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The Weather—Fair and cooler to night, with possibly light frost.

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PORTLAND, OREGON, FRIDAY EVENING, APRIL 24, 1908.—TWENTY-TWO PAGES.

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ON TRAINS AND NEWS STANDS, FIVE CENTS



THE DEATH OF CHARLES A. COGSWELL IN AUTO ACCIDENT DUKE DE CHAULNES STRICKEN BY DEATH WITH LIVES IN VALLEY?

ROSS' ATTORNEY THINKS JUDGE BURNETT ERRED IN RULING ON SO MANY POINTS—THIRTY DAYS IN WHICH TO PREPARE MOTION.

CASE GOES TO SUPREME COURT IF NEW TRIAL IS DENIED—CONDEMNED MAN TO BE SENTENCED NEXT MONDAY, UNLESS PLANS CHANGE.

Although the jury in the J. Thorburn Ross case in Salem has found the defendant Ross guilty as charged in the complaint, Wallace McCamant, attorney for Mr. Ross, has not given up hopes of freeing his client and the fight to keep the former banker from going to the penitentiary has scarcely begun.

Mr. McCamant returned from Salem tonight and said this morning that he had taken 30 days time to prepare for a new trial and to file a motion for a new trial and to file a motion for a new trial.

It is said that the principal point to be made in the application for a new trial is that Judge Burnett misread the law and the intention of its framers when he ruled that the statute making it an offense to keep school money in a bank unless the bank had more than enough cash on hand to cover such deposit applied to the officers of the bank instead of to the state officials.

JURY FINDS ROSS GUILTY AS CHARGED

(Special Dispatch to The Journal.) Salem, Or., April 24.—J. Thorburn Ross, president of the defunct Title Guarantee & Trust company, convicted by a jury before Judge George H. Burnett in the circuit court of Marion county yesterday afternoon, will be sentenced at 1 o'clock Monday afternoon, April 27.

Under this statute, in connection with which Ross was found guilty, the bank offered to spend the rest of his life in prison. According to Attorney McCamant Ross has not the funds to pay the fine.

McCament made an eloquent plea for his client, and was commended, both by the district attorney and Special Prosecutor Judge Pipes, for his thorough work in the case. McCament also said in the course of his plea that he was working entirely for charity, that the defendant was so poverty stricken he had to depend upon relatives to furnish the fare by which he came to Salem.

EPISCOPAL PRIEST EXCOMMUNICATED FOR RADICAL TEACHINGS

Minneapolis, Minn., April 24.—The Rev. Robert Hammond Cotton, who has been an Episcopal minister in England and the United States for 40 years and who has built three churches in Minnesota, was today practically excommunicated from the Episcopal church by Bishop E. C. Edsall, who refused to grant him a license to preach in the diocese of Minnesota.

Prominent Attorney and Former Member of Executive Board Expires Suddenly While on Way to His Place of Business.

Charles Amos Cogswell, a member of the city executive board and one of the best-known attorneys in the state, died suddenly on an Oregon City car this morning near the golf links. He had boarded the car at Island Station a few minutes before and was on his way to his office in Portland from his summer home near Milwaukie. Mr. Cogswell had often experienced trouble with his heart and it is thought this caused his death.

Just a second before the fatal attack Mr. Cogswell had been talking with Captain James P. Shaw and John Scott, both of Milwaukie. Suddenly they noticed Mr. Cogswell gasping for breath and as he slid slowly slipping from the car seat. He never regained consciousness and was dead within a few minutes.

The body was brought to Portland and Mrs. Cogswell and children, who had only recently removed to the summer home at Milwaukie, were notified. Mr. Cogswell was a director of the Oregon Life Insurance company, in which he was insured, and his death is the first loss the company has had.

Mr. Cogswell was 64 years old, having been born in Rutland, Vermont, in 1844. Besides a wife he leaves three children, all of this city. They are Mrs. Walter E. Gellinsky, and another daughter, Miss Marie Cogswell, and Charles Cogswell.

