

MAY BUILD ROAD TO ST. HELENS DISTRICT

The building of a railroad from the St. Helens mining district in the foothills of Mount St. Helens is being seriously considered by those interested in the mines up there and it is said that prospects for a road are greater now than ever before, although the project has been up for consideration many times in the past 10 years.

In number of mining propositions in the district have already been developed quite extensively but lack of transportation facilities will bar further extensive operations, it is said. With a railroad into Portland and establishment of facilities for handling the ore, it is pointed out, an industry of tremendous importance to the city would soon be created.

The nearest point to the mines at present is Castlerock on the Northern Pacific and from there goods have to be hauled by wagon.

KAVANAUGH MAY HAVE TO PASS ON OLD INDICTMENTS

(Continued from Page One.)

a legal death. This depends on construction of the law which provides for a new jury at each term of court, and says nothing about holding a jury over.

This point is known to be causing anxiety to the attorneys for the state, though it is presumed that the courts will go as far as possible to uphold the continuance of a trial once begun, and will be inclined to prevent the complications and financial loss that would follow from ending the case if the law does not strongly forbid such a ruling.

In addition to this is another statute which says a juror may not be required to serve more than four weeks at a time. This is in the nature of a privilege to the jurors, and could not be brought before the court except by some juror who knew about the law and was disposed to insist upon terminating his services. Then it would become a live question for the court.

May Try to Impeach Testimony.

That an effort will be made to impeach the testimony of Morris by calling A. E. Reames and Dr. J. E. Reddy of Medford was indicated by questions asked by Malarkey this morning soon after he had resumed the cross-examination of the convicted banker. Morris was asked if he did not tell Reames a day or two before he was indicted that "the prosecution was after him hard to give up something on Wilde," and whether he did not also tell Reames that he did not know anything to tell on Wilde.

Morris said he did not remember such a conversation. He was then asked if when he met Dr. Reddy in Alex Sweek's office about 10 days ago he did not tell Reddy that he was "going to get out of this," and "that he would not plead guilty until he saw his way clear." Morris denied making such statements, and also denied having told Reddy that he "did not know anything to hurt Wilde."

Identifies Handwriting.

Morris identified his handwriting in a subscription book of the Union Telephone Construction company, where he signed for the Omaha telephone bonds involved in the case, using the words, "syndicate of the Oregon Trust & Sav-

ings bank, which includes five banks." Frank H. Stow, one of the other chief witnesses for the state, had declared this was not in Morris' handwriting.

Having testified yesterday that his room at the Carlton hotel cost \$2 per day during the 23 days he was examining the books of the bank, Malarkey demanded why the bill rendered to the county court by District Attorney Cameron shows that rooms for Morris and his guard each cost \$4 per day. Morris said he knew nothing about that, but had been told he was occupying a \$2 room.

The accommodations included a private bath and Morris added, "There is a private bath where I am staying now."

The witness was questioned concerning a visit paid to him by Cameron after he had been ordered back to the penitentiary and his leisurely examination of the books had been cut off. He said Cameron came to see how he felt about testifying. Malarkey asked if Cameron did not in fact come for the purpose of apologizing because Morris was taken back to the penitentiary. Morris said that was not the case.

Tells of Railroad Deals.

Taken over by A. E. Clark for re-direct examination Morris told more in detail of his early career which was briefly developed by the defense yesterday. He explained there was nothing disgraceful in his retreat from British Columbia to Spokane on a hand-car. He chose that method because he was in a hurry to get out and begin suit for receivership of the railroad he was managing. He said he had not been given a square deal and his suit was a success, not being resisted.

He told of practicing law at Snohomish, Wash., and of serving as the first prosecuting attorney of Ferry county in that state, after the county was organized. He also told particulars of his efforts at railroad building in that county where another company went in ahead of him.

He first told the story of his secret relations with Wilde to F. H. Stow at the penitentiary on June 11 of last year, he said. Later his sister sent former United States Senator S. H. Piles of Washington, a lifelong friend of the family, to see him, and Piles advised him what to do. Then he sent for Judge M. J. Gordon of Tacoma, his attorney and old time friend, and he authorized Gordon to tell the district attorney that if given time and opportunity to go over the books of the bank he would tell the whole story about Wilde. He first told his story to the prosecution in the office of A. E. Clark in October.

Attorneys Clash.

Clark and Bowerman argued at length on the question of allowing Morris to tell what advice he received from Piles and Gordon. Judge Kavanaugh confined the questions on this line to a brief statement as to advice being given, omitting conversations.

Another clash between the attorneys came over the effort of Clark to show that six of the old indictments against Morris charged him with receiving deposits on August 17, 1907, when he knew the bank was insolvent. As Morris went east August 23 of that year and did not return until after the failure of the bank, the state desired to show that Morris, while indicted with other bank officers, could not have been connected with such charges. This would explain to the jury why the state is trying to dismiss some of the old indictments.

The defense contended that the date might be immaterial if the state would show the deposit was received at some date when Morris was in the bank and when the bank was insolvent. Judge Kavanaugh ruled in favor of the state and allowed Clark to show the character of these indictments and the dates they contained.

In cross-examination of W. Cooper

Morris yesterday afternoon, voluminous additions were made to the mass of correspondence passing between Morris and Wilde at different times, in which some of the frustrated finance schemes of Morris were brought to the front and his relations with Wilde further explained.

Some of these letters pertained to the affairs of the German-American bank after the failure of the Oregon Trust, showing that Morris was trying to raise money in New York to buy enough stock of the Union Telephone Construction company to gain control of the German-American bank. He was trying to raise funds on property to be put up by John F. Shorey, the plan being for Shorey, Morris, A. L. Finley and Wilde to get control of the bank.

