SETTLERS' LAND SAFE

Attorney General Bonaparte Advocates Suit Against Harriman and Promises Innocent Purchasers Will Not Be Disturbed.

Washington, March 6.—Attorney-General Bonaparte yesterday appeared before the house committee on public lands and asked that the department of justice be given authority as provided in the Fulton resolution, to institute suits to forfeit titles to hundreds of thousands of acres of land in Oregon.

The attorney general charged that the California and Oregon railroad, now controlled by Harriman interests, has violated the provisions of the land grants. He declared that these interests sold much land at prices far in excess of the figures stipulated by an act of congress, but now the railroads refuse to sell the remaining lands, thereby retarding the development of the state.

Bonaparte promised that persons who bought land for settlement purposes would not be disturbed.

Representative Fordney of Michigan also addressed the commission. He advocated an amendment to the resolution to provide that innocent purchasers of granted lands and of railroad bonds secured by them should not be made to suffer through institution of such suits. The hearing will be resumed March 12.

Advices from Washington today are that the department of justice is not seeking to commit the government to absolute forfeiture of all of the original land grant, including lands purchased in good faith from the railroad company, but that the object of the present hearing before the senate committee on public lands is to clear the way of all possible obstacles to any action that may seem to Secretary Bonaparte and his advisors to be just and lawful in the premises. The language of the Hawley-Fulton resolution is as follows:

"It not being intended hereby to determine the right of the United States to any such forfeiture or forfeitures, but it being intended to fully authorize the attorney-general, in and by such suits, actions and proceedings, to assert on behalf of the United States and the court or courts before which such suits, actions or proceedings may be instituted or pending, to entertain, consider and adjudicate the claim and right of the United States to such forfeiture or forfeitures, and if found, to enforce the same."

The Manufacturers' association, by President Fletcher Linn, today sent the following telegram to Representatives Mondell and Hawley:

"Manufacturers' Association of the Northwest respectfully urge you that Fulton joint resolution be amended to provide clearly that parties who have purchased lands from Oregon and California railroad in good faith should be exempted from contemplated action to be brought under this resolution. Hundreds of farmers, miners, settlers and lumbermen are vitally interested. An attack on the validity of their titles will work irreparable damage to western Oregon."

GUESTS NOISY BUT NOT DISORDERLY

Judge Cameron Decides Police Had No Right to Arrest Shaffer's Friends.

That the men and women who participated in the birthday party at the house of Henry Shaffer were not conducting themselves in a manner such as would constitute a breach of the peace at the time Patrolman Nathan Suitter entered the house and killed Shaffer, was the decision rendered by Judge Cameron in the municipal court this morning.

This decision was rendered after hearing the evidence against the seven men who were guests of the Shaffer's at the time of the killing and who were arrested and charged with disorderly conduct. The defendants were Louie Starkell, Powell Dodge, Gottlieb Mercher, Jaine Fraber, David Sprecher, Alex Schneider and John Spaun. These men, with their wives, had been invited to attend the birthday party given Mrs. Shaffer by her husband and were present in the house when Patrolmen Suitter and Leavins arrived and declared all of the male guests to be under arrest on a charge of disorderly conduct because of the noise that had been complained of by one of the neighbors. All were witnesses of the killing of Shaffer a few minutes after the officers entered the house.

By mutual consent of the prosecution and defense the incidents of the shooting that resulted in the death of Shaffer were not referred to, the testimony being confined to such facts as would show whether or not the defendants were guilty of creating a disturbance such as would justify a charge of disorderly conduct. Witnesses for both sides, including Patrolman Suitter, who had been taken from his cell in the county jail that he might testify for the prosecution, agreed that there was singing and dancing indulged in and that there was more or less noise resulting from the merrymaking. There was no evidence produced, however, to indicate that this noise was of a nature to constitute a disturbance of the peace and quiet of the neighborhood.

In summing up the evidence Judge Cameron said that there did not appear to have been any happening at the Shaffer home that justified the interference of the authorities. It was usual and natural, he said, for guests at a party of this nature to amuse themselves in the manner customary to their station in life, and such amusement was not an infringement upon the rights or comfort of others, as was shown in the testimony presented in the case at bar. The charge against the several defendants was dismissed.

BELIEVE WOMAN HELD UP SALOON

(United Press Leased Wire.)

