investigation of the methods of the Butte Creek company. Prior to the resumption of the Zach-ary trial this morning Special Assistant Attorney-General Haney asked that the sentencing of Hamilton H. Hendricks. Charles A. Watson and 'Ose D. Barnard be postponed until next factures y more-ing at 5:30 c'clock. Judge Hunt made the desired order. Hendricks, who is associated with Zachary in the Butte Creek company in the Butte Creek company in the Butte

associated with Zachary in the Butte Creek company, was convicted of sub-ornation of perjury. Watson and Bar-nard, the latter a final proof witness, like Zachary, were convicted of perjury. Henry E. Morgan was the first wit-ness called this afternoon at the trial of Clarence B. Zachary for perjury al-leged to have been committed in con-nection with the final homestead proof of Charles A. Watson. Morgan, who used to herd sheep along Deep creek, Wheeler county, testified that he was often in the vicinity of the cabin on Watson's claim, but never saw any signs

Watson's claim, but never saw any signs of habitation. Everett Whitcomb of Fossil, another sheepherder, next took the stand. He had camped on the Watson claim, but

n Washington must necessarily be post-poned and the trial of Congressman Binger Hermann in the same city will like be delayed. About a dozen more butor Heney procured the indictments "manin to be tried. The trial of Clarence B. Zachary, sc-tanaed of perjury in connection with the linal homestead proof of Charles A. Watson, was resumed this morning be-

Two Motormen and Four Passengers injured in Head-On Collision on O. W. P. at Two Thirty This Afternoon.

COLLIDE

In a head-on collision which occurred at 3 o'clock this afternoon near Mil-waukie, two Sellwood cars smashed into one another with terrific force, seriously injuring the motormen of both cars and hurting 'several passengers." J. Scallor, a motorman, was seriously cut about the head and face, and the motorman on the other car, whose name could not be learned, sustained a broken les.

Holman's ambulance and two

Holman's ambulance and two car-riages made a record run to the scene of the accident and the injured were re-moved with all possible dispatch to the Good Samaritan hospital. Buperintendent Boynton of the Port-and Railway, Light & Power company and several other officials hurried to the scene to aid the injured. One of the cars which figured in the collision was a work car, and to the motorman of this is attached the blame for the accident. It is claimed that he did no obey orders to take a siding. There were five male passengers in the car which struck the work car and ne woman. All of the men were hurt. The motorman was Oscar D. Stanley, The woman, Mrs. Dr. Payne, who lives on Thirtsenth street in Sellwood, was thrown from her seat and injured across the chest.



# cil Meeting and Urge Its Passage.

An ordinance calculated to render somewhat less precarious the lives of the linemen employed in this city will be introduced in the city council tonight by W. Y. Masters. The ordinance was prepared by Attorney Frank F. Free-man under the direction of the Independ-ent Brotherhood of Electrical Workers of America.

of America. The ordinance is almost an exact copy of the law now in force in San Fran-olsco, which was adopted after many conferences between the employers, em-ployes and the board of supervisors. After a trial it was found to be en-tirely satisfactory to all parties and a short time ago the general manager of the Pacific States Telephone company is-sued orders that its provisions should be enforced by all the managers of the

be enforced by all the managers of the company, even though it was not a part of the written law of the particular locality concerned. The ordinance makes it a misde-

The ordinance makes it a misde-meanor for any corporation, person or agent to string a wire at a less distance than 15 inches from the center line of any pole. It requires wires carrying more than 600 volts to be separated from wires carrying less than 600 volts by a distance of not less than 600 volts must not be strung on any crossarm unless such crossarm is painted a bright



LONG HIKE

ARGE LAND DEAL BOYS REST AFTER CAPTAIN BRUIN IN WILL PI

TROUBLE AGAIN



# cilman.

(Special Dispetch to The Journal.)-Moscow, Ida., Aug. 15.—A warrant was issued this morning sgainst Miss Annie E. Nelson, former city treasurer and social leader of Kendrick, Idaho, for

At 4:80 p. m. the Oregon troops re-turned from their long "hike." Com-posing a part of the Brown army, Col-onel Alfred Reynolds' command, they marched a total of 13 miles, having started at 8:30 in the morning. The Or-egonians formed a part of the main body of the brigade, being stationed towards the rear. They deported them-selves like true soldiers and every man stood the exertion like a veteran. The

stood the exertion like a veteran.

heating pipes. It is expected that two years will be necessary for the comple-tion of the underground system. There are now fewer wires on poles in the down town district than there were three years ago, as the electric company has had a number of men con-tention of the system of the system of

FATHER WITH CLUB

Son's Alleged Brutality.



tormed Alexan

# Organized Japanese.

(Special Dispatch to The Journal.) Beattle, Wash., Aug. 15.-Edwin W. ms, solicitor for the department of minerce and labor, who arrived at the Paul fur seal rookeries two days ter the piratical raid by the Japanese in which at least five invaders were killed, came to Seattle this morning on the steamer Jefferson. Sims left this morning for San Francisco, where he imports to meet Segretary Metcalf of the department.

states that the Japanese raid was a desperate and piratical under-sking and probably more than five were diled. Pitched battles were fought. The panese did not make much of a show-Japanese did not make much of a show-ing except to escape. They made away with nearly 200 skins and killed twice as many seals. The seals destroyed ware worth about \$8,000. Piracy will probably be the charge laid against the 12 Japanese captured.

