

PROPERTY LOSS FROM STORM WILL BE ENORMOUS

THE M'NAMARAS FILE AFFIDAVITS SHOWING JUDGE IS PREJUDICED

BUT BORDWELL STANDS PAT AND WILL SIT IN THE CASE SAYS HE IS UNPREJUDICED

He Sets Aside the Court Rules, Designating Other Judges to Try All Criminal Cases, in Order to Take Charge of the Case Himself—His Action in Ordering Investigation of Attorney Harrington Is Quoted as Showing His Bias Against Prisoners—Overrides One of the Strongest Showings Ever Made in Such a Case.

Los Angeles, Oct. 7.—Disregarding one of the strongest affidavits alleging prejudice ever presented in a court, Judge Walter Bordwell today refused the McNamara brothers, accused of dynamiting the old building of the Los Angeles Times, another judge to try the case. He told Attorneys Darrow and Davis, in his chambers, that he was unprejudiced and fully equal to giving the men who will be placed on trial next Wednesday for murder, the protection accorded them by the California code. Today's proceedings were informal. Bordwell was made acquainted with the contents of the bill of the defendants and their attorneys that he was biased and prejudiced. He told Attorney Clarence Darrow, chief of the defense attorneys, to file his affidavits signed by J. J. and N. B. McNamara with the clerk of the court and a copy with District Attorney Fredericks. Bordwell then informed Darrow he was at liberty to make the formal motion for the change in judges either on Monday, when the venire will assemble for interrogation regarding qualifications or at the opening of the regular trial on Wednesday. "I will waste no time denying your motion," the court added informally. "There is a possibility that when this motion is made there will also be one made for the change of venue. This will also be denied by Bordwell, who is determined to try the case and makes no secret of his intentions. But it will give the defense a very strong hand should their clients be convicted as his action would be subject to review by the appellate court. While none of the attorneys for professional reason would discuss today's developments, it was plain from their attitude that they believed reversible error had already

PORTLAND MAN WILL ADDRESS MEN'S MEETING

The Men's meeting at the Young Men's Christian Association tomorrow afternoon, at 4 p. m., is to be addressed by Mr. W. W. Dillon, of Portland. Mr. Dillon is one of the live business men who takes a definite interest in the religious work of the Y. M. C. A., and is now chairman of the Bible study work of the Portland Association. Bible study will be the subject under discussion at the afternoon meeting, and indications point to a very lively time. The annual meeting of the boys' department last night was quite an enthusiastic affair. More than 40 boys sat down to dinner together. Short talks were given by Guy Johnson, H. B. Critchlow and Asher Ransom, who are teachers in the Bible classes. Four clubs were organized and presidents elected in each club. Athletic and gymnastic contests will be carried on between the clubs and also with outside teams. These clubs are open to all the boys in the city.

entered into the case, and that if either of the McNamaras are convicted, their conviction will not be permitted to stand. In the affidavits asking for the change, both the McNamaras review the proceedings up to the present. They set forth that Judge Bordwell has shown a prejudiced attitude against the accused men from the outset, and both of the brothers aver that their rights under the law will not be protected by him. They argue that the rule of the superior court has been violated by Bordwell. Under the existing routine two judges, Willis and McCormick, have been assigned to try all of the criminal cases in this county. But in this case, it is alleged, Judge Bordwell overruled this rule so that he might himself preside over the trial. The attitude of the court in ordering a grand jury investigation of the actions of Attorney Harrington of the defense is also set forth as indicating prejudice and bias. It is pointed out that if any offense was committed, as was alleged by Burns' detective, who are managing the case for the district attorneys' office, it was in the jurisdiction of San Francisco county and not in the jurisdiction of the grand jury. The entire proceedings against Harrington, the affidavits set forth, were unwarranted and indicated a bias and suspicion which shows that "The presiding judge is not unbiased and free from prejudice as is contemplated by the code."

Postoffice Robbed.
[UNITED PRESS LEASED WIRE.]
Eureka, Cal., Oct. 7.—Excitement prevails in this vicinity today over a daring robbery of the Blue Lake postoffice, about 10 miles from Eureka, by two expert yeggmen early today. The yeggmen secured \$300 in currency, but overlooked \$500 in stamps. The safe was blown open with nitro-glycerine, being first covered in a pile of mail bags, to deaden the explosion.

Line of March Examined.
[UNITED PRESS LEASED WIRE.]
Portland, Ore., Oct. 7.—Whether the tentatively outlined line of march for the Taft parade Wednesday is practically complete, from a policing standpoint, Chief of Police Slover and federal secret service officers today went over the route. They will confer with the committee on arrangements, and the route will be announced tomorrow.

Revolution Is Over.
[UNITED PRESS LEASED WIRE.]
London, Oct. 7.—It is officially asserted here today by the Portuguese legation that the revolution in Portugal was quelled after some sharp clashes. The legation asserts that the invaders were driven across the frontier.

Kline Re-Elected.
Atlanta, Ga., Oct. 7.—At the meeting here today of the International Brotherhood of Blacksmiths and Helpers, J. W. Kline, of Chicago, was re-elected president and W. F. Kramer, of Chicago, was re-elected secretary. Wanted—A breed of hens that will always lay when eggs are high.