Seattle, Wash., March 6.—A daring female bandit is now supposed to have held up the Fisherman's saloon early yesterday morning and the police are working on a new clue. The robbery was that of an expert, but on account of the slender build of the person, the delicate hands and other essential points, the robber is believed to have been a woman.

TITLE G. & T. OFFICIALS MUST STAND FOR TRIAL

Three Circuit Judges Sitting En Banc Overrule the Demurrer Made Alleging That Law Prohibiting Reception of Deposits by Insolvent Bank Was Not in Force.

Circuit Judges Gantenbein, O'Day and Bronaugh, in an opinion written by Judge O'Day and concurred in by his associates, this morning upheld the indictment of J. Thorburn Ross and other accused officials of the Title Guarantee & Trust company in the case charging them with receiving deposits after they knew that the bank was insolvent.

In this one case, therefore, the accused bank officers will have to go to trial at an early date. In the other three cases, in which demurrers were submitted on different grounds, Judge Cleland recently sustained the points of demurrer and new informations were filed today.

Judge O'Day read a long written opinion, in which the banking act of the last legislature was examined closely in order to determine the legislative intent with reference to the application of penalties provided to the officers of banks then in existence, so far as affirmative acts are required. The judges reached the conclusion that the penal clause does apply to such acts, this clause reading as follows:

"The owners or officers of any bank who shall receive any deposit knowing that such bank is insolvent, shall be deemed guilty of a felony and punished, upon conviction therefor, by a fine not exceeding $1,000 or imprisonment in the state penitentiary not exceeding two years, or by both such fine and imprisonment, at the discretion of the court."

Not a Common Penalty.

The opinion further says:

"It will be noted that the legislature in dealing with the subject of banks in the act referred to did not provide a common penalty for the doing or the failure to do the things commanded to be done or prohibited from being done, but on the contrary, specifically fixed a penalty for each particular thing therein mentioned. It may be said that there are other prohibitions in the act, but no penalties are prescribed, but the acts themselves are made unlawful and leaves the person injured to such civil liability as the general rules of law would prescribe."

The concluding portion of the decision, summing up the view of the three judges, was read with emphasis by Judge O'Day, and flatly contradicts the contention of counsel for the defendants that the penalties of the act of 1907 are not in force for 18 months after its passage. This portion of the opinion says:

"Section 34 refers to and postpones the penalties as to those particular things which banks in existence at the time of the taking effect of this act were not required to do, and as to those penalties, and those only, 18 months' grace was allowed.

Plain in Its Meaning.

"Shall this section by construction be made to apply to section 18, which refers to individuals, in contradistinction from the bank? Shall the affirmative act of taking deposits when the bank is known to be insolvent—an act which by common consent is immoral and dishonest—be construed as suspended by section 34, when the plain import is that it refers only to those things which the bank as an entity is not required to do for the period named therein? If so, the entire construction of this act, by fixing different penalties for the particular things therein specified, must be disregarded.

"One provision of this act, and the penalties thereunder, have no relation to other sections of the act and the penalties therein specified, yet to hold that this provision in section 34 has reference to the specific penalties in the other sections in the act, and each of them, would be to disregard the plan of the legislature in constructing the statute referred to.

"Under the statute we are required to construe this act as though section 2192 were a part of it, and by that section the provisions are to be construed according to the fair import of their terms, with a view to effect its object and to promote justice. If the construction is to be placed upon this act that section 34 suspends the penalties under section 18, and that the provisions therein made are suspended and not in full force and effect, it would seem that it would be a construction not according to the fair import of the terms of the act, but a construction contrary to, and not in accordance with, the intent or language of the legislature. Let the demurrer be overruled."

M'COURT'S RECORD IS TO BE CLOSELY SCANNED

Past Deeds of Latest Choice of Oregon Delegation for United States District Attorney Put Under the Spotlight—Highly Recommended by Prominent Men.

Washington, D. C., March 6.—John McCourt of Pendleton, who has been recommended to the president for appointment as United States district attorney for Oregon is expected to be nominated by the president Monday next. It is believed by the Oregon delegation that he will be confirmed at once, or at least in a very short time, and will then be able to assume charge of the new office which has been tendered him.

