

MERGER DEAL CHARGABLE TO UTAH

Ex-President of Senate Testifies Enabling Act Flagrantly Railroaded—Big Promises Swapped for the Huge "Job."

(Special Dispatch to The Journal.) Salt Lake City, Utah, April 25.—he feature of the suit to dissolve the Harriman railroad merger this morning was the testimony of Stephen S. Love, former president of the Utah senate. He testified that before the merger of the Southern Pacific and the Oregon Short Line, competition was keen for freight business and now there was practically none. He went on to detail the passage of the bill by the legislature by which the railroads were permitted to own stock in other railroad corporations. The bill, he said, was introduced in 1901 on the second day of the session, and on the fourth day it was passed by both houses and signed by Governor Wells before the bill had even been printed.

He swore that Winslow S. Pierce, representing the Harriman interests, had promised that if the bill was passed the Union Pacific would double track its line from Omaha to Salt Lake and built a cutoff from Evanston to this city, a new line to California, a road to the Deep creek mining region and magnificent terminals in Salt Lake. Of these promises, made eight years ago, only one, that regarding the terminals, had been commenced. He then went on to detail the efforts made by the Clark road to secure Pioneer Square in Salt Lake for terminals for his San Pedro line, and the advances made to him by T. A. Gibbon of Los Angeles.

Love was severely cross-examined by R. S. Lovett of New York, chief counsel for the Harriman interests, but in the main he kept to his story. He was on the stand when the court adjourned at 1 o'clock.

PUSH CLUBS TO AID IN PROJECT

Will Aid Historical Society to Obtain Museum Building. All the improvement clubs in the city are asked to take up the matter of securing a museum for the exhibiting of the exhibit of the Oregon Historical society as a result of resolutions introduced in the Bellwood Board of Trade by J. W. Campbell, the secretary. Mr. Campbell is a member of the society himself and after he had impressed upon the board the urgent need for such a building the resolutions were unanimously adopted. A measure was defeated in the last legislature calling for such a building as a result of the prying given all appropriations by the legislature, but the society is not worried in the least and will start earlier this time to get what can be done. It is hoped to get the support of all the improvement clubs of the city and in this manner to inaugurate the campaign for a fine museum.

Pendleton Ballots for Queen. Pendleton, Or., April 25.—At a meeting of the rose show committee held yesterday morning arrangements were made for starting the contest for the selection of a queen of the float in the Portland rose carnival. The contest will close on the evening of the last Saturday in the month of May.

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RECESSION CASE IS UNDER PROBE

County Grand Jury Investigates Mutilation of Excise Board Petition.

Searching investigation into the mutilation of the excise board petition, the discovery of which furnished the sensation of last week, is under way by the county grand jury today. Nearly all of those directly and indirectly connected with the case, among them practically the entire force employed in the office of the immediate board examined.

Subpoenas were issued yesterday for City Auditor A. L. Barber, James Gill and W. J. Smith, deputy Sam Conner, former deputy, and A. Devrore, janitor, who, with several others, testified before the examining body. The understanding is that Maurice Reinstein and Samuel Breslau, accused of forgery by mutilation of the petition, also have appeared.

That no indictments have been returned against the last named two is evidenced by the fact that a copy of their cases was returned in municipal court again today. When an indictment is returned, as now seems probable, a motion of dismissal will be made by the district attorney. A true bill will thus send the cases to the higher court, with the necessity of a preliminary examination.

Before the grand jury Auditor Barber told of the discovery of the forgery and changes on the petition by Gill and Smith, the later testimony of Janitor Devrore to the effect that Deputy Conner had been seen to admit two men to the office of the auditor on Monday night, and the confession of Lotan himself, implicating Reinstein and Breslau, president and bookkeeper of the Portland-Brewing company, respectively.

Others, it is understood, with the exception of Lotan, gave no testimony of importance that has not already been published. What the former deputy told the jury is kept secret. Officers think he will be indicted with Reinstein and Breslau.

For short time this afternoon the jury postponed investigation into the excise board case to take up several minor complaints but returned to the more important matter before adjournment. It may be two or three days yet before all the testimony is in.

WELTERS AGAIN SEEK DIVORCE

Spicy Trial of Their Second Suit Draws a Large Crowd.

The smallest courtroom was called on to receive the largest crowd in the circuit court this morning when Judge Gates took up the trial of the divorce suit of Joseph N. Welter against Elizabeth Welter, Department No. 5 was over the divided custody of the children, the parties to the suit, the wife, Elizabeth Welter, who heard their stories at wearing the divorce suit, refused to grant a divorce to either.

