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The weather—Fair tonight and Sunday; northerly winds.

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ON TRAINS AND NEWS STANDS, FIVE CENTS

Oregon Daily Journal

JOURNAL CIRCULATION
YESTERDAY WAS
29,750

FRANKLIN PIERCE MAYS PUTS HIS FEET ON THE STAND

WITNESS TELLS OF BEING RETAINED BY STEIWER

HENEY HAS EVIDENCE IN

Case Against Hall Appears to Be Drawing to Close and Conviction May Depend on What Is Brought Out Next Monday.

Franklin Pierce Mays, already convicted of one offense against the government by illegally acquiring government lands, came into the United States court this morning and, after the charge pending against him jointly with John H. Hall and Edwin M. Mays had been dismissed by the government, took the stand in the prosecution's behalf. His story contained nothing of startling import, either for the government or for the defense, and he was released a short time before noon without having drawn blood for either side. The witness told of having been the attorney for Mr. Steiwer in the land fencing case and of having interceded in behalf of his client, urging the prosecuting attorney, then Mr. Hall, to waive criminal prosecution, and, if he must prosecute at all, to bring a civil suit against Mr. Steiwer or the Butte Creek Land Lumber and Live-stock company. That in brief is the gist of the story he told.

Mr. Henev is drawing near the close of his case and in all probability the last government witness will be put on the stand some time next Monday. Up to this time he has not yet directly contradicted the testimony of any of the many witnesses leading to the door of the defense, but none of them so impregnable as they may be blocked by the testimony of the defense, whatever that may be.

Hall Reluctant to Cross. The case to the present point as shown by the government makes it appear that Hall was retained to begin criminal prosecution against Steiwer and his company. It has shown up a good deal of the giving pictures of the intrigues and strings by which the old regime was held together, and which Hall was to violate the law, unless Mr. Henev is able to establish his contention that the witness is guilty criminally when he falls at once to commence prosecution as soon as complaint is made to him of the violation of a statute. So far as Mays is concerned, a good deal of the record in the case has been culled by the inspections of Counsel Wilson to the effect that the testimony did not effect his client.

F. P. Mays followed W. W. Steiwer on the stand this morning after Steiwer had been cross-examined for some little time by Judge Webster. Before Mays was put on the stand the case against him of conspiracy to fence lands was dismissed and his bondsmen freed. Mays was one of the co-defendants with Hall and E. M. Mays, his brother, but Mr. Henev in making for dismissal said that there was not sufficient evidence in the possession of the government to convict him.

Mays took the stand and said that he had been retained as Steiwer's attorney in the land fencing case and that in that capacity he had telephoned to Hall asking him to call at his office and then the two had discussed the case.

Informed by Steiwer. "I said to him," the witness testified, "that the reason I had asked him to call was because I had been informed by Steiwer that criminal prosecutions would be instituted by Hall against individuals of the Butte Creek company. I told Hall I wanted to talk the matter over with him and gave my reasons for arguing that it would be better to bring a civil suit than to proceed criminally. I told him that Mr. Steiwer was a man who was well known throughout the state and that it would be a source of much humiliation and disgrace if he were arrested and brought to Portland for trial in a criminal case.

"The witness further testified that he did not know what Hall's intentions were when he left the office after the discussion.

Mr. Henev then attempted to go into the history of the conditions prevailing at the time the indictment against him and Steiwer was returned for having accepted illegally acquired government

ARMY WEDDING AGAIN POSTPONED.



The wedding of Miss Evelyn Fitzhugh, niece of General Fitzhugh Lee, to Lieutenant Hilary H. Herbert, son of the former secretary of the navy, has again been postponed by a recent illness of Lieutenant Herbert. Pictures of the young couple are here shown.

BOLTERS OPPOSE COMMONER

Bryan Does Not Believe Opposition to His Candidacy Comes From Real Friends of Democratic Party—Goes to Washington to Learn the Truth.

Washington, D. C., Jan. 25.—The Democratic political pot starts boiling in and around the capital tonight when William J. Bryan arrives for a three-day sojourn, and many prominent men of the party will hold conferences with the Nebraskan while he is here.

That there is a movement afoot to dissuade Bryan from taking the Democratic nomination for the presidency has been made plain to him. Bryan is coming to learn if this movement is being fostered by any considerable number of real friends of the party. He believes it has its inception among the bolters of 1896.

LAWYER OUTWITS CROOKS

Plans of Two Men to Extort \$500 From Mrs. Rachel Hawthorne Foiled by Clever Coup of George Black, Attorney for the Estate—Crooks Are Arrested.