According to the statements of members of the delegation McCourt has never made application for the position and during the time when he knew his name was before the delegation as a possible appointee he made no effort to advance his cause. He was, however, the personal choice of Congressman Ellis, before whom McCourt had practiced as a deputy district attorney for several years prior to the election of Mr. Ellis to congress. Mr. Ellis, however, did not urge the name of his candidate until it was found that the delegation was deadlocked on other candidates who had been before it. Then he brought in the name of McCourt and the delegation united on him.

Well Known to Hawley.

McCourt attended Willamette university during the time Congressman Hawley was at the head of that institution. He was therefore well known to that member of the delegation. Senator Fulton was a senator in the Oregon legislature while McCourt was in the lower house, and the Pendleton man therefore was known to him. Since that time both men have been close together politically, though McCourt has never been an adherent of any faction. Senator Bourne knows McCourt only by reputation.

Yesterday morning Senator Fulton attempted to call a meeting of the delegation to consider the district attorney appointment. Senator Bourne and Congressmen Hawley could not attend the meeting, but later it was arranged that McCourt should be recommended, and the delegation united in making the recommendation. Previous to this meeting Senator Fulton and Congressman Ellis had called upon the president, who had urged that some action be taken at once.

Following the presentation of the united recommendation of Mr. McCourt's appointment the delegation called upon the attorney-general to urge personally the appointment of their latest selection. It is believed that President Roosevelt will send the nomination to the senate Monday and that Senator Fulton will ask immediate action by the senate on the nomination.

The past life of John McCourt is to be subjected to the same searching investigation and probing that has been accorded to the men who have been mentioned for appointment as United States district attorney, according to the belief of those who have been connected in one way and another with the district attorney tangle. Already old things are being dragged into the light which it is argued will be against Mr. McCourt when his record comes up for its microscopic investigation.

McCourt was a member of the legislature in 1898 and 1899, and was therefore in attendance both at the special session of the former year and the regular session of the latter date. During the first session convened by the proclamation of Governor Lord, McCourt supported Joseph Simon for the United States senate and cast one of the votes that elected Mr. Simon. During the regular session he supported the Turner-Oliver beet sugar bounty bill, which was one of the hardest fought measures of the session. He opposed the measure at first, but upon its final passage voted with the affirmative and made possible its passage by one vote. He also introduced a bill providing for an assistant to the attorney-general, which measure passed. McCourt was subsequently appointed assistant attorney-general by D. R. N. Blackburn, then attorney-general, and served in that capacity until he moved to Pendleton.

According to the belief of those who are following the United States attorney fight these things, and others, will be urged against the appointment of Mr. McCourt. It is charged that the Turner Oliver bill was an iniquitous measure appropriating money out of the state treasury to be paid as a bounty to those who would engage in the cultivation of sugar beets. The bill was passed by the house but was killed in the senate.

It is believed that the championship by McCourt of the bill for the creation of a new office and his subsequent appointment to the new position will also be urged against him.

More far-reaching, however, than either of the other two points is the close friendship for and association of McCourt with the various men in Umatilla county who are supposed to be interested in the Umatilla land fraud transactions which have been partly investigated. It is not contended that the new candidate for the office is in any way personally connected or associated with these deals, but it is urged that he might be inclined to deal leniently with the defendants should indictments ever be returned against some of Umatilla county's prominent men who are supposed to be tangled up with the Umatilla land scandal.

May Get on List.

It seems to be a question of debate, therefore, in the minds of those who have been following the fight for Bristol's job whether the department of justice will clear McCourt after its usual investigation, or whether he will be added to the already long list of those who have been passed by.

W. C. Bristol would not discuss the appointment of Mr. McCourt.

"I know Mr. McCourt slightly, and I hope that he will be speedily appointed and confirmed; but further than that, according to my invariable rule, I have nothing to say," was all the comment the district attorney would make on the subject.

Ex-Senator Simon, C. M. Idleman, ex-attorney-general, and other attorneys all express pleasure at the recommendation of Mr. McCourt and say he is a capable, well qualified and proper man for the position. He is spoken of by all those who know him as an aggressive fighter, a successful prosecuting officer and a good lawyer.

The following special dispatch from Pendleton, Mr. McCourt's home city, shows the position which he holds in the esteem of his fellow townsmen:

"Pendleton, March 6.—This city is pleased with the honor bestowed on John McCourt who has been recommended by the state delegation in Washington for the position of United States district attorney for Oregon to succeed W. C. Bristol. Mr. McCourt does not like to discuss the recommendation for his appointment until he has been fully apprised of it by the delegation and has been placed in a position to look over the work that is ahead of him and acquire some knowledge of the task that has been set for him.