Now they are back again in the same way as before, except that Welter is this time the plaintiff and his wife the cross-complainant. He alleges that she did all she could to break up their home and drove him away. He also tells of an incident when he went home unexpectedly at 1 o'clock one morning from the work in the yard just in time to see his wife approaching the front door with one Tom Conner, and with Conner's arm around her waist. Conner fled from the rear of the house, he alleges.

Mrs. Welter does not ask for charges. She says Welter pulled her hair, and threatened her life, pawned the watch given her by a former husband and forged her name to notes for \$25, which she made good in order to avoid disgrace. She also accuses Welter of having sex times with other women, whose first names are Margaret, Mary and Rose, and one whose last name is Seely, but whose other names she does not know.

Judge Gates will have a full day of it in hearing the case, and may not finish until tomorrow.

NOTES OF THE GAME. Game lasted an hour and a half. Harkness needs only to pitch a few more like that and it's the big brush for him. Umpire Jimmy Toman is a distinct improvement over McCarthy. He is a great voice and rushed the teams along. The game was over at 3:30 with McCarthy it was usually around six. There was a noticeable improvement in the conduct of the Oakland players on the field over that of the Angels. The Oaks seem to be a gentlemanly lot, which will be appreciated by the Portland fans. George Van Halgren, the player who has put in more years in baseball than any other topper in the country, seems just as spry as in his youth. He captured a couple of flies yesterday that needed some tall sprinting. He also pliffed a base. One fellow rooted from under a big straw hat. Despite the uncomfortable day quite a crowd saw the game. Portland's one error resulted when Kennedy dropped a perfectly thrown ball from Bren. Mickey La Longe's arm is working nicely. He whipped a few down to first base that came within an ace of catching Johnson. No other catcher has tried the trick here this season and naturally the Beavers strayed a little too far for comfort. Portland won't get a chance this time to see Jimmy Wigg, the big fellow with the Rooseveltian teeth and the Beavers speed. He was in when the Oaks left the south and remained behind.

RELAY RUNNERS ARE PAIRED FOR SATURDAY. The runners in the Y. M. C. A. Chemawa relay race Saturday, from Salem to Portland, have been paired off. The race is scheduled to start from Salem Saturday morning at 8:30 o'clock and the runners will carry messages from Governor Benson to Mayor Lane, the vice-presidential message being handed to Mayor Lane at the association building at Fourth and Yamhill streets. The Strubelaker auto people have donated cars to carry the contestants over the course and pick the men up during the race. It will be finished around 3 o'clock. The fastest time for the distance of 52 miles was made last year, when the Indians won in five hours and 15 minutes. This is the way they will run in five mile relays, from Salem to Portland. Y. M. C. A. Chemawa. Cooper, Spiker, Peckham, Lewis, Mason, McDonald, Rose, Hines, Williams, Clark, Jones, Clark, Soulgren, Ross, Loren, Frank, Conner.

MISS MURIEL WHITE BECOMES BRIDE OF COUNT SCHERR-THOSS

Paris, April 25.—Only a few relatives and intimate friends were present today at the civil ceremony uniting in marriage Miss Muriel White, daughter of Henry White, the American ambassador, and Count Herman Scherr-Thoss, an officer of the Royal Prussian Chivalry. The ceremony was performed by the mayor of the Eighth Arrondissement, in which Ambassador White resides. The religious marriage will be celebrated tomorrow at St. Joseph's church in the Avenue Hoch, one of the most exclusive Catholic churches in Paris. The service will be simple and will be attended only by the members of the immediate families. The bride's niece, Miss Margaret Rutherford, the daughter of Mrs. W. K. Vanderbilt, and Miss Lucy Buckler, the daughter of Ambassador White's stepfather, William H. Buckler, secretary of the American legation at Madrid, will act as bridesmaids. A few international marriages of recent years have attracted more attention than that of Miss White and Count Scherr-Thoss. The bride is a beautiful and cultured young woman of 25 and has been a great favorite in society both in Paris and London, where her father was long attached to the American embassy. The count, 39, is given as the country of four sons of Count and Countess

Scherr-Thoss of Dobru, Prussia-Silesia and he is heir to both the title and the extensive estate which the family owns in Silesia. He has an excellent record as an army officer and for a time he held the important position of military attaché to the German embassy at Vienna. With Miss White and Count Scherr-Thoss it was almost a case of love at first sight. The daughter of the American ambassador first met the count scarcely three months ago while visiting Mrs. Reynolds Hitt, wife of the secretary of the American embassy at Berlin. Ambassador and Mrs. White were at that time in Berlin, and the count followed the young woman back to Paris, where he pressed his suit with such ardor that the engagement was announced a few weeks later. The marriage contract of Miss White and Count Scherr-Thoss contains no dowry provision. It expressly stipulates that the couple shall live under the regime of separation of property. The count and countess will probably spend their honeymoon in the south of France. Later they will go to Breslau, where the count is stationed at present, spending part of the year in the count's country places in Silesia.