They were taken on the revenue cutter McCulloch to Kodiak and arraigned be-fors the United States court commis-sioners. The charge was unlawful kill-ing of seals. They were then sent to Juneau to await the action of the grand

jury. Sims says the rookeries are subject to raids of this kind any time during the absence of the revenue cutter patrol. The government agents, guards, and na-tives on the island are in a state of panic, as is evident with 100 men or more aboard, the five schooners of the raiding fleet, the 28 male adults of the Island would be quickly slaughtered and the skins in the salt house, worth about 8750,000, would be stolen. In fact, prop-eris worth upward of \$1,000,000 could become the booty of an invading force such as attacked St. Paul island July

16 and 17. Cannon with a range of three miles will probably be put on the island to repel invaders and raiders. Solicitor Sims said: 5 years.

"I arrived at St. Paul island on the "I arrived at St. Paul island on the cutter McCulloch on July 20. The guards and natives had not yet re-covered from the excitement of the raids July 16 and 17. The faiand was surrounded by dense fors, making ideal conditions for raids. Monday morning, July 16, the guards heard firing on the water about the island. Govern-ment Agent Lembkey and his assistant, Mr. Judgs, found a party of six Japan-cee landing on the shore armed with clubs and skinning gear. They captured the six men at the point of their rifles. The firing continued all Monday and Tuesday morning it was resumed. The uesday morning it was resumed. The iders were killing scals in the water

The set of the set of

Made the Purchase.

**BLOCK DENIED** 

The report that M. A. Gunst has sold the quarter block at the northwest cor-ner of Eleventh and Washington streets for \$110,000 to San Francisco capitalists is unfounded, according to the statement of Gus Simon, local manager for Mr. Gunst. The half block on Eleventh street

The haif block on Eleventh street, between Washington and Stark, was purchased about 27 years ago by L. G. Pfunder for \$5,000, and he had his greenhouses and florist store on the site until last fall, the property during the summer having been purchased by Russell & Blyth for \$100,000. They unbeamative wold the construction block

MAY FILE COMPLAINTS IN MUNICIPAL COURT

Municipal Judge Cameron has given consent to J. W. Balley, state dairy and food commissioner, to file all complaints in the police court against persons charged with adulterating milk. The request was made by the commissioner, it is said, because of a decision of Jus-tice Olson of the east side, acquitting a man charged with that offense.

of adulterating milk with water

# Russell & Blyth for \$100.000. They subsequently sold the quarter block at the corner of Eleventh and Stark streets to R. B. Lamson for \$45,000 and the corner of Eleventh and Washington streets to Mr. Gunst for \$90,000, who, it was reported, had sold his holding for an advance of \$20,000. When Mr. Simon was seen this morn-ing regarding the reported sale he made positive denial of any transfer, but would not say whether or not negotia-tions are pending. When Mr. Gunst first purchased the property his inten-tion was to erect a large office building or spartment house, but these plans were later dropped and he has been hold-ing the property for speculation. The present report is to the effect that if a sale is made the prospective buyers will erect on the property a modern office building. FOUR DEAD OR DYING

FROM SAWMILL BLOWUPS

(Journal Special Service.) Three Rivers, Mich., Aug. 16.--Wil-liam Mohney's sawmill exploded this morning and killed him and his son, Roy. aged 28, and fatally injured his sons, Warren, aged 26, and Milo, aged

# **GENERAL M'ARTHUR TO COMMAND VETERANS**

(Journal Special Service.) Des Moines, Iowa, Aug. 15.-The nom-inating committee of the Philippine veterans nominated this afternoon General McArthur to be commander-in-chief, W. S. Conklin to be surgeon-general, J. Beebe to be chaplain and Earl D. Thomas Jr. to be vice-commander.