"Mr. McCourt is a young man, being only 35 years of age. He has, however, had much experience with legal affairs and his friends believe that he will make a very competent prosecutor."

DUFUR GRANGE FOR STATEMENT NO. 1

The Dalles Or., March 6.—The famous resolutions adopted by Blue Mountain grange in February regarding Statement No. 1 have been indorsed by Ramsey Park grange of Dufur. The resolutions are as follows:

"Whereas, The Order of Patrons of Husbandry have always indorsed the principles of electing United States senators by a direct vote of the people, therefore be it

"Resolved by Blue Mountain grange, and we mutually pledge each other that we will not vote for any candidate for the legislature who will not publicly pledge himself to vote in the legislature for the people's choice for United States senator first, last and all the time; and be it further

"Resolved that we mutually pledge each other to use all honorable means to defeat any and all candidates for the legislature who refuse to publicly pledge themselves to this proposition or in any manner equivocating by giving a meaningless pledge which can be construed differently from the broad and simple pledge of supporting the people's choice for United States senator first, last and all the time; and be it further

"Resolved that we recommend to our brother patrons over the state that they unite with us in carrying this principle laid down in the primary election law to the end that this cherished principle of electing United States senators by a direct vote of the people, which our order has advocated from its foundation, may to all intents and purposes be attained."

HEARST TO OPEN BALLOT BOXES

Appellate Court Rules Editor Has Right to Verify McClellan Count.

(United Press Leased Wire.)

Albany, N. Y., March 6. — William Randolph Hearst has won a victory in the appellate court in his contest over the New York City mayoralty election in the fall of 1905.

That tribunal today handed down an opinion holding that the attorney-general has the right to open ballot boxes in any election district to determine the count. This point is decidedly in favor of the New York editor's contention.

Hearst, who ran for mayor against George McClellan, declared that his defeat was due to fraud and ballot juggling and immediately contested the election. But the appellate court says that to open the ballot boxes it is not necessary for the attorney-general to submit the preliminary evidence of fraud. Today's decision probably brings the bitterly fought contest to an end.

CITY LACKS GOOD FIRE ORDINANCE

Public Buildings Put Up With Very Little Law to Regulate Them.

Portland has no ordinance requiring doors in public buildings to swing outward save in the special theatre ordinance which stipulates that all exits swing outward.

A special committee of the council is engaged in the work of drawing up a building ordinance to replace the present antiquated statute and no provision thus far has been made in the new measure to require public buildings to be equipped with swinging doors that open outwardly.

When the matter was called to the attention of the building inspector's office this morning, Assistant Inspector Dobson said the committee in charge of the work had not yet made its report and that numerous details were yet to be added before the ordinance is given to the council for passage.

Mr. Dobson said that the committee would hold its final meeting shortly and that he would call the attention of the members to the provision making it necessary for owners of public buildings to equip their structures with doors swinging outward.

There is even no ordinance requiring the doors of school buildings to swing outward and this will also be put into the new ordinance, as will a section requiring that all doors leading from the rooms to the halls in the school buildings open into the halls.

Chief Campbell said that he was unable to visit all the buildings in the city to see whether the fire escapes are blocked and admitted that he was not provided with sufficient help to attend to this matter. Assistant Fire Marshal Roberts is supposed to aid Chief Campbell in watching all buildings equipped with fire escapes to see that they are not blocked and to attend to a general supervision of the public safety provisions of the city ordinances.

Although Mr. Roberts visits many buildings in all parts of the city and has had opportunity to see all the defects in the present regulations against danger, he has so far as known never made recommendations asking to change the present ordinances.

The councilmen also have had opportunity to visit public buildings, but so far as known none has ever attempted to introduce an ordinance requiring owners to equip such building with doors swinging outwardly.

The matter will be taken up when the committee preparing the new building ordinance meets and the question of public safety thoroughly threshed out and it is expected that proper regulations safeguarding the public will be included in the ordinance.

DUNBAR WILL ESCAPE ARREST

Court Orders Former Secretary to Show That He Is Not in Contempt.

(United Press Leased Wire.)