CHICAGO WILL BE REPRESENTED

Plans to Send 50 Leading Business Men to Rose Festival.

In response to an invitation extended by the management of the Rose Festival association, 50 of Chicago's leading business men will be Portland's guests June 15, when the festival will be at its height. A letter was received by the festival association this morning announcing that a special train bearing the party would leave Chicago, May 30, returning to that city June 17. They will arrive in Portland 7:30 a. m. Thursday June 10, and will remain until 11:30 a. m. The letter was personally sent by Walter D. Moody, general manager of Chicago Association of Commerce. Part of the mission of the delegation from the Chicago association is to investigate business conditions and opportunities in the Pacific northwest. The Commercial club will cooperate with the Rose Festival association in entertaining the guests.

WET-DRY WAR IN OHIO TOWN

Chillicothe, Ohio, April 25.—Sheriff J. Henry Swopes and John W. Goolbsy deputy sheriffs to control a threatened riot between the "wets" and the "dry" during the election which is in progress here today. Prohibition is the issue in the municipal election and for several days violence has been threatened at the polls. Every polling place and back and front doors of all the saloons are being patrolled by soldiers, many of whom are armed with cameras. Nearly every member of the present police force, clad in citizen's clothes, is working for the success of the ticket. Several wet workers were arrested early today and held on charges of bribery. C. W. Eldredge, superintendent of the Cincinnati division of the Anti-saloon league, was arrested for violating the 100 foot limit law. When J. D. Withegott, secretary of the local option committee, went to the jail to see Eldredge, it is alleged he was assaulted by Chief of Police Pencergast. Several incipient riots have been quelled and the most intense excitement prevails.

ALLEGED SWINDLER IN LA GRANDE JAIL

La Grande, Or., April 25.—C. S. Wilson, who was arrested yesterday with larceny, was bound over this morning in \$500 bonds. He could not furnish it and is now in the jail. Wilson hails from Boise. It is alleged he is a short change man and has victimized several merchants in sums ranging from a few cents to \$5.

Good catches of fish lately on the Nehalem.

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YEE GUENG TO HANG JUNE 18

Chinese Murderer Before Sentence Makes Pathetic Plea for Mercy.

Exhibiting to the full extent the stolidity of his race, Yee Gueng stood before Judge Bronaugh in the circuit court this afternoon and heard the sentence of death pronounced upon him. While he understands little English, he knows enough of it to understand that the words of the judge mean the rope for him, unless his lawyers, by some unexpected chance, can get a new trial order from the supreme court. June 18 was fixed by Judge Bronaugh as the date of execution. Yee Gueng gave notice of motion for a new trial, the first step in taking an appeal to the supreme court. Yee's Chinese friends of the Bow On Tong, who are alleged to have raised a bribery fund of several hundred dollars to corrupt the jury, are expected to support him, and they will carry the case to the highest court.

Before sentence was pronounced the prisoner made a statement through Mrs. W. S. Holt, the interpreter, saying that his heart was very sad on account of everything ready. This happy condition had contributed ever since he came to this country. "I am not guilty of the crime," said Yee Gueng, "the witnesses swore falsely against me, and I feel sure that my lawyers will get me another trial." Yee Gueng is the second man sentenced to die for the murder of Lee Tai Hoi, a Chinese merchant, who was shot and killed by three men of his race on the night of March 7, 1903. Lee Woon, who is thought to have done the fatal shooting, was sentenced by Judge Bronaugh last June, his case being on appeal in the supreme court. Yee Gueng is the fourth man sentenced by Judge Bronaugh, the others being Joe Anderson and James A. Finch.

WESTON WALKED AWAY FROM WIFE

(United Press Leased Wire.) St. Louis, April 25.—It is reported that Edward Payson Weston, the famous old pedestrian, who is expected to arrive here this afternoon, will meet his wife, from whom he separated 42 years ago, and two grown children, when he arrives at San Francisco, his destination. Weston has declined to discuss the story, which is to the effect that he separated from his wife because she did not like his rate of pedestrianism, which he would not abandon. According to the story, the pair have not seen each other for 42 years. Those who have arranged for them to meet at San Francisco hope a reconciliation will result. Mrs. Weston is now in California.

SAYS FAIR WILL OPEN ON TIME

Every Building to Be Complete on June 1, Asserts Seattle Editor.