In addition to being a member of the city executive board Mr. Cogswell was local attorney for the Southern Pacific, Klamath county, president of the Warner Valley Stock company, president of the Lakeview, Oregon, bank, and was associated with other enterprises which frequently took him to different parts of the state and made him one of the best known men in Oregon.

He was state senator from Lake and Klamath counties from 1888 to 1894, having served the practice of law and during that time from the state legislature Mr. Cogswell came to Portland, where he took up the practice of law and during the winter here made for himself an enviable reputation. When he went to the senate he was a Democrat in politics, but when McKimley became president he went over to the Republican party.

Mr. Cogswell was the owner of considerable property. He had a handsome home in Holladay's addition as well as the summer residence near Milwaukie. The Warner Valley Stock company, of which he was president owns 40,000 acres of land, part of which is in Lake county and extends over the southern part of California and Nevada. Something like 30,000 head of live stock are now feeding on these lands.

When a boy Mr. Cogswell went to Iowa. At the outbreak of the civil war he joined the volunteers and served throughout the time that the fight between the north and south was in progress. On the first of November, 1863, Mr. Cogswell arrived in Oregon. He was a thirty-second year old man from heart trouble for several years and often had slight fainting attacks.

Mr. Cogswell's death cast a gloom over the city this morning when it was announced. Ever since Mayor Lane had served as the city's chief executive Mr. Cogswell had served upon the city executive board. He was a warm supporter and friend of Mayor Lane and aided materially in carrying out the mayor's policies.

Mr. Cogswell was a member of three committees of the board and was one of the most active workers in that body. Mayor Lane paid a high tribute to the deceased member of the board and announced that the regular meeting of the executive board this afternoon would be called and adjourned until Monday out of respect for the memory of Mr. Cogswell. Mayor Lane said today, in speaking of Mr. Cogswell:

Major Frances His Work.—A new man has served their city, state and country so well as Mr. Cogswell and I greatly deplore his death. He was a member of the executive board since I have served as mayor of Portland and at all times have I counted on him as one of the most active workers on the board. He was a warmer of ability and his death will mean a great loss to the city.

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Briar Cliffs Trophy Run Results in Series of Smash-ups and Exciting Incidents—A Tremendous Crowd Gathers at Track.

Watson, driver Simplex, too broken. Smith, mechanic Simplex, badly bruised. Henry Wilcox, spectator, run down and leg broken. Washington Kirkpatrick, spectator, broken ankle.

Although associated in the work of the executive branch of the city government nearly everybody in the city hall looked upon Mr. Cogswell as a friend. Clerks and heads of the various departments spoke in terms of warm praise of the deceased and all expressed the opinion that his death would be greatly felt by the city.

As a member of the executive board Mr. Cogswell occupied a position which called for great exercise of judgment and ability and at no time did he fail to perform the particular work to which he was assigned. His good nature and humor often helped to smooth over the hazy paths of civic work and facilitated the progress of the projects under way.

While no arrangements were made this morning in regard to taking part in the funeral exercises, it is expected that members of the executive board will take appropriate action.

TRAIN LEAVES RAILS; NO ONE IS INJURED

Canistota, N. Y., April 24.—Running at the rate of 60 miles an hour, the Chicago limited express train on the Erie railroad was derailed near here this morning, but fortunately no one was killed or fatally injured. Every car except the Pullmans left the rails, but did not topple over. Twenty persons were buried from their berths and slightly bruised. It is thought that the wrecking train was en route to the scene. Engineer Vandemark remained at his post, although he expected to be killed.

Watson, driver of the Simplex, struck a post near East View and both he and his mechanic, Smith, were slightly injured. Watson's toe was broken and both men were seriously jarred internally but they refused all offers of assistance. They repaired the Simplex and reentered it in the race. The crowd cheered the plucky driver for his gameness, and although he failed to capture a place he was one of the heroes of the day.

RUDOLPH SPRECKELS WAS TO HAVE BEEN SHOT DOWN IN RIOT

San Francisco, April 24.—That a plot to kill Rudolph Spreckels, head and front of the graft prosecution, and Francis J. Heney, special prosecutor in the graft cases, had been hatched some months is the startling statement made today by one close to the men who are seeking to put the bribe givers behind the bars.

