

GIRL MURDERED AND ROBBED

Found in Room in Seattle's Restricted District With Her Throat Cut.

(United Press Special Wire.)
Seattle, March 29.—The first murder in the new restricted district in the police records today, and Della McCormick, the victim, a beautiful dark haired girl of 25, lies in the morgue with her throat cut.

The young woman was identified as Nora Gauthier of Vancouver, B. C. James H. Claxton, 25 years of age, who had lived with the woman for a year and a half, gave himself up to the police this morning and the story he told leads the officers to believe the murder was committed by a Chinese.

Claxton met the girl a year and a half ago in Vancouver. The girl went into the tenderloin as soon as it was reopened.

No weapon was found in the room and this fact, together with the evidence of robbery, convinced the police that it could not have been suicide. The throat was cut cleanly with a weapon of exceedingly keen edge. There was no evidence of a struggle, and the wound had been inflicted with one sweep of the blade.

CHAMBERLAIN

(Continued from Page One.)
The present measure was constitutional. Ballinger first to question.
"I have not been able to find," he said, "any case in which the authority has been questioned until the point was raised by the secretary of the Interior in his annual report of last year, and possibly later, by the president himself."
"It seems to me that a policy that has proved salutary in years past and has resulted in the prevention of the monopolization of many natural resources ought not to have been lightly set aside by this or by any other administration. My own regret is that the president's power of withdrawal has not been more frequently and fully used in the past."
Regarding the impotence of congress in land legislation, Chamberlain said that, through lack of safeguards, great tracts entered for speculative purposes under the original pre-emption law eventually were reported to be largely the cause of land frauds.
Timber and Stone Act Worst of All
"The timber and stone act of 1878 proved three times worse," Chamberlain continued. "Over 12,500,000 acres were acquired under it. It is safe to say that very little of this was acquired for actual use by settlers. In Oregon 3,556,920 acres were acquired under this act, while in Washington 2,670,564 acres were acquired, and in California 2,777,910 acres. These tracts were known to all men, and nothing has ever been done to make them impossible by repealing the law."
"Congress is careless in language. It wrote into the railroad laws a clause under which the railroads have taken lands aggregating 152,849,644 acres." Chamberlain condemned the law which permits railroads to select the finest government lands in exchange for worthless lands taken from them in the creation of forest reserves.
Chamberlain Respectful but Firm
It was noticeable that Chamberlain was listened to as one who thoroughly knew his subject. Although he reiterated former expressions in upholding the Roosevelt-Pinchot policies he indulged in no abuse of those who take the opposite view.
Clark of Wyoming interrupted, as an

opponent of conservation. He apparently resented the intimation that congress had been guilty of failure to do its full duty.
Chamberlain replied warmly, reiterating his assertion that congress had been unpropitious in giving away the national domain.
Carter also interrupted to admit Chamberlain's contention that great abuses had come through the recognition of certain invalid contracts when the lieu land act was repealed.
Organization Men in a Rage
Many organization senators quite plainly were angered by Chamberlain's mild censure of congress for its refusal to support Roosevelt's national conservation commission. But Chamberlain only injected additional emphasis as he spoke on, vigorously demanding action by congress.
Later Dixon of Montana and Hughes of Colorado demurred to Chamberlain's position. Borah of Idaho also participated in the discussion. Then Fletcher of Florida got in and a general field day was the result, the senate waking up to realization that a vital theme had been injected into the deliberations.
Clark of Wyoming in an interruption hotly censured Roosevelt's acts in connection with conservation.
Chamberlain ended by declaring that he endorsed Roosevelt's policy without qualification and that he believed the people generally did the same.