Fear For Balloonists.
Kansas City, Mo., Oct. 7.—Apprehension for the fate of the men in the balloon Berlin II is increasing today because of continued lack of news of its whereabouts. The Berlin II is the only one of the nine balloons that left here Thursday in the Gordon Bennett race which has not been reported. It formerly named the "Dusseldorf," and has a record last year of traversing over 1125 miles of country. Of those that have come down, the Buckey traveled the farthest, 365 miles.

WOODBURN CLUB NOW IMMUNE

JUDGE KELLEY ADVISES GRAND JURY INCORPORATED CITIES GOVERNED LICENSE, AND UNLESS CLUB WAS A NUISANCE IT COULD NOT BE INDICTED.

After listening to an exposition of the law by Judge Kelly this morning the grand jury decided not to return any indictments against the officers of the Bachelors' Club of Woodburn, and unless the supreme court should now reverse a decision made by Judge Galloway, declaring the ordinances under which it was sought to prosecute the club in the municipal court, invalid, the organization will be immune from prosecution from the prohibition element of Woodburn, which has waged war upon it ever since last spring. Exempts Incorporated Cities. The exposition of the law was pursuant to a presentation made to the judge yesterday by the jury. Evidence had been produced to that body showing that the club was selling intoxicants to its members and invited guests, and the jury desired to know whether it could indict the officers under a law providing that

(Continued on Page 5.)

DEATH LOOSENS OLD WOMAN'S PURSE STRINGS

[UNITED PRESS LEASED WIRE.]
San Francisco, Oct. 7.—Softened by the approach of death, Mrs. Elmira Jarvis, of Boston, with a fortune of \$140,000, has today requested the San Francisco police to search for her sister and her sister's family, whom she believes living here in poverty. The sister, Mrs. Julia Chabotte, and four children, was known to be in this city five years ago, and the authorities are following up that clue in an effort to find them.

Pistol Won the Pot.
[UNITED PRESS LEASED WIRE.]
Oxnard, Cal., Oct. 7.—Just before their all-night poker game broke up today Cecil Bright was probably fatally wounded by Sam Moulton, another player. There was \$50 in the pot, and both men claimed the stake. Moulton shot Bright through the eye, snatched the money, and, with his pistol in his hand, made good his escape.

"Higher Up" Got His.

Seattle, Wash., Oct. 7.—Harry A. Lake, the second "higher up" convicted of fraudulent registration, was sentenced to three to five years in the penitentiary this morning. He, like Alfred Cohn, who is under similar sentence, was charged with inducing "floaters" to register by the wholesale in the vice district wards during the recall election. He recently completed a jail sentence for ballot stuffing while acting as election judge.

WILL BOND TO BUILD TO COAST

Grants Pass Has Enthusiastic Meeting to Consider Bonding the County for Half a Million Dollars.

WANTS ROAD TO CRESCENT
Engineer Shows Freight for Great Rogue River Section Can Be Delivered From Either Portland or San Francisco by Auto Trucks From Crescent City at a Saving of \$12.50 Per Ton on Present Charges.

[UNITED PRESS LEASED WIRE.]
Grants Pass, Ore., Oct. 7.—At a largely attended mass meeting here last night steps were taken to bond the county for \$500,000 for the purpose of building an automobile freight road from Grants Pass to Crescent City, Cal., a distance of 100 miles.

While the proposed bond issue is for general road construction throughout Josephine county, the chief incentive is a promised reduction in freight rates. This is to be made possible by the use of the ocean gateway at Crescent City, midway between Portland and San Francisco.

The Rogue river lies midway between San Francisco and Portland, on the main line of the Southern Pacific railroad, and although but 100 miles from the ocean highway, bears an average rail freight of \$25 per ton to or from either San Francisco or Portland. The present rail rate from San Francisco exceeds the mule team rate that prevailed over the same route during the mining era of 50 years ago.

The principal speaker at the meeting was John T. Flynn, harbor engineer of the California River and Harbor League, of San Francisco, who showed that freight could be shipped by automobile freight trucks to or from San Francisco or Portland to Grants Pass via Crescent City, for \$12.50 per ton, without reference to classification, as against the present average rail rate of \$25 per ton. It is estimated that 10,000 tons of products and merchandise will pass over the auto road each year, thus effecting a saving of \$125,000 a year to the producers and consumers over the present rail rate. With the opening of the Panama canal, it is estimated that its throughput through this gateway will reach 100,000 tons a year.

Big Ones Indicted.
[UNITED PRESS LEASED WIRE.]
Cleveland, Oct. 7.—Wall paper companies indicted under the Sherman anti-trust law were arraigned here today. They pleaded not guilty to combining in restraint of trade and furnished \$5000 bonds.

It is easier to declaim about party "principles" than to tell truly what they are.

THOUSANDS ARE LEFT DESTITUTE AND HOMELESS BY RAGING FLOOD

HUNDREDS OF FAMILIES SPEND NIGHT IN THE RAIN HUNGRY AND SHELTERLESS

Many Towns Were Submerged and Residents Driven to the Foothills, Where, Exposed to Cold and Rain, and Without Shelter or Food, They Passed the Long Night—Hundreds of Farmers Were Also Driven From Their Homes—The Loss of Life Is Not Known, But the Property Loss Is Appalling.

THE POWERS ARE BEHIND ITALIANS

STATE DEPARTMENT OF RUSSIA REFUSES TO INTERVENE, WHICH WITH GERMANY'S REFUSAL, INDICATES AN UNDERSTANDING.

[UNITED PRESS LEASED WIRE.]
Washington, Oct. 