Salem, Or., March 6.—Judge Galloway this afternoon made an order directing that former Secretary of State F. I. Dunbar appear in the circuit court and show cause why he should not be punished for contempt of court. The affidavit filed by Fulton, Dunbar's attorney, today, to the effect that the fee books had been burned was not valid, because it had been written in the third person.

Fulton has declared his intention of carrying the matter to the supreme court, and when the matter is called on March 18, will be prepared to furnish the bond set by Judge Galloway, it having been agreed at today's session of court that the former secretary should not have to undergo the indignity of being arrested.

Immediately after court convened this afternoon a postponement having been made this morning owing to Fulton's inability to arrive from Portland in time, an affidavit was presented by Fulton and signed by Dunbar stating that the memorandum books showing fees collected had been burned. Attorney McMahon, for the state, after examining the document, called the court's attention to the fact that it was not an affidavit, as Dunbar had referred to himself throughout as the "affiant," and that if he had perjured himself they would not be able to prosecute him, as he had not made a legal affidavit. Judge Galloway ignored the reply of Fulton, and severely censuring the attitude of the defense in attempting to keep evidence from the court, ordered that Dunbar be brought to the witness stand, and in a stinging rebuke to S. A. Kozer, Dunbar's audit clerk, for evasive and equivocal answers, ordered him brought to the witness stand again and "given another chance to testify to the truth, and the whole truth, as he was sworn to do."

THOMAS CAR STILL LEADS ALL RIVALS

(United Press Leased Wire.)

Grand Island, Neb., March 6.—Still leading its closest rival by 200 miles, the Thomas car in the New York-to-Paris race arrived here at 12:30 o'clock this afternoon and left two hours later for the west

FIRE REGULATIONS TO BE RIGIDLY ENFORCED

Superintendent Rigler Says He Will Use Drastic Measures in All City Schools to Prevent Repetition of Cleveland Horror—Generally Free of Danger.

No violation of the fire regulations issued from his office will be tolerated by City Superintendent of Schools Rigler. "Locked doors in any of the school buildings will spell dismissal from the service," said Professor Rigler, who this morning made it plain that the superintendent's office insisted at all times that the greatest care and precaution be taken to insure safety of the pupils in time of fire.

"What school? What door? When?" was the way Superintendent Rigler answered the question this morning if it was customary to allow some of the doors in some of the schools to remain locked, as it was reported had been done.

"No door that could be used as an exit should be locked at any time while there are pupils in the buildings," he continued. "Circulars have been issued from time to time dealing with fire drills and precautionary measures required by the school board. In these strict orders have been given that all doors should be left unlocked at all times. I believe that order is being observed throughout the city."

"It has been reported that a few days ago during a fire drill one column of pupils was marched against a closed door, found to be locked, and that the janitor had the key and was out of the building at the time," Mr. Rigler was told.

Orders Are Strict.

"What school was that?" asked the head of the city system.

"That was at the Couch school, but there are reports of similar happenings at some of the other schools."

"No report of any such happening has been made to me from any school. I have heard nothing of it. It may be that from some circumstance the principal of the school where the occurrence was, if it took place, did not make a report of the matter out of sympathy for the janitor. But it should have been reported. The orders about keeping the doors open are strict."

"If it was found that the doors of any of the schools had been kept locked, what would happen then?" Mr. Rigler was asked.

"I would insist on the immediate dismissal of whoever was responsible for the neglect," was the answer.

Professor J. Burnham, principal of the Couch school, says that one day recently the upper door leading to the fire escape, or outer stairway of the building, was found to be locked during the course of a fire drill. This was the first time on record that such a thing had happened, however, he says, and will be the last so long as he is connected with the school.

Found Door Locked.

"Some time ago," Professor Burnham said this morning, "it was found during a fire drill that the small door leading onto the outer stairway on the upper floor of the building was locked. This was the first time during the history of the building that every door leading from the building was not open during all the time the pupils were in the rooms. On this morning the janitor neglected to unlock the door, but since that time he has never failed, as I have made it my especial duty to see to it each morning before school opens that every door is unlocked.

"Even with the door locked, however," Professor Burnham continued, "there would have been no danger in case of fire. The door is double, both halves opening out and I can push it open with one hand when it is locked. It would not have stood as a barrier had it been necessary to open it.