MANY MILLIONS

(Continued from Page One.)
Obscure in certain particulars, still the court holds, it is the universal rule, in order to determine the intent of the lawmaking power, to look to the act as a whole, to the reason and spirit of the enactment, and thereby, if possible, to discover its real purpose.
"Taking the amendment as a whole," says Justice McBride, further, "we think that the intent to make the entire method prescribed in the charter for levying and collecting drain and sewer assessments, applicable to water main improvements, is clearly manifest."
"I am greatly pleased to hear that the state supreme court has decided the water main case in favor of the city, although I am not at all surprised," said Mayor Simon this morning, on being acquainted with the fact that the decision had been announced.
The supreme court decision bears out the contention that the Journal has repeatedly made that the law providing for the payment of the cost of laying water mains by assessment of benefited property is, and always has been, perfectly valid.
The dictum of the highest tribunal in the state is of momentous importance to the city of Portland and has been given at a time when contemplated public improvements to cost millions of dollars were being held up through fear on the part of contractors that they would not be able to collect their money.
At the present time the city water board is advertising for bids for the construction of water mains on many streets which have been advertised for six times or more already, no response to the invitation of the city having been received from contractors.
As the administration has adopted a rule that no payments may hereafter be put down in advance of water main improvements the failure to set bids from layers of mains has had the effect of delaying millions of dollars worth of hard surface streets being laid.
The water main assessment law having been established on a firm basis by the supreme court decision the city will have no more trouble in securing bids and the way is opened for a greater activity in municipal development than has yet been recorded to Portland.

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Amity is to have some cement walks and street curbing.

BANKER MOORE

(Continued from Page One.)

usual way, the store making a deposit and then checking against it. The witness continued:
Golden Eagle Asked Favors.
"Shortly after the account was opened the Golden Eagle began to ask accommodations. They could not make a satisfactory showing, but at the same time, as often happens, they ran a little overdraft. When it got up to \$2000 or so we required them to give security or close the account. A note for \$6000 to the bank was filled out and signed by Mr. Wright of the Oregon hotel as security. I understood he was connected with the Golden Eagle in some way."
"This \$6000 gave the store a balance, and they proceeded to draw on their account. The firm made daily deposits of from \$500 to \$3000, but it was hard to keep them down from making overdrafts. The account was continually overdrawn, and a close watch had to be kept. It was understood the store was not to have credit beyond that \$6000 without more security."
Asked for Footings.
"Some time in 1907, while Mr. Morris was away, I had occasion to ask one of the bookkeepers for footings of the overdraft. On an opposite page I noticed the Golden Eagle account, showing about \$21,000 overdraft."
"I asked him if that was the true state of the account, and he said it was. Mr. Truby admitted allowing the overdraft. I at once telephoned Morris, asking if there were any additional securities to cover it. He replied there was not."
"I gave instructions not to let any more go out to the Golden Eagle, and sent for Gus Lowit of the Golden Eagle. He tried to give the idea he had permission from Morris, but said he did not know the amount was so large. I told him he must reduce that overdraft by \$1000 a week, and he said he would make some arrangement with a broker-in-law in Seattle for security. This was looked up by Friede, who knew something about the Seattle man. This \$21,000 overdraft was gradually reduced and I think about wiped off."

Stopped Payment.
"After that I never knew the Golden Eagle had an overdraft for more than \$8000 up to Sunday, August 18. But on the 17th the salary checks of the Golden Eagle began to come in, and I stopped their payment. Mr. Mayes came up to see me and asked how he could carry the thing through if the bank would not pay out. I told him he could not have the money. Then he turned loose and told the story of the bank having taken over the capital stock of the Golden Eagle and placed him in charge. He had made the arrangement with Morris and supposed I knew about it. I then went over the matter more carefully, and decided to pay the salary checks."
It was after this, the witness explained, that other notes of the Golden Eagle turned up, uncovered by Truby in the absence of Morris. He admitted telling Receiver Devlin after the bank closed that the bank owed the Golden Eagle only the \$6000 note and a small overdraft.

Morris Explained.
He said this was after Morris had made explanation to him of the taking over of the Golden Eagle by the bank. He considered that if the bank held the stock of the store it could not also be held to owe the notes. He was not sure he had explained the details to Devlin, however.
Moore said he knew little about the signatures being torn from the Golden Eagle notes. It had been explained by Morris that when the arrangement was made to take over the Golden Eagle, Morris was willing to cancel the notes, but Lowit wanted the notes himself. Morris told the witness they feared the transaction would not be legal if the notes were left intact, the signatures were torn off and the autographs given to Lowit, the bank retaining the mutilated paper.
"I never believed in it," said Moore, "but this was the explanation given me of the way the notes came to be in that condition. Morris told me where the