Unload as San Pedro. (Journal Special Service.) San Francisco, Aug. 15.—The steam schooner owners involved in the ship-pink strike today ordered thei rvessela bearing lumber for San Francisco to proceed to San Pedro, where more fa-favorable labor conditions exist. This afternoon the Ship Owners' association met in conference with the steam schooner owners for the alloged pur-pose of tying up all coastwise lumber ressela.

the next congress.

unless such crossarm is painted a bright yellow. All guy wires and guy cables must be insulated for from six to eight feet of the ends, and all vertical wires. must be encased in wooden material. There shall be no transformers on poles to which are lights are attached, and it is made a misdemeanor to allow

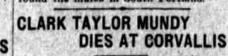
The affair is the result of a political squabble. Councilman Callerson, who swore to the warrant, being the bitter enemy of the girl's father. Callerson defeated Nelson at the election two months ago and immediately brought about the dismissal of Miss Nelson as city treasurer. She was a candidate be-fore the Benublican convention for

poles to which are lights are attached, and it is made a misdemeanor to allow poles to stand which would not be maintained by their own strength. It is unlawful to maintain on any pole or crosserm any wire at a less distance than 24 inches from the pole wire. The ordinance provides that it shall go into effect one year after its pass-age and that the city electrician shall have power to enforce its provisions.

A warrant was issued from the mu-nicipal court this morning for the ar-rest of Henry Westerman on the charge

STOLEN MULES FOUND BY DEPUTY LEONARD

Word has been received by Sherif Stevens from the sheriff of Wasco county that a pair of mules—a sorrel and a gray—has been stolen from The Dalles. Sheriff Stevens at once detailed Deputy Sheriff Frank Leonard on the case. The bridge tenders were put on the watch. James Kelley, tender on the Madison bridge, saw the team this morning and at once notified Deputy Leonard, who was soon on the trail and found the mules in South Portland.-



Corvallis, Or., Aug. 15.—Clark Taylor Mundy, aged 30, a junior at the Oregon Agricultural college, son of Mrs. Ellen Mundy, a member of the United Artisan lodge, died this noon of appendicitis. He underwent an operation Saturday and it was thought he would recover, but a relapse was fatal. The remains will be taken to Portland for buries Will be taken to Portland. The family formerly resided in Portland. He was a popular young man here.

# DIVISION OF CUSTOMS IN **PAN-AMERICAN COUNTRIES**

Rio Janeiro, Aug. 15.—The commerce commission of the Pan-American con-sress has framed a resolution provid-ing for a division of customs on the basis of statistical information to be furnished by the bureau of republics. It recommends that the customs and consular port laws of all countries be submitted to an expert for consolidation and presentation of a uniform set for the hast congress.

refusal to account to the board of trus-tees for money taken in the past year and her refusal to turn over the books to the trustess. The affair is the result of a political

fore the Republican convention for treasurer of Latah county, losing the nomination after a strong fight of her friends against the political machine EUGENE WATER IS

# DISTRICT ATTORNEY GIVES LIE TO CORONER FINLEY

"T have never advised the coroner not to hold an inquest over a suicide or over any other dead body. On the other hand, there have been cases where the coroner was planning not to hold an inquest, but I interfered and through my instructions the inquest was held. The statutes make it obligatory upon the coroner to hold an inquest in every case of a suicide. As to other cases of sudden death, if the coroner is con-vinced through the testimony of eye-witnesses, that there was nothing of a suspicious or criminal nature connected with the death he may omit to hold the inquest."

with the death he may omit to hold the inquest." So spoke District Attorney Manning iato this afternoon, when asked regard-ing the statement of Deputy Coroner Arthur Finley to the effect that he had in the past proceeded under instructoins from the district attorney. Mr. Man-ning cited one instance of the coroner's purpose to not hold an inquest when the facts made such a thing his plain duty. This was the case of the young man who was killed by a streetcar in North Portland about three months ago. Coroner Finley announced that the man had been killed because of his own in-toxicated condition. The inquest which Manning compelled him to hold, how-ever, failed to develop any facts as to the drunkenness of the deceased.

# LEAVES TOWN RATHER THAN GO TO ASYLUM

(Journal Special Service.) Oyster Bay, Aug. 15.—Mins Lisa Case. "Asil Esac," rather than go to an in-same asylum, obeyed the mandate of the president's protectors today and left town. She insisted on seeing the presi-

# AGED VETERAN DROPS DEAD DURING MARCH

(Journal Special Service.) . Minneapolis, Aug. 15.—Thomas H. Martin, aged 55. of Washington, D. C., senior vice-commander, dropped dead while marching today. Physicians had warned him not to march."

Bumored Diets Is Dead. IJournal Special Service.) Rice Lake, Wis, Aug. 15.—It is ru-mored that Diets, who has been defend-ing Cameron dam against the state au-thoritise for three years, was shot and killed by officers seeking to dject him. I on Man a Suleide. Milwaukee, Aug. 15.—Carl Holt, aged 12 years, who was despondent because of his age, committed suicide by taking carbolic acid today. I on the state au-

morning rain did not dampen the mar-tial spirit of the rank and file. Oregon officers speak in the highest terms of the morale of their men. The troops carried a one-third day's rations and ate

carried a one-third day's rations and ate in the field. The opposing brigades today did not conflict, each body simply executing a tactical movement of marching through a hostile country, establishing advance and rear guards, and outposts. Return-ing, the movement represented an order-ly retreat, with rear guard holding back the enemy.