"There was no uneasiness at the time, as has been reported. In fact, as a usual thing, the outer stairway is not used in the fire drills, but on this occasion I sent the column to the door leading to the outer stairway in order to accustom the children to changes in the order of march, for fire pays no attention to routine drills. When the door was found to be locked the children were turned back into the old channel and marched out with the rest in good order. There was no uneasiness and in my belief there would have been no danger even had there been a fire.

Can Open From Inside.

The doors are double doors, opening out onto the stairway and one door is held by bolts above and below on the inside. The other door locks into the first. It is possible therefore to open the door from the inside by pulling these bolts back even without a key.

"I also, in justice to the janitor, want to say that he never leaves the building except for about 20 minutes each morning for lunch, or when sent away by myself. He is continuously on duty. I am now personally making an inspection of the doors every morning, so that there will be none of them left locked so long as I am connected with the building."

There is at least one school in Portland where there is little danger of a repetition of the recent Cleveland holocaust. The lives of the 600 little children in the big grammar school at Arleta are protected from danger by fire by every precaution human ingenuity has been able to devise. The new building, which has been occupied only a few months, represents the latest advance in school building construction. The corridors are exceptionally wide and there are two broad stairways with but one turn in them. The three exits, double doors which open out, permit eight children to walk abreast without crowding.

Don't Stop for Books or Wraps.

Principal W. M. Miller has been unusually diligent in devising the best formation for fire drill and in accustoming his 600 little charges to it. At the beginning of each term, when the pupils change rooms, they are carefully instructed to form quickly and orderly and are put through the drill several times on successive days. After that a drill is held at least once in two weeks, always without warning to either teachers or children.

The doors of the building are never locked. The principal looks to this the first thing every morning. In case of fire a few of the older boys have the special duty to dash ahead and push open the doors. The pupils are instructed not to stop for books or wraps, as it has been shown that this causes unnecessary confusion and delay.

In a drill this morning, which Principal Miller held without the slightest previous notice, out of courtesy to a representative of The Journal who was present, the entire building was emptied of its 600 little children in 53 seconds. The occupants of the lower rooms were out of the building before Mr. Miller had ceased to ring the electric gongs. There was not the slightest confusion, crowding or breaking ranks. It was the orderliness and quick precision which showed careful preparation against actual danger.

TIL FORD LEAVES COIN FOR WATCHES

ECCENTRIC LAWYER'S WILL FILED

(United Press Leased Wire.)

Salem, Or., March 6.—The last will and testament of the late Tilmon Ford was admitted to probate today. The estate consists of real and personal property in Marion, Lane, Multnomah and Washington counties to the aggregate value of $166,750.

The estate is divided among his five surviving legal heirs consisting of Dr. Angie L. Warren, sister, Portland; Frank M. Ford, Rochester, Montana, and Charles D. Ford, Seattle, brothers, and Mrs. Lulu M. Marquam, Eugene, and Mrs. Minnie Cox, Portland, nieces, and 42 other relatives and friends.

To 39 of his most intimate friends he set aside $125 each with which to purchase a gold watch and chain or a diamond ring or pin as they prefer.

He bequeathed $1,000 each to the Willamette university, sacred Heart academy and Chemeketa lodge, I. O. O. F., $500 to Olive lodge, I. O. O. F., and $300 each to the local Y. M. C. A. and W. C. T. U.

He also directed that a $4,000 vault be constructed in Odd Fellows' cemetery for the reception of his remains and those of his relatives and $500 for a new gate and fence for the cemetery.

The following named persons were bequeathed a gold watch and chain of the value of $125.

William Waldo, Judge H. H. Hewitt, Judge George H. Burnett, Judge W. R. Gilbert of Portland, Benton Killin, Rev. P. S. Knight, John H. McNary, Charles L. McNary, M. E. Pogue, R. J. Hendricks, Millard O. Lownsdale, E. E. McKinney, E. Hofer, Fred Fontain, Frank Davey, Frank Toeves, M. L. Jones, Laurence J. Harris, W. T. Slater, A. C. Woodcock, W. R. Bilyeu, Thomas N. Ford, Frank M. Ford, Charles D. Ford, Dr. Lulu M. Marquam, Mrs. Minnie Cox, Charles M. Cox, John Reynolds, attorney of Portland, Frank T. Wrightman, Dr. W. A. Custick, Eugene Eckerlem, Frank Talkington, T. T. Geer, James McEvoy, Michael McEvoy, Lewis Tarpley, Portland, W. M. Kaiser and sister, L. Warren.