notes were, and suggested they be turned over to Mr. Devlin. I agreed this should be done, so we went and got them."
Explains Building Plans.
Moore said that Devlin and Joseph Simon, an attorney, considered for some time whether to carry out the arrangement with the Golden Eagle under the plan of Morris, or to hold the notes in the bank, turning back the stock. The latter course was decided on.
Moore recited in detail the plan for the Board of Trade building. It was approved by Dr. Parker, then owner of the property, he said. He finally took a 30 year purchase lease at \$1125 per month the first 15 years and \$1165 the other 15. In a preliminary way, he took the contract in the name of W. H. Moore, later forming the Board of Trade Building company as a holding corporation.
"It occurred to me that there could not be a greater investment for the savings deposits of the bank than this property, with a fine building on it," said Moore. "I negotiated with J. B. Lober, secretary of the Board of Trade for the use of the name of that organization, which I considered worth \$25,000. I gave the Board of Trade nominal rent for use of the name."
Regulated for \$300,000 Loan.
Moore said he had selected Mr. Hickson to take the most of the stock because he was an old friend. It was always intended, he said, the building should be owned by the bank. He thought it best, as he was president of the bank, to carry the deal through a subsidiary company. He told Lober, Hickson and others just what his plan was, he said. He also told of negotiating for a \$300,000 loan with the Prudential Life on the building. A telegram announcing the loan would be granted came after the bank was closed, he said.
Meantime the building company had been permitted to draw on the bank, and had used about \$50,000. He said this was a temporary arrangement. It had been expected the loan would be made in a few days, but delays over the abstract prolonged the tension.
Moore denied point blank that he ever told E. E. Lytle that the funds of the bank were not being used for the Board of Trade. With equal force he denied that Lytle ever warned him not to have anything to do with the Pacific & Eastern railroad, as Lytle testified.

Knew of Lytle Movements.
Moore said he knew when Lytle went down to inspect the road. He also knew that Morris, George Estes and Stanley went to look at it. The first he knew that Lytle did not look with favor on the road, he said, was when he was informed by Morris, some time after. Lytle testified he notified Moore of his conclusions over the telephone as soon as he returned to Portland.
Moore said he was not in position to give much light on the Pacific & Eastern. He left that to Morris and Estes. He was aware that after Estes bought the road the bank issued \$81,000 in certificates of deposits. Dr. Reddy, receiver of the road, had assured him these would not need to be cashed until after bonds had been sold on completed portions of the road to pay them off.
As to the Order of Washington account, Moore said it originated before he entered the Oregon Trust. He had worked every way he could to reduce it, but was unable to do so. He had nothing to do with advancing the money.