According to this rumor it was planned to assassinate Spreckels during the proceedings in his suit for libel against W. E. Dargie, which was being held in Oakland, and start a riot. A famous city fighter, whose name is well known on the Pacific coast, had been approached with a view to having him lead the riot. He refused, however, to have anything to do with the alleged plot, but others, it is said, were engaged to do the fighting. The plot fell through because Spreckels failed to appear. It was also designed to have Heney appear on the day in question, but he was unable to do this on account of other duties.

On another occasion, according to the authority for the story, Heney and Spreckels were called to a conference place for a conference over statements credited to them by a local newspaper. In or near the room in which the conference was to be held were stationed gun fighters.

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A. Smith Hopkins Drops Dead of Heart Failure During Wild Excitement—Italian Cars Win Both Events.

Wildly excited by the cries of 200,000 people, who had gathered to witness the speed contest at Smith Hopkins, superintendent of the East View almshouse, died of heart failure a few minutes before the automobiles left the post. Smith was said to have had a large sum of money at stake on the race and was dancing wildly about the machines while they were being prepared for the race. Suddenly he sank to the ground with a moan. When he was picked up his heart had ceased to beat.

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Henry Wilcox, an excited spectator, jumped directly in front of one of the big cars near the starting place and was run down. His leg was broken and he was badly bruised about the back and head. The hospital surgeons say he will recover.

Washington Kirkpatrick, who was standing on a fence watching the racers, fell and broke his ankle. He was taken home in the automobile of one of the track officials.

An explosion ignited the automobile of Charles Uherston, a wealthy race fan.

Although there is no longer any hope of the battleships coming up the Columbia, the cruiser squadron, consisting of torpedo boats, gunboats and destroyers will be detailed to be present in Portland during the festival, according to a telegram received this morning from C. W. Hodson, president of the Commercial Club. Mr. Hodson wired that the navy department positively refused to change the itinerary of the fleet. Rear-Admiral Thomas has also declined to send the vessels to Portland.

DEPARTMENT IS OBDRATE

President Hodson of Commercial Club Wires Navy Officials Positively Refuse to Change Plans for the Battleship Fleet.

Portland's chances of securing a portion of the battleship fleet for the Rose Festival have been eliminated, according to a telegram received this morning from C. W. Hodson, president of the Commercial Club. Mr. Hodson wired that the navy department positively refused to change the itinerary of the fleet. Rear-Admiral Thomas has also declined to send the vessels to Portland.

WATER IN ALL RY. STOCK

Thomas F. Ryan Gives Surprising Evidence in Metropolitan Street Railroad Investigation—Very Little Money Needed to Operate Nickel-Eaters.

Jerome then asked: "Mr. Ryan, you have been connected with a large number of corporate ventures both in street railways and in steam railways, have you not?" "Yes, sir," answered Ryan. "And as a banker you have been familiar with the requisitions of many of the railroads of this country, have you not?" "Yes, sir," answered Ryan. "How will that compare—that percentage of water if you will call it such?" "Ninety-five per cent of the stock of the railroad corporations of this country never cost a dollar," was Ryan's declaration, saying: "Gentlemen, that is the answer to the statement that has been made for the last five years that the Metropolitan Street Railway company stock is all water."

Titled Frenchman Who Recently Married Miss Theodora Shonts Passes Away at Paris—Parents of the Bride Start for Europe Immediately.

When Mrs. Shonts had satisfied herself that the duke was acceptable as a man, she advised him to come to New York and win her husband's consent, advising fully of Shonts' antipathy to foreign non-in-law.

The duke crossed the ocean, but Shonts declined to give him an audience. Three weeks later the duke returned to Paris.

The following year Mrs. Shonts and her daughter visited Europe again. In Paris they were the guests of the Duchesse d'Uzes, the duke's sister and a leader in Parisian society. The courtship was renewed, the duke being most devoted, but Miss Shonts refused to wed him without her father's consent.