161 KILLED IN SCHOOL PANIC

Twenty-Eight Unidentified Bodies Tally With Number of Missing.

(United Press Leased Wire.)

Cleveland, Ohio, March 6.—The first funerals of the children who lost their lives in the dreadful Collinwood disaster will be held today. Mass for the dead will be said in St. Joseph's church tomorrow morning and on Monday morning general memorial services will be held in all Protestant churches.

Several bodies have been taken to other towns for burial.

A revised list of the pupils burned to death places the number at 161, with 28 unidentified. The list of missing tallies with the number of unidentified. Two teachers were killed.

Berlin, March 6.—The German press sharply criticises conditions in the United States as the result of the Collinwood fire. The newspapers comment sarcastically on the cheapness in which human life is held in the United States.

FRANK GARY ELECTED TO THE U. S. SENATE

(United Press Leased Wire.)

Columbia, S. C., March 6.—Frank B. Gary was this afternoon elected to the United States senate on the fourth ballot.

Printing Company Incorporated.

Articles of incorporation of the People's Press Printing company have been filed with the county clerk by George K. McCord, E. P. Prebble and Dana Sleeth. The capital stock is $20,000.

SENATOR MILLER BRYAN'S GUEST

Oregon Solon Entertained by Commoner at Fairview Home.

(Special Dispatch to The Journal.)

Lincoln, Neb., March 6.—State senator Miller of Lebanon, Oregon, was the guest of honor today at Fairview. He attended the state convention at Omaha and accompanied William J. Bryan to Lincoln this morning. Mr. Bryan inquired particularly concerning conditions in the northwest, and Senator Miller remained in conference with him until late this afternoon.

M'GARRY IS OUT FOR DISTRICT ATTORNEY

(United Press Leased Wire.)

Salem, March 6.—W. R. McGarry of Portland this morning filed his petition for nomination to the office of district attorney for the Fourth district on the Republican ticket.

The announcement from Salem that McGarry is to run for district attorney comes as a surprise to many Republicans who understood that the lawyer intended to run for the position of circuit court judge to succeed Judge Bronaugh. He ran for city attorney last year but was defeated in the primaries by John Kavanaugh, the present incumbent.

McGarry has been in Portland several years and has made many friends who will aid him in securing the new position he is now seeking.

CHILLS RATTLE CUPID'S TEETH

Ten Tearful Wives Heap Ice on Little Cherub's Bare Skin.

Ten to one was the ratio of wives to husbands who were unmated in Judge Bronaugh's department of the circuit court this morning. One other mere man appeared as a complainant, but there was a point of law involved that caused the court to take the matter under consideration before granting a decree.

The story of forlorn wives ran the scale from the well-to-do to the poverty stricken, from those who were beaten and cuffed to those who were left alone to fight out the battle of existence. Until long after the noon hour the details of marital woe were unfolded, the assembly of wives and witnesses filling nearly all the available seating space.

Mrs. Myrtle Hunt, a milliner, who artfully dropped remarks about her coachman, her maid, and her servant in former days, said that her husband put her to work in his store in Minneapolis two weeks after they were married, in 1897. She worked five years, much of the time when she was unwell, she said, and her husband frequently abused her in the presence of customers and clerks. Once the cashier stepped in to prevent her husband from knocking her down with a chair.

Wore Hired Girl's Shoes.

George F. Hunt, the husband, is a hat manufacturer. Mrs. Hunt's mother supported her testimony and said that the temper of the husband made it so unpleasant that it was difficult to stay in the house with him. She said her daughter was forced to work when she was ill. Once she had to go to the store when her feet were so sore she was compelled to wear the shoes of the hired girl. Judge Bronaugh decided that she was entitled to a divorce.

Jealous rage over an unmarried rural mail carrier ended the married life of Maud M. Mansfield and James Fred Mansfield. They were living in the country near Jacksonville, Oregon, the wife testified, when her husband ordered the mail carrier not to come to the house and required her to go two miles for the mail. She had to walk the railroad track, she said, and her husband next began to suspect that she met Uncle Sam's employe on the way.