Without calling in the aid of the police or professional detectives until nothing remained to be done excepting the actual act of arresting the two suspects, friends and relatives of Mrs. Rachel Hawthorne, a wealthy resident of East Portland, worked a successful scheme to catch two men who are alleged to have threatened Mrs. Hawthorne's life unless she paid them \$500.

Both men, Herman Haffner and Leo Honig, are in the city jail, charged with attempting to extort money. George Black, attorney for the Hawthorne estate, who planned the coup by which the two men were captured, has sworn to the complaints against them. They were arraigned in police court this morning and the case was continued on motion of the district attorney.

It is alleged by Mrs. Hawthorne and her representatives that the prisoners

STATE OFFICIALS WITH DEMURRER

Indicted Officials of Title Guarantee Gain Another 10 Days by Filing Objections to Informations Returned by Prosecution.

Attorneys for Defendants Allege Facts Set Forth Do Not Constitute Crime—Will Also Ask Discharge of Accused Bankers.

J. Thorburn Ross and the other accused officials of the Title Guarantee and Title company did not plead to the indictments against them this morning, as had been expected, but filed demurrers. This means another week or 10 days of delay before the defendants are brought to plead, providing the demurrers are overruled.

In behalf of Ross, Attorney Wallace McCann raises four points of demurrer in two of the four cases, five in another and one in the other. The objections which are urged may be summarized as follows:

That the district attorney has not alleged that the crime was committed in Multnomah county; that the facts set forth do not constitute a crime; that if the informations are otherwise sufficient, more than one crime is charged in the same information; that the district attorney has failed to set forth the particular circumstances of the crime charged and the defendant not given notice of the nature and grounds of the charge preferred; that no allegation is made that the acts charged were committed three years prior to the filing of the informations, as required by law.

Lawyer and Kerr as attorneys for T. T. Burkhardt and John E. Atchison filed demurrers on substantially the same grounds. The demurrers in each of the four cases being identical and seven points in all being brought to the attention of the court.

In addition to the demurrers a motion is to be presented asking for the discharge of the defendants on the ground that the informations were not filed on the first or second days of the next term of court following the time the defendants were held to answer. Judge Cleburne has already stated that he does not regard this point as well taken.

BREAKS WINDOWS TO VENT SPITE

French Plate Glass Perforated With Rifle Bullets in Montgomery Home.

Some unknown person, actuated either by a spirit of vandalism or a desire to satisfy a grudge against the owner of the property, has been breaking the windows in the new residence of Lewis Montgomery, Twentieth and East Salmon streets. During the past week several large and expensive panes of glass have been broken, the work of destruction being perpetrated at night.

Last Thursday night a large French plate glass window in the front of the building was broken. Investigation made the following morning showed that the work had been done with a small caliber rifle, the marks of several bullets being plainly discernible on the bits of broken glass. One of the bullets had struck the window sill, indicating that the gun from which the bullet came had been fired from a distance, as it would hardly have been possible to miss the glass at short range.

The police have been asked to make an investigation.

TACOMA BURGLAR IS EIGHT YEARS OLD

Tacoma, Wash., Jan. 25.—The burglar who robbed two stores by concealing himself inside the building during the day has been captured and proves to be an 8-year-old boy named Fred Schiffer. Wednesday he concealed himself in a clothing store and watched the proprietor conceal \$36 before locking up for the night. Later the boy took the money and left the store by a back door. Last week he concealed himself in a grocery store and stole about 40 cents in pennies.

OREGON LUMBERMEN DO BIG BUSINESS

Although Shipments Are Not Quite So Large as Last Year, Which Was Helped by Earthquake, Total Is Far Beyond Usual Amount

(United Press Leased Wire.)
Seattle, Jan. 25.—The cargo lumber business of Oregon, Washington and British Columbia for 1907, as shown by figures just compiled by the Pacific Lumber Trade Journal, was, with the exception of that of 1906, the greatest and most satisfactory in the history of the lumber industry in the northwest.

When the actual figures show a decrease of 57,453,444 feet in shipments from 1906, the total for the year of 1,510,290,122 feet represents an increase of more than 400,000,000 feet for the normal year immediately preceding the San Francisco disaster which created an abnormal demand and swelled the totals for 1906.

The mill reports show that the increase of 1907 over 1905 is made up largely by mills that catered to the rail trade prior to the time eastern markets were handicapped by car shortages and rate troubles and that four per cent of the rail mills located on tidewater are under contract to enter the cargo business.