ALMOST TOO PURE

The state board of bealth has com-pleted its analysis of four samples of water from the city mains in Eugene. The analysis was made in order to as-

certain whether or not the water now being pumped through the new filters of that city are contaminated. The sam-ples were sent to the board by Dr. J. W. Liarris, health officer of Lane county, to whom the board sent the following

letter: "Portland, Or., Aug. 13, 1995,-Dr. Robert C. Tenney, State Health Officer, Portland, Or. Dear Sir: The examina-tion of the specimen of water from Eu-gene sent by Dr. Harris shows no con-tamination. There was an absolute fail-ure to produce gas or even growth in fermentation tubes. Plates inoculated with varying quantifies of the water

with varying quantities of the water failed to develop a single colony on "This result is most remarkable at

I fear an error somewhere before the water arrived here. It would be well to know just how this water was collected. Even the purest water usually shows some growth. Very truly yours, "RALPH MATSON, "Bacteriologist of the Board."

# IS ARRESTED WHILE

(Special Dispatch to The Journal.) Moscow, Ida., Aug. 15.—J. W. Bhrieves. jointly charged with Roy Taylor of the murder here of David Collier of Coquille City. Oregon, on the morning of July 31, was captured last night by Marshal Mackey at Coltax. Washington. J. A. Collier, the father of the dead man, boarded the boat at Portland Mon-day morning for Coquille City with his son's body and will return immediately to aid in the prosecution.

FRENCH WARSHIPS IN

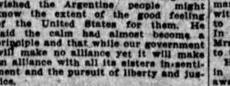
tember.

(Journal Special Service.) Santa, Ross, Cal., Aug. 15.-Judge Burdett has postponed sentencing A. J. Crill, who yesterday was found guilty of murder in the first degree for the murder of W. S. Pearce, an aged farmer, to September 1, on which date a new trial will be heard. Mae Pearce, daughter of the viotim, who caused the murder, is now an in-mate in the Home of the Good Shep-herd at Portland. While Pearce and his daughter were driving in a buggy at Alexander Valley, California, July 35, 1905, Pearce was shot and killed from an ambush. The

herd at Portland. While Pearce and his daughter were driving in a buggy at Alexandes Valley, California, July 53, 1905, Pearce was shot and killed from an ambush. The murder is said to have been prompted by jealousy over a woman to whom both Pearce and Crill were paying attentions. L. C. Mack, a nephew of Pearce, was sent by his father to California soon after the murder to take Mae to their home in eastern Oregon. When they ar-rived in Portland young Mack was ar-rested charged with a statutory offense against his cousin. On account of lack of evidence, and the girl having passed her 16th birthday, the charge was not prosecuted and Mack was released. The girl was sent to the Boys' and Girls' Ald society where she was kept a week, then committed to the Home of the Good Bhopherd, where she will re-main until pext April, when she will be SON ACCUSED OF STRIKING

Application for Warrant of Arrest Brings Out Story of

General Special Service.) To south Alcorta, Etilha Boota and also striking Hall with the same weapon. To free shift the four of the good feeling of the United States for the good many to the sidewalk and cutting his soalp. In the sky of good understanding. He wished the Argentine people might make no alliance with all its sisters in sentiment and the pursuit of liberty and justice.



Mrs. Hall, and she, too, was knocked to the sidewalk. Hall states that he then took a hand in the affair and ordered young Ford away. Instead of obeying it is al-leged that the fellow struck Hall over the head with the stick, at the same time declaring his intention of com-mitting murder. Ford resides at 408 First street. ASSASSINS PLANNED TO MURDER PALMA

**BIG CATTLE SHIPMENT** 

TO SEATTLE COMPANY

(special Dispatch to The Jennel.) Pendleton, Or, Aug. 18.—The second integers shipment of cattle made this year was sent out of the city last night output of the city last night output of the shipment con-sisted of 354 head altogether, 555 of hem being from the Johnson and Cald-well hards of the John Day country, and he remainder from Isaacs and Maple prothers of Umatilla county. There watte were all in excellent condition, they will reach the Seattle market in better condition than any former ship-ment this season on account of the cost whatter since the rais. They was a and B-year-old steers and ary was

(Journal Special Service.) Tangler, Aug. 15.—As a result of the anti-French demonstration 17 French warships anchored in the harbor this morning.

dy and will return immediately in the prosecution. The mark and boasted of anted for the crime. The mark anted to protect him were taken. The suard usually armed with carbines and in-creased in number. All the police of the city are retained in the barracks and the city are the city are the ci Shrieves was drunk and boasted of being wanted for the crime. The mar-shal heard him and effected his arrest.

**BOASTING OF CRIME**