At another time when two men were passing on bicycles he thought they were stealing a few glances at her, she said, and he threatened to shoot them if he saw them again.

Hubby Lost His Tongue.

Married in England in 1860, James J. Hooper sought to be freed from Eliza Hooper, who has preferred to remain in "the old country." Hooper is a gray-bearded man with a resounding voice, in which he told of having written to her to come to America and of her refusal. He said he sent her power of attorney to dispose of their property and she realized nearly $2,000 from it. It has been 15 years since he has heard from her. Judge Bronaugh did not grant the decree, leaving the matter open for further elucidation of the point as to whether the husband's emigration to this country might not be construed as desertion of the wife.

Because her husband would stay around the house for three weeks at a time without speaking to her, Mary A. Carey obtained a divorce from H. H. Carey, to whom she was married in 1897. About once a month he would have a pouting spell, she said. He slammed the doors so often that none of them would lock, he would not pay the bills, and he would neglect to pass the food at the table. Once he kicked her out of bed and took all the covers himself. When she would try to make up, she said, he would repulse her and tell her he would be good when he got ready, and not before.

Freezeout in Two Places.

Mrs. Ida M. Seaton testified that S. J. Seaton, whom she married in Grants Pass in May, 1905, soon acquired a habit of sitting around the cigar stores and playing "freezeout," while he left her to freeze out at home. He deserted her in April, 1906, she said. A decree was granted.

Maud Foulds secured a divorce from Peter J. Foulds because he took to hard drink and could not be reformed. They were married in Westminster, B. C., in 1881, and about a year afterward, she said, he began to make life miserable for her.

In broken English, Mrs. Barbara Hefner, a native of Russia, told her story of abuse. She said that the meanness in the nature of her husband, Jacob Hefner, is developed by his libations of raw alcohol and tea. This was his regular drink, she said, and it inspired him to go on the warpath.

The Hefners were married in Odessa, Russia, in 1886, and have eight children. The decree was granted.

Row of Whiskey Bottles.

Mrs. Carrie Morgan, who married Thomas W. Morgan in Tacoma in 1881, said her husband failed to give her money for clothing, and he cursed her when she called attention to the array of empty whiskey bottles in the house. She received a divorce.

Bad names, abusive language and threats were the allegations on which Mary A. Sheen secured a divorce from John H. Sheen. They were married in May, 1905.

For one month her husband treated her kindly, Mrs. Mary W. Morgan said. They were married on the Fourth of July, last year, and late that month she went to a hospital, seriously ill. She said that Harvey G. Morgan, the husband, then began to call at the hospital and indulge in all sorts of abuse, so the attendants were inclined to throw him out. A divoree was granted.

On the ground of desertion, Grace McMillan secured a divorce from J. R. McMillan. They were married in Portland September 14, 1896, and the husband left home 10 years later.

In the year following their marriage, Harry B. Reed testified, Katie Reed left him without explanation. He said that he wrote letters, telephoned her, and sent friends to appeal to her, but she refused to come back or tell why she left him. The desertion took place in Chattanooga, Tennessee, in 1903, and the wife has never been in Oregon.

SWIFT WILL NOT CHANGE PLANT SITE

A report that the Swift Packing company contemplates some changes of location for a portion of their peninsula plant is not confirmed. Officials of the company said today that there is no truth in the rumor, and that the preparations for construction of packing plant, stockyards and railroads are going ahead as usual. The site for the stockyards is nearly filled to the required level. The packing house site will be filled after the foundations are in place.

Formation of the Kenwood Land company, a Swift syndicate for dealing in lands, realty, and carrying on other operations, is said to have no direct bearing on the location of the plant, which has long since been decided upon.

Workings of Wireless.

Saturday evening at 7:45, in the east side library, corner of Eleventh and Alder streets, a practical demonstration of the workings of wireless telegraphy will be given. This demonstration will be given by the Portland Aerolitic society, a society composed of about 25 young men organized under the auspices of the Portland public library. There will be no admission charged and all are cordially invited to attend.

Paper Chase Tomorrow.

The Portland Hunt club will hold its Saturday paper chase tomorrow afternoon at 2:30 o'clock, the start being made on Paxter avenue, in Rosemere addition. The hares will be Miss Katherine Cronin and H. W. Skuse. Spectators may take the Rose City car, alighting at Rosemere addition.