The duke declared that his dignity would not permit him to make another effort to win the father's consent, whereupon Mrs. Shonts declared that she placed his dignity before his love. It would be best that the engagement be declared off. The duke capitulated and followed Mrs. Shonts and her daughter to America.

A meeting with the father was finally arranged by Mrs. Shonts, the occasion being a dinner party at the Shonts home. Miss Shonts, who had been ill three weeks over her father's refusal to meet her lover, left her sick bed to attend the dinner. Shonts was much taken against his will with the duke and finally relented.

The duke, who was a physician of no mean ability, was 25 years old. His full name was Emmanuel Theodore Bernard Marie d'Albert de Luynes d'Ally, ninth Duke de Chaumes and de Picquigny and Marquis d'Angear.

Later cable dispatches say the Duke de Chaumes was found dead in bed beside his wife in their apartments in the Alhambra hotel. Heart disease was the evident cause of death.

The hour of the duke's demise is uncertain. The duchess awoke at the usual hour this morning and seeing the duke apparently sound asleep made no effort to awaken him. After donning her dressing gown she walked around to his side of the bed and peered into his face. The strange expression her husband wore frightened her and grasping him lightly by the shoulder she shook him, but there was no response. Feeling that something terrible had happened she began to scream and hotel attendants rushed into the room. Assistance by the house physician sufficed. The duke was dead and had been dead for some time.

The duchess is completely overcome by the sudden taking away of her husband of two months and refuses to be comforted.

The duke and duchess were occupying apartments at the hotel pending the completion of their residence.

New York, April 24.—The first news of the death of the Duke de Chaumes in New York was received by a Wall street brokerage concern. The cablegram gave no details.

On Thursday thereafter Theodore Shonts, father of the duchess, received a cablegram announcing the death of his titled son-in-law. He immediately made arrangements to depart on the first steamer, accompanied by Mrs. Shonts, for Paris.

Electric Lines Great Developers, Is All He Will Say—Strong Bond of Sympathy Exists Between New Roads and N. P.

The public is left to draw its own conclusions as to relationship between the Northern Pacific Railroad and the Oregon Electric or the United Railways companies now actively promoting construction of branch lines in the Willamette valley. The only certainty is that a strong sympathy exists, while among the electric lines are openly hostile attitudes, was shown by the Harriman lines in their refusal to grant trackage connections in South Portland, and a connection with the terminal yards on North Front street.

C. M. Levey, vice-president in charge of operation of the Northern Pacific railroad system, in Portland today on a tour of inspection, was asked what if any relationship existed between the Northern Pacific and the electric lines. He replied:

"I don't know anything about that." To a query as to whether the Northern Pacific is at the present time furthering any sort of rail extensions in the Willamette valley, the company does not wish the public to know, he evaded a direct reply.

"These electric lines," he remarked, "are very good friends for the city of Portland and the country around. They are great developers, and will have a strong influence for the better upon the valley's commercial interests. Wherever they have been built in the Portland area, they have proved to be profitable. They have not given them an advantage that is not possessed by lines in some states further west."

HARRY NEW TO HEAR CONTESTS IN JUNE

Indianapolis, Ind., April 24.—Chairman Harry New of the Republican national committee today sent a letter to the members of the committee stating that a meeting is likely to be called for the first week in June to hear contests.

The contest is in stated, will be decided by the full membership on account of "the peculiar circumstances surrounding the presidential nomination." Chairman New explained that the letter was sent merely to prepare the members in the event of an emergency.

WOMAN SUSPECTED OF STEALING DIAMONDS

Chicago, April 24.—Diamonds valued at \$2,500 are reported to have been stolen from the room of A. J. Fife, hotel broker, at the fashionable hotel The Trade last night while the guests were drinking. The police say they saw a well-dressed young man who was seen loitering in the lobby of the hotel prior to the robbery.

BATTLESHIP FLEET WILL SAIL TOMORROW

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Vice-President Levey Evades Question When Asked If Hill System Is Interested in United Railways and Valley Projects.

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