

EVELYN'S LEFT HANDS WILL

Codicil in Favor of Wife Provides That Property Revert to His Family in Case of Death—Victory for Defense Is Forecasted by Jerome's Talk.

(Journal Special Service.)
Chicago, Feb. 8.—Evelyn Nesbit Thaw was placed on the witness stand again this afternoon. Thaw's will and codicil, made on his wedding day, was shown to Mrs. Thaw. There was a codicil in favor of his wife, the estate reverting back to his family at her death, thus discriminating against his wife's mother. Jerome's remark in answer to Delmas' objection, "Good Lord forbid that we should controvert a single statement made here," is regarded as forecasting a victory for the defense.

The little wife of the prisoner had been on the grill all morning listening to much thence wrangling over the admissibility of evidence, and it was not until the noon adjournment that she was able to give testimony of real weight. She testified that subsequent to her marriage she had met White on the street and that he had held her hand out to her and asked her to come to him. Also that another time she was riding in a hansom and that White had followed her in, another, but that she avoided him.

Memorial Brought In

Aside from this little straw, which indicated the direction in which the gale may sweep down on the case of the state, the most interesting testimony of the morning session was that in which Evelyn swore that White exploited the services of Abe Hummel, the attorney recently disbarred, in an effort to get her to bring suit against Thaw on the charge of abduction, and that Hummel also sought to get her to bring suit against Thaw for breach of promise.

According to Evelyn, she had no interest in either of the suits, being merely a "tool" in the hands of White and Hummel, whom she described as a "shake him down for blackmail."

A bit of humor was injected into the situation by Evelyn's allegation that White had complained to her that Hummel had double crossed him, and she squeezed him for \$1,000 with the prospect of getting more.

Page of Father Is Opened

While the intense dramatics of yesterday's proceedings were lacking to some extent in the view of the witness, her failure to wed Thaw sooner, her love for him being so great that she refused to have him sought to raise a club over Thaw's head and "shake him down for blackmail."

Another sidelight on White's jealousy of the fair captive, and also on the deep shadow through which her life path was sent out by White's statement that White's action in taking her out of the chorus and whisking her away to school, was not so much for the purpose of completing her education, as the view of Jack Barrymore, the actor, who she declared was making advances to her.

Interposed with slides of earth and rocks that made operation of the equipment dangerous. The first rotary that was sent out was disabled by rocks.

Kopper Bridge Exploded

A bridge washed out at Heppner by a flooded stream Wednesday has been replaced by a temporary structure. The telegraph linemen have succeeded in getting a single wire up over the 18-mile stretch, where the entire wire equipment was destroyed, beyond Troutdale. Today the railroad officials are able to get into wire communication with practically all points on the line and the work of clearing the tracks will be greatly facilitated. It is expected that today will be the last of the blockade, and that all train service will be resumed tomorrow morning, excepting on the Washington division.

Reports from the Wallula district are to the effect that the Washington lines of the O. R. & N. will be restored to running order by Sunday. General Passenger Secretary McCreary, who is attending a meeting of the Transcontinental Passenger association at Chicago, arrived in Portland last night at 11 o'clock on the steamer Spencer. Considering the trip through Oregon, he said:

Tells of Trip

"We reached Pendleton before we learned that there was anything wrong. The train moved from there westward under slow orders, and got along all right. There were 250 passengers aboard, and they were well taken care of, and not a grouchy person in the party. We reached Moscow at 10 o'clock last evening, and in 20 minutes the transfer was made to the Spencer and the boat was off. The Spencer made the trip in entire darkness down the Columbia, and the only sign of our entering the Willamette was a light on the shore. The run from Bonneville to Portland was made in four hours."

Mr. McMurray said he heard many interesting stories of good work done by the officials and men who were clearing the blockade, and that their performance is regarded as remarkable by those who saw the conditions. He noted a day in General Superintendent Buckley's car, an examination of snow drifts through which passage had been forced were so high that it was necessary to take the upper lamps off of the outside of the coach to avoid their destruction by projecting icebergs along the mountain sides.

Bodies of Small Men Better Than Those of Large Ones

Out of 34 applicants for positions in the fire department only 13 passed the physical test at the civil service examination yesterday. Most of the successful applicants were small men, or men who stood under five feet and eight inches high. Two physicians in charge of the examination stated that small men pass better physical examinations than large men, and especially in examinations for railway positions.