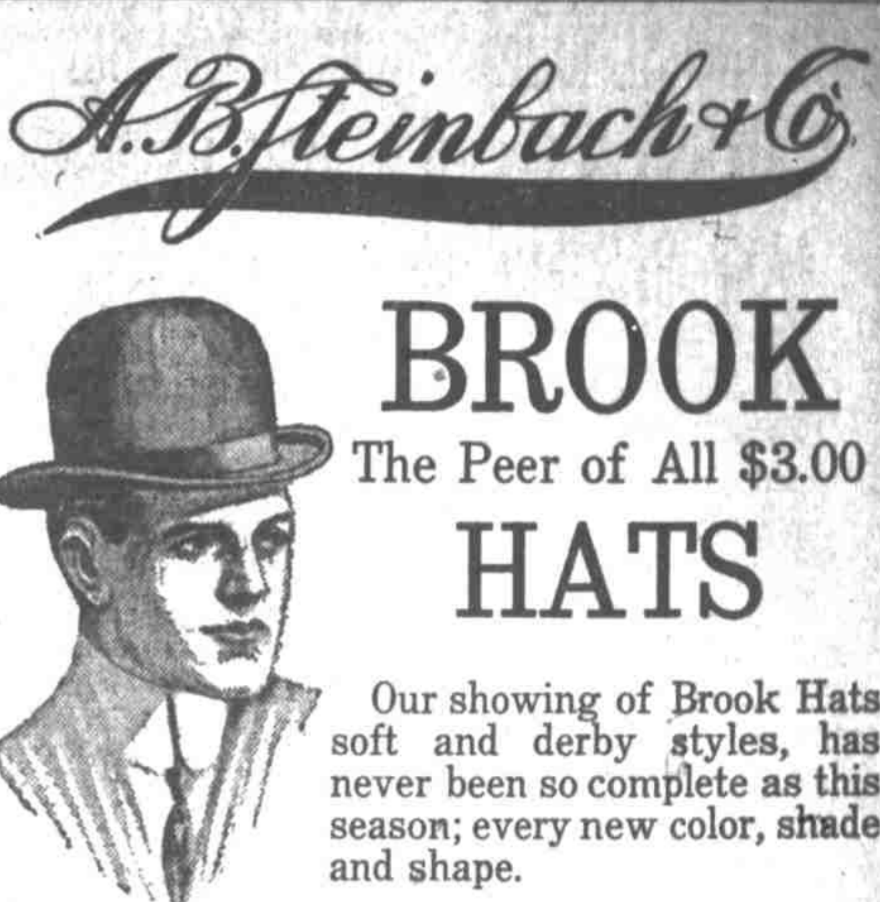
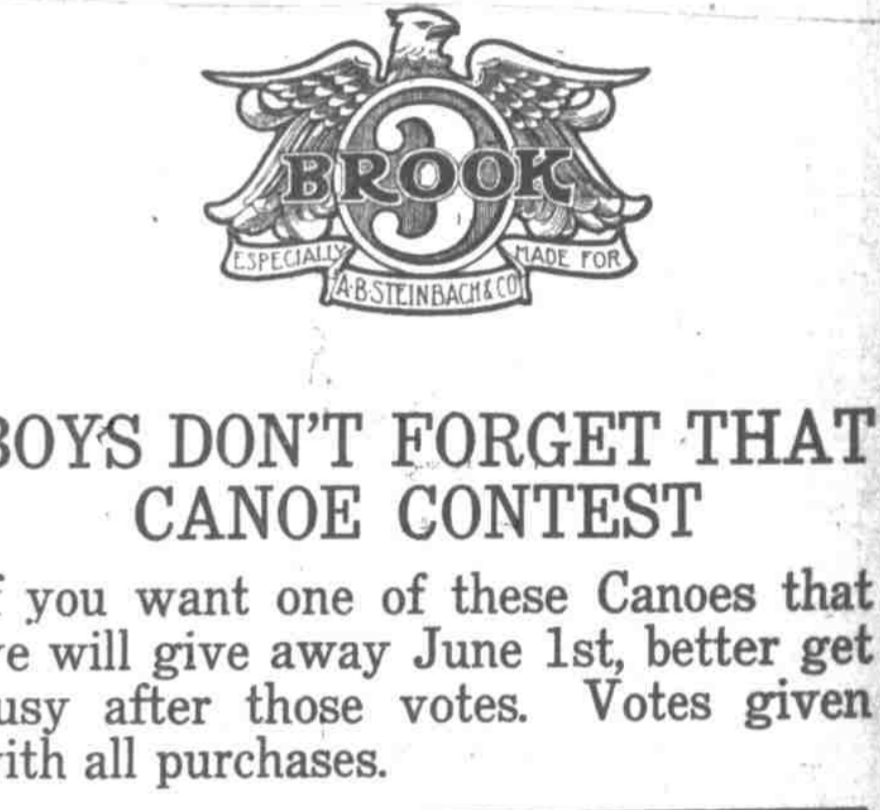
Moore Denies Testimony.
Just before adjournment Moore denied the testimony of the witness Watts, who accompanied Minnie Mitchell to the bank on the last day that was open, when she deposited the draft for receiving which Moore is on trial. Watts said Moore entered the bank while they were there, saw the invalid woman in her wheel chair, and stopped to watch her write her name. Moore said he was at the First National bank at 4 o'clock that day, not having returned from the clearing house meeting. It was nearly 5 o'clock when he returned, he said. He did not see any invalid woman in a chair, he declared.
Moore likewise denied that Devlin, the bookkeeper, had any authority to receive the deposit. He said the bank's doors closed at 3 o'clock, and even if such deposits should be received after that hour as were in the hands of those waiting in line when the bank closed.