Preparations for the A. Y. P. exposition are so well advanced that there is now no doubt but that the big fair will open as scheduled on June 1, with every building completed and the whole effort as splendid as planned. C. H. Blithen, managing editor of the Seattle Times, who is a guest at the Hotel Oregon today, says that not only will everything be in readiness for the opening, but that the exposition will cover more floor space than any other exposition in the world's history. He visited the grounds just before coming to Portland and was delighted with the prospect, declared Mr. Blithen. "The color scheme is cream, shading into opalescent tints that are attractive and restful to the eye. The buildings are of massive construction, many of them covered with vines. These, with their copper and red roofs, their brown domes, make a vista to delight the eye. The fact that seven of the buildings will be devoted to the use of Washington university when the exposition closes has been cause for much permanent construction. These buildings are of stone foundation, brick lining and terra cotta surface, similar to the new Meier & Frank building here. "Credit must be given J. E. Chilberg, president of the exposition, for the fact that the fair will open on time, with everything ready. This happy condition of affairs is due directly to his efforts."

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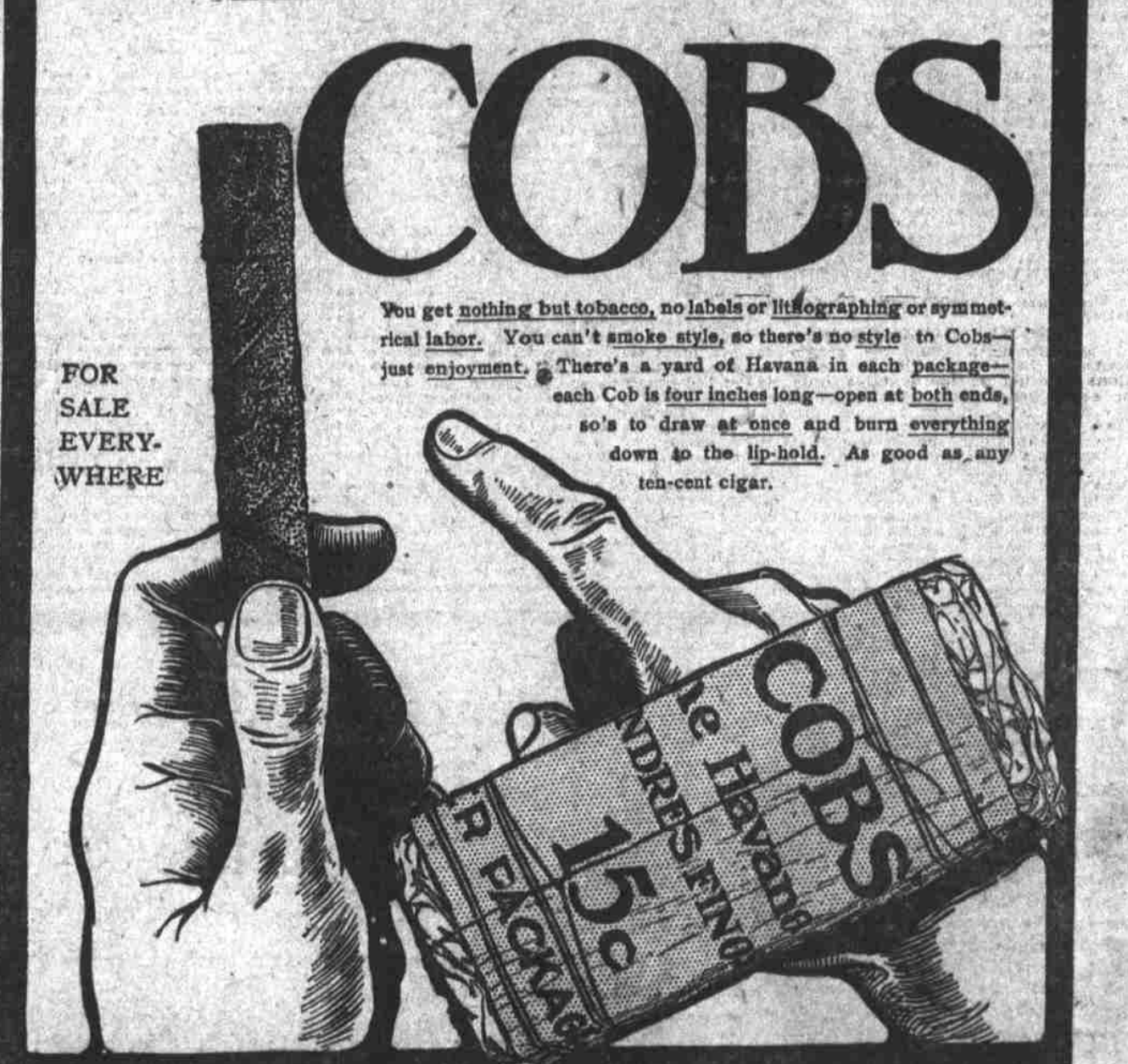
A final inspection of the Pasco-Matthews Junction line of the Spokane, Portland & Seattle is being made today by General Superintendent Russell and members of the operating department of the line. The trip is being made in a six-passenger gasoline motor car borrowed from the Northern Pacific, the new road being as yet without such equipment.