Government Building Is Untouched by Flood

Arches Supporting Roadway Across Guild's Lake Are Almost Out of Sight.

The government building at the exposition grounds is still well above the high water, and is backed into Guild's lake as a result of the rise in the Willamette. It would require a further rise of six or eight feet to reach any of the structures in that part of the grounds occupied by the government building.

No Railway Attorney To Succeed Beatty

(Washington Bureau of The Journal.)
Washington, D. C., Feb. 8.—It is announced on good authority that the president will not appoint a railroad attorney to succeed Judge Beatty, who resigned from the federal bench in Idaho. It is claimed that a precedent for this was established in the case of

CRANE BACK IN ROLE THE PUBLIC LIKES TO SEE HIM PLAY

Senate, Instead of Prohibiting, Makes Their Issuance Compulsory.

DONE BY AMENDMENT TO HEDGES MEASURE

Framer of Bill Meets Onslaughts, but in Vain, and People's Verdict Pronounced Last June Is Thus Directly Reversed.

(By a Staff Correspondent.)
Salem, Or., Feb. 8.—Ten bills were passed by the senate this morning, seven of which will come up for final passage in the afternoon session.

Among the bills passed were the following:
The Beach bill, authorizing the use of voting machines by any precinct that would then be authorized.

Four bills by Gobel as follows: Making the failure of any man to support his family a misdemeanor; authorizing two supreme court commissioners; giving the power of supreme court judges; permitting logging roads to condemn private property; providing for a uniform fire insurance policy.

The senate will adjourn this afternoon until Monday, but will work today until the deck is cleared.

The anti-pass law passed by the people in the June election will not be passed by the legislature. After a fight in the senate this morning the Hedges bill to prohibit the giving of passes to public officials was amended to make the giving of passes compulsory. The Hedges bill was by the people of the law voted on by the people.

The attempt to indefinitely postpone the Hedges bill was lost by 23 to 1. The motion to lay it on the table was lost by 21 to 8. The motion to send it back to the committee was lost by 15 to 13. The compulsory pass amendment was then adopted by 15 to 14.

Hedges fought for the amendments and said he wanted the senate to vote on the bill passed by the people. He said that the amended bill compels what the original bill sought to prohibit.

The house passed Mrs. Abigail R. Dunaway's resolution providing for an equal suffrage amendment, by a vote of 31 to 29.

The house passed the Settlement bill giving the county courts of the state power to tax lands and property, by a unanimous vote, except that Campbell voted no.

There was a fight in the senate this morning over what committee the bill to make the Associated Press a common carrier should be referred to. Hodson moved to refer to the printing committee, composed of Bailey, Wright, Hodges and Malarkey. Kay insisted on referring it to the judiciary committee. Kay moved to amend Hodson's motion. The senate voted to refer to the judiciary committee.

CHIEF TO REPORT ON INVESTIGATION

Board of Arbitration in United Railroads Case Makes Decision Public.

(Journal Special Service.)
San Francisco, Feb. 8.—The board of arbitration selected to adjust the differences between the carmen's unions and the United Railroads has arrived at a decision. This decision is that the United Railroads shall pay its employees an increase of 30 per cent in wages and the hour of labor shall remain as at present, 10 hours constituting a day's work.

The question of "open shop" or "closed shop" did not enter into the controversy upon which the arbitrators passed. The board of arbitration, which is composed of Chief Justice of the supreme court, William H. Beatty, Major Frank McLaughlin and Rev. Peter C. York, was unanimous in the decision, so that the third member was not required to umpire any difference between the other two.

The unions directly interested in this decision are the local bodies of the Amalgamated Association of Street and Electric Railway Employees of America, the International Brotherhood of Electrical Workers, the stationary firemen and the street railroad construction workers. The decision was made for the purpose of the controversy just decided.

It is expected that the board of arbitration will hand down a decision in a day or two, the findings in detail being in the hands of the arbitrators. The arbitration resulted from the agreement which terminated the strike last fall.

PENSION MEMORIAL OF OREGON IN THE SENATE

(Washington Bureau of The Journal.)
Washington, Feb. 8.—Senators Fulton and Mulkey today presented to the senate the memorial from the Oregon legislature asking for an increase of the pensions of veterans of the Indian wars from 1847 to 1856, from \$5 to \$13 a month.