Later on W. E. Bridges, through the medium of a loan that the construction company could not meet when it fell due, gained enough stock to control the German-American bank, this stock, it appears, being distributed chiefly to Thomas C. Devlin, Samuel G. Reed and F. L. Willis. Bridges soon dropping out. In a letter to Wilde under date of November 13, 1908, Morris says that Bridges is only a blind, and laments that he and Wilde have been handed a "lemon."

Offers to Assist.

He further told Wilde in this letter that he hoped Wilde would "go after that bunch in Portland," says Wilde never received the credit that was due him, and declares the now-defendant should spend enough time here to "make good" to the people of Portland. He offers to make any sacrifice to help along, and suggests willingness to assist in a new bank.

Writing under date of April 21, 1909, to Wilde, Morris asks for a loan of \$25,000, and says that with this amount he can bring about a consolidation of coal properties that will "make millions in a few years." Several times he urged the vast money making possibilities of a coal company controlling the coal supply of the Puget sound country, but Wilde evidently did not take eagerly to this plan.

Morris gave a vigorous expression of his opinion about Receiver Thomas C. Devlin, in a letter written June 23, 1909, when he explained that Simon had been elected mayor and would have to resign as attorney for the receiver.

Calls Devlin Liar, Dishonest.

"I don't agree with you in your idea about Devlin," he added. "I believe him to be dishonest. I know him to be a liar and know he would not stand hitched if tied hand and foot and hobbled."

Morris said A. E. Clark, the special prosecutor, called upon him twice at the penitentiary in relation to testimony in the Wilde case, and George Estes came once to see him. After his conviction in 1910, and while living in Tacoma before the supreme court passed on his appeal, he received a visit from Clark, who was acting as attorney for the receiver. He said he then declined to answer Clark's questions.

A few days before he was taken to the penitentiary last May, said the witness, he made his first overtures to the state, offering to tell what he knew about Wilde. He said he was offered a deal from his side, and denied that any overtures were made by the state to obtain his testimony.

Malarkey drew forth a letter of August 31, 1910, from Morris to Wilde in which the writer told Wilde he would be surprised if he knew what offers had been made to him. Malarkey asked Morris to what offers he then referred.

Morris Shifts Ground.

Morris became tangled in his answer, at first saying he referred to Devlin, and Devlin had offered to try to get some of the indictments dismissed if he would testify for the state in the case against W. H. Moore. When Malarkey pointed out that the letter was written long after the Moore trial was over and after his own conviction, Morris shifted his ground.

After saying he did not recall what he had in mind in writing the letter, he said he believed it referred to a proposition brought to him by Judge Gordon, his attorney, during the Moore trial, to the effect that if he would plead guilty he would be fined \$1000, sentenced to one year and released on parole. He turned down that offer, he said.

Morris stated that the directors of the bank knew of the purchase of the \$50,000 issue of Tacoma bonds by the bank from Wilde, and approved the purchase. They understood the bonds cost par value, and did not know of the "inside price" of 80 cents on the dollar that enabled himself and Wilde to divide \$30,000 between them.

No Record Is Made.

The directors made no record of the matter, he testified, but Moore knew about the deal, the directors talked it over, and he believed that E. E. Lytle and Leo Friede, as well as Moore, approved of the bond purchase.

Morris denied that to his knowledge the missing minute book of the directors' meetings was in Alex Sweek's office after the bank closed, and said he also knew nothing as to what became of the bond record kept by George Estes.

He admitted signing a bond subscription book in the name of "Oregon Trust & Savings Bank" and said he signed it in that form because Wilde wanted to show Stow and Graves, his construction company associates, that he had made only the \$10,000 turned over to that company.

"You proposed taking Tacoma bonds," suggested Malarkey, referring to earlier testimony, "in place of cash for \$10,000 of your share, because you wanted to relieve the bank of so many bonds, and wanted to protect the cash reserve. But at the same time you were robbing the bank your conscience hurt you and you wanted to protect the bank's cash; is that the idea?"

"Yes, that's the idea, if you want to put it that way," replied the beleaguered witness.

Admits Selling Bonds.

"But your conscience got away from you in July, and you sold \$10,000 in bonds back to the bank and got the cash?" pursued Malarkey.

"I sold the bonds to the bank at that time," was the answer.

Malarkey asked several questions intended to show the openness of several features of the bond transaction. He will argue that if Wilde and Morris had desired to make the deal secretly for fear of detection, Wilde would not have passed a check through the bank to transfer the \$5000 in cash received by Morris, but would have drawn the money himself and handed it to Morris "on the quiet."

For the purpose of concealing his ownership of the Tacoma bonds received in the deal, Morris explained, he had the interest coupons for the first two periods clipped by Wilde and the proceeds turned over to him secretly. The second period he sent the bonds to Wilde in California for that purpose. For the October, 1908, period, he had S. A. Reed cash the coupons for him, and the next time cashed them himself, being then in Tacoma.

Reverting to the transfer of real estate involved in a trade of bonds to S. A. Reed as a "dummy" for Morris, Malarkey brought out that Reed had requested to be removed from this position very quickly, and the deed was passed on to Florence M. Adams, Morris' former stenographer in the bank. She held the deed as a "dummy" until an actual sale was made.

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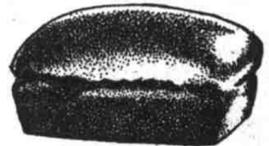


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