Testifying This Afternoon.
This afternoon the witness had still to tell of the deal in Home Telephone bonds and to undergo the ordeal of cross-examination by Deputy District Attorney Fitzgerald.
In beginning his testimony, Moore told of his early life as a farmer boy in California, then in eastern Oregon of building up a profitable business with his brother, Henry A. Moore, then branching into the banking business. He testified to giving his note for stock in the Oregon Trust in 1905, first for \$5000, then for \$10,000 and finally for \$25,000, the latter received later by the late W. C. Ralston, whom he succeeded as president. He said it was explained he could hold the Ralston stock in trust, to be resold.
C. A. Malbut, a land dealer, formerly resident here, who testified this morning for the defense to examination made by him of the Crater Lake railroad property. He said he regarded it as an unusually good prospect and he looked it over for the Southern Pacific. He understood it could be had for \$120,000.
Not Good Investment.
A. B. Hammond, a civil engineer, testified the road is not a good investment now, but would be if extended into the sugar pine belt. He thought it good for \$15,000 in bonds per mile if the money were ready to extend it. He would make no loan except with a view of extension of the line.
Receiver Devlin was called by the defense to develop what became of the Minnie Mitchell draft. He testified he found it in the bank when he took charge and returned it to her. He also stated that about \$1400 was deposited after banking hours on the day the bank closed, all of this being returned by an order of the circuit court.
Assets Exceeded Liabilities.
E. W. Haines, ex-state senator and former president of the State Bankers' association, who lives at Forest Grove, testified that in his judgment the Oregon Trust's assets exceeded its liabilities at the time it closed about \$100,000. He said he reached this judgment after going over the books of the receiver. He was appointed by Receiver Devlin, he said, to examine into the condition of the bank and to make a report thereon to the depositors with a view to the feasibility of reorganizing the bank.
On cross examination by the state Haines said he could not remember how the telephone bonds were listed. Besides these bonds and the loans and discounts account he could not remember of what the assets consisted. After he had displayed a general forgetfulness as to what he had based his report upon, Deputy District Attorney Fitzgerald excused him from the stand.
Promises Big Profit.
James N. Davis, an attorney, testified he was a depositor in the bank when it failed and was asked to invest in German-American bank stock when that institution took over the business of the Oregon Trust. He said Devlin told him the German-American deal would pay out the depositors and yield a profit of anywhere from \$200,000 to \$300,000 to the bank. He testified to the value of the Moore lands in Sherman and Morrow counties, which were

turned over to the bank. He had expected them in company with Moore, and placed the value at \$25 per acre, or about \$65,000.
C. K. Henry was called as an expert on the value of the Board of Trade building at the time it was turned over to the receiver. He thought the building, including the equity under the purchase lease held by Moore's holding company and taking into account the liens then outstanding was worth \$110,000.
In answer to a similar question, J. B. Lober placed the value of the Board of Trade property at \$135,000 or \$140,000 net, Henry E. Reed thought it worth \$120,000 and George Jacobs estimated it to be worth \$115,000 to \$120,000.
J. O. Rountree and George D. Schalk, realty dealers, testified regarding the value of the Moore lot at Water and Montgomery streets, also turned over to the bank and valued at \$25,000 by the receiver. They believed it worth \$45,000.
Deputy County Clerk Henry Bush was called to show that six indictments were dismissed against E. E. Lytle before the latter took the witness stand to testify against Moore.
Testimony that the Moore lands were worth an average of \$20 per acre was elicited from Herman Wilcox, W. A. Marchie, A. B. Potter, W. J. Peddicord, J. E. Cronan, H. H. Wells, Alexander Scott, C. W. Harper, Duncan Claborn and T. H. Johnson, residents of Sherman, Morrow and Wasco counties. The same witnesses, old friends and business associates of Moore in eastern Oregon, testified to his good reputation for integrity and honest dealing through a long term of years in that part of the state. The most of them knew him 25 years or longer.

Secretary Nagel, of the department of commerce and labor, has announced that he will consider the suggestion for the creation of a bureau of investigation of the condition of the working men and working women in the United States.

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