Senator Gearin's bill increasing the pension rate to \$15, which passed the senate the other day, the committee on pensions amended so as to give an increase to \$10, is now before the house, which Fulton will ask Congressmen Jones of Washington to press for adoption. Five thousand pensioners in Oregon and Washington would be benefited by the bill if made a law.

BRIDGE AT PULLMAN ENDANGERED BY ICE

(Special Dispatch to The Journal.)
Pullman, Wash., Feb. 8.—Hundreds of cakes of ice, ranging from 20 feet square and from 8 and 12 inches through, lodged against the O. R. & N. trestle and the Olson street bridge backing up the South Palouse river and threatening to flood East Main street. Hundreds of citizens gathered on the bridge, and with pikes and dynamite have broken the dam and the ice is floating on. Fortunately last night was cool, and the flood receded from yesterday's high water stage.

O. R. & N. LINE CLEAR AS FAR AS HUNTINGTON

Officials of the O. R. & N. railway announce that the road is now open through to Huntington, all obstructions having been removed. The first through train for the west will leave Portland tonight at 6:15. The line to Spokane is not yet open, owing to difficulties in Washington, but it is expected that the first through train for Spokane will leave the union depot at 8:15 tomorrow night.

CHINESE WHO ACCUSED OFFICER FINED DOUBLE

Five of the Chinese gamblers arrested yesterday afternoon in a raid on the Pan Pan street at 276 Second street were fined \$10 each this morning by Judge Cameron. Ah You, who created a disturbance after being brought to the station and accused Patrolman Anderson of robbing him, was fined \$20.

DEFENDERS UNRAIDED COURT

Instead of Substantiating the Charges of Cruelty, Mrs. Beatty Spoils Her Case.

CALLING HER FOOL WAS HIS CRUELEST ACT

When Mary Beatty took the stand this morning to establish her right to a divorce from H. J. Beatty, instead of accusing her husband, she sought to defend him. As a result, she failed to get her divorce. Judge Sears did not deny the motion outright, he took the matter under advisement, remarking that he did not believe the plaintiff had made out a case.

Had her husband ever questioned her chastity? Ah, here was a substantiation of the cruelty charge, but the wife again hurried to the rescue by declaring that the only time her husband had accused her of unfaithfulness he had made it all right afterward by saying that he knew the charges were not true.

Beatty is a contractor. The couple were married in Baker City, when the bride was only 15 years of age. On account of his "cruelty" the woman left her husband on January 21.

Allice J. Hauser was granted a divorce from James B. Hauser, who is a Southern Pacific brakeman. Hauser was insanely jealous. Moreover, he was gifted with a violent temper and whenever he fell into a fit of anger he slapped his wife's face, cursed her and accused her of infidelity. The couple were married at Fort Worth, Texas, in 1884.

Marie Johanson was given a divorce from Jens Peter Johanson, with \$50 a month alimony. Johanson consorted with other women. When he became so bold as to bring one of his consorts into his own house his wife left and sued for divorce. The couple were married in Denmark in 1877.

Grace Sharratt was granted a divorce from D. M. Sharratt. The couple were married in Cleburne, Texas, in 1901, and the husband deserted at Brisbane, Arizona, in 1905.

Hattie Gallagher was granted a divorce from M. E. Gallagher. On October 18, 1905, the husband left his home in Portland, saying that he was going to a monthly meeting of his lodge. Instead he went to San Francisco and has not been seen since. The couple were married in Eliska in 1904.

GOODING'S FRIENDS KILL HIS PET MEASURE

Railway Commission Bill Opposed by Mormon Contingent Solidly.

(Special Dispatch to The Journal.)
Boise, Idaho, Feb. 8.—With one pair and one absentee, the house yesterday afternoon by a vote of 26 to 23 defeated Gooding's pet measure. The Mormon members voted against it to a man, much to the astonishment of everybody, since Gooding has been for years in closest possible alliance with the Mormons.

BAD WEATHER BRINGS MORE BOOK READERS

January holds the record for more kinds of bad weather than any previous month can show, so that it is of more than passing interest to find that during this month the record has also been made at the public library for attendance and the number of books circulated. The number of persons taking books is increasing constantly, and in fact one day during this month the high tide mark was reached of 1,000 books lent in one day. The following statistics were presented at the regular monthly board meeting last night:

Circulating department—Total circulation, 5,420; total registration, including children, 15,425; per cent of fiction, 60; county stations—Circulation, 1,516; new members registered, 154. Children's room—Total attendance, 8,125; circulation of books, 5,407. Reference department—Attendance, 4,177. Periodical room—Attendance, 991. Number of volumes catalogued in January, 795. Number of volumes added by purchase and gift, 598.