GOVERNMENT ORDERS JAPANESE TO KEEP AWAY FROM HAWAII

(United Press Leased Wire.)
Tokyo, Jan. 25.—An imperial order prohibiting all Japanese from emigrating to the Hawaiian Islands, excepting those who have relatives there, was issued today.

The steamship companies are vigorously opposing the order, and their managers have personally appealed to the foreign office to modify it. So far they have met absolute refusal.

Another order declares that the decree prohibiting emigration to the United States and Canada must be rigidly observed.

FIGHT PROHIBITED WITH DYNAMITE COLLEGE GIVEN TO BRICKMASON

Georgia Liquor Interests Adopt Strenuous Methods of Stopping War. Des Moines Artisan Finds White Elephant Thrust in His Hands.

(United Press Leased Wire.)
Columbus, Ga., Jan. 25.—Dynamite will be used by the liquor interests to check the activity of the Law and Order League, which is going to enforce the prohibition law.

Evidence of the determination of the liquor people to resort to this measure was found last night when bombs were exploded in front of the residence of the president of the league and the new paragon of the two local ministers.

Gifford, president of the league, found nailed to his gate-post the following: "This is but a warning. If you don't heed it, you'll be extremely sorry!"

(United Press Leased Wire.)
Des Moines, Iowa, Jan. 25.—Not having fitted himself to become the owner of a big educational institution, J. C. Felon, a brick mason of this city, discovered today that he has a "white elephant" on his hands in Shurtliff college of Upper Alton, Illinois, to which he is heir. One of his wealthy ancestors to spite immediate heirs, bequeathed all his money to found a college providing that after a certain number of years it should revert to his lineal descendants. This time has now elapsed. Mr. Felon, the brick layer, is one of the descendants.

HARRIMAN IN COMBINATION WITH GOULD

Owners of the Western and Southern Pacific Roads Bury Hatchet and Agree to Cease Fighting Over Territory.

No More Political Battles and Only Competition Will Be for Purpose of Blinding Interstate Commerce Commission.

(United Press Leased Wire.)
San Francisco, Cal., Jan. 25.—E. H. Harriman and George Gould have at last got together, have smoked the pipe of peace and have buried the hatchet. The hatchet in this particular warfare means the



E. H. HARRIMAN.

rival interests of Harriman's Southern Pacific and Gould's Western Pacific railroads in California.

The peace agreement, which was ratified by Messrs. Gould and Harriman this week in New York, in an all embracing treaty and is sweeping. Its main points are: The two rival railroads will cease fighting each other. The pending lawsuits over the Oakland waterfront and the Western Pacific's right-of-way, which have been so bitterly contested during the last three years, up to the United States supreme court, are to be amicably compromised out of court, dismissed or allowed to lag until they die a natural death. Mutually agreeable traffic rates are to be established, and the traffic managers of both roads agree to live up to the rates outlined. There will be no cutting of rates and no embarrassing competition although the semblance of opposition is to be maintained on both sides just enough to keep beyond the clutches of the interstate commerce law and the federal statutes against pooling. Politically, too, the two rival roads are to cease fighting each other.

Thus it was agreed at the last meeting of the "higher ups" this week to keep the agreement quiet, if possible, until after the presidential election.

Carnegie Library Hits a Snag.
Aberdeen, Wash., Jan. 25.—The city committee building committee last reported it will be impossible to construct a Carnegie library by the plan and specifications now in being. The \$15,000, the amount needed for the building was passed to leave the plans to the library board.

The Sunday Journal

Here are a few of the features:

WOMAN OUR REAL RULER—How she actually controls the industries, education and literature of America.

AS W. A. BRADY SEES LONDON AUDIENCES—English playgoers differ in many respects from American. Director of Grace George's tour tells interesting story.

DEAN OF HUMORISTS—America's great author, Mark Twain, at 72 is hale and hearty.

HOW ANCIENT IS THE INDIAN?—Study of human bones unearthed on the continent.

UNIQUE PALACE AT WASHINGTON—Alfred Sears graphically describes international building.

MUST MARRY EARLY IN LIFE—Mexican women have little chance of matrimony after passing thirtieth milestone.

SPECTRE OF WANT IN ENGLAND—Poverty is literally sapping the manhood of a great nation.

A QUESTION OF WOMEN'S GOWNS—What physicians, modistes and social leaders say of décollete.

TRADING MONEY FOR HEALTH—Nature offers relief to people in pain in all four corners of the earth.

HAPPY HOOLIGAN MARRIED—ALMOST—See the unexcelled comic supplement this week. There are some new funnies that are screamers.

SPECIAL DISPATCHES AND BEST PRESS SERVICE—The Sunday Journal gives you the news of the world.

The Paper of the Oregon Country