Files His Final Report. W. D. Fenton has filed in the county court his first semi-annual report as administrator of the estate of Hannah Mason. It shows \$13,627 in cash on hand. The receipts amounted to \$17,074, and the disbursements were \$2,047.

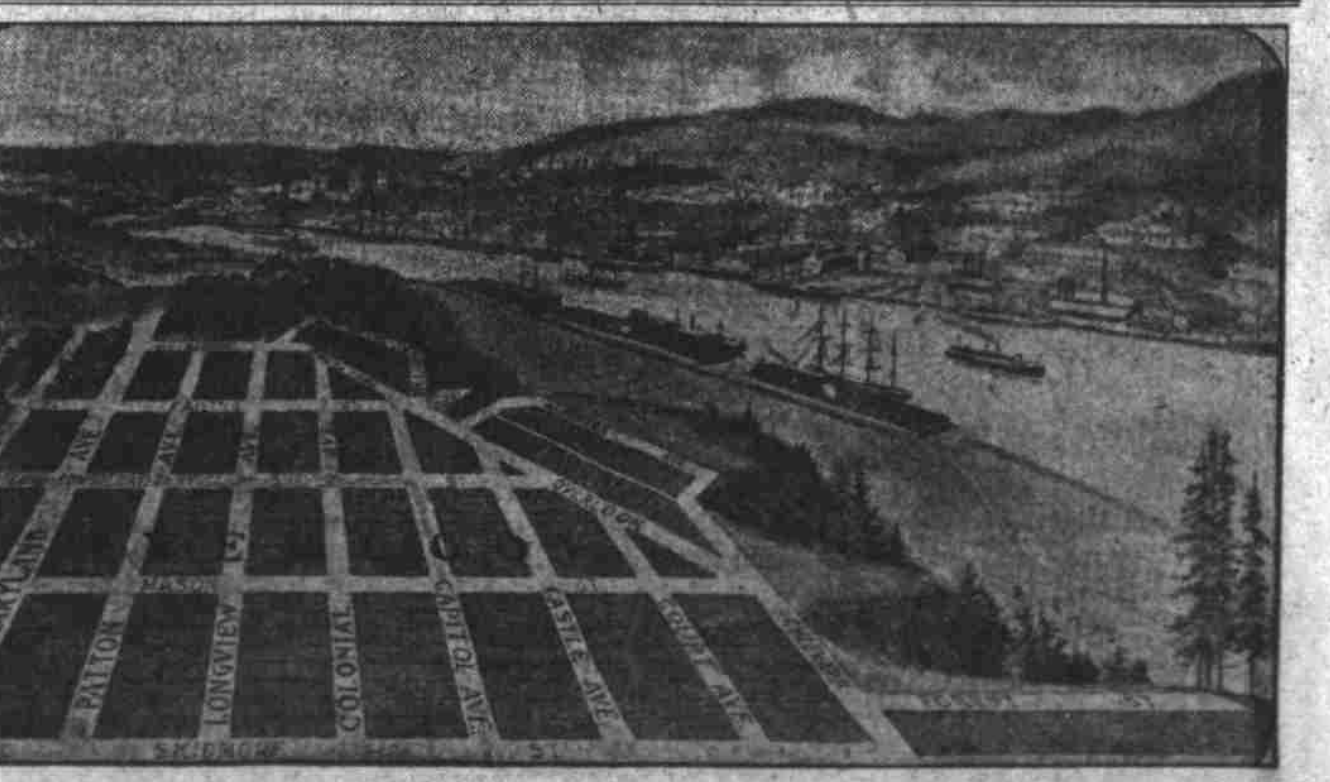
PLOT TO KILL FALLIERES

(United Press Leased Wire.) Monaco, April 25.—A plot to assassinate President Fallieres of France was unearthed here today, according to the police, who have arrested one man accused of complicity. The police allege that when their prisoner was arrested he was preparing to go to Paris to kill the French president. Details of the plot have not been made public.

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