FAIRS' WAY ON SECURING MARRIAGE LICENSE

(Journal Special Service.)
Chicago, Feb. 8.—Just as he had made an affidavit for a marriage license, and in the presence of his bride-to-be, James Watson of Tacoma, Washington, fell in a faint. His fiancée, Miss Emma O'Brien, also of Tacoma, and several of the clerks in the office, believing the man to be dying, rushed to his assistance. He was revived.

ALASKA IN GRASP OF GUGGENHEIM COMBINE

(Washington Bureau of The Journal.)
Washington, Feb. 8.—The claim is made today that the copper interests, the smelter trust and the Guggenheim have arranged to bring legislation in favor of an Alaskan railroad, excepting the Copper River & Northwestern. The recently announced plans of the smelter trust to capture the copper deposits of Alaska are partial corroboration of the claim that the Guggenheims will not permit any independent road to gain a substantial footing in Alaska. The smelter people propose to control both mines, rates and transportation for the entire territory.

GIVE SEED WHEAT TO THE STARVING CHINESE

Five thousand bushels of wheat to be sent to China to furnish seed for the famine-stricken district of that country, have been contributed by Oregon business men, and will be forwarded at once. The contributions were made through a Portland Commercial club committee. The wheat will be shipped as soon as shipping orders are received here from the Red Cross society.

REFER OREGON INDIAN CLAIMS TO THE COURT

Washington, Feb. 8.—Senator Fulton has introduced a bill to refer to courts the claims of the Chinook, Clatsop, Tillamook and a number of other Indian tribes in Oregon and Washington for determination of the amount due each under the unratified treaties of 1851, for the sale of lands belonging to them.

BILLS IN AID OF ALASKAN RAILWAYS

Washington, Feb. 8.—The senate committee on territories today favorably reported the bill extending the time for the completion of the Valdez-Marshall Pass & Northern railway; also the bill authorizing the Alaska Railway company to build from Cordova to Engle Ex-Governor John H. McGraw is one of the principal promoters.

CRANE BACK IN ROLE THE PUBLIC LIKES TO SEE HIM PLAY

Henry Arthur Jones, one of the most successful of writers of plays, in a lecture before the students of Harvard university recently declared that there had been only three comedies written in the past 300 years. The three, he said, were "The School for Scandal," "The Stoops to Conquer," and "The Rivals." There had been no effort to show that Mr. Jones' statement was incorrect.

Mr. Crane tonight will have the opportunity of witnessing the production of one of the only three comedies that have been written within the past two centuries. And it will have the opportunity of seeing "The Stoops to Conquer" presented by perhaps the most capable company that has ever assembled for that charming old play.

In the case of William H. Crane, that delightful theatrical patriarch, who has tried to play serious parts but has been prevented by the public. Despite his most wonderful ability as an actor and really earnest endeavor, the public positively refused to accept him in any other role than that of a charming, lovable old gentleman, and it is in that character as Mr. Hardcastle that he will be seen tonight.



W. H. Crane.

PASSENGERS GO EAST FIRST IN TIME WEEK

O. R. & N. Makes First Shipment of People and Mail Since Beginning of Blockade.

CONNECTION IS MADE BY STEAMER SPENCER

Main Line Is Clear From Bonneville East and It Is Believed Trains Will Get Through From Portland Beginning Tonight.

Passengers and mail were sent east today by the O. R. & N. company for the first time since the beginning of the snow blockade at Onondaga, near last Saturday. The steamer Dulles City, departing from Astor dock at 7 a. m. took several hundred passengers to The Dalles to connect with the eastbound. The steamer Spencer left the same dock at noon with passengers and mail for Bonneville, where train connection for the east will be made.

It is believed the O. R. & N. will get a train through from Portland to the first time since the beginning of the snow blockade at Onondaga, near last Saturday. The steamer Dulles City, departing from Astor dock at 7 a. m. took several hundred passengers to The Dalles to connect with the eastbound. The steamer Spencer left the same dock at noon with passengers and mail for Bonneville, where train connection for the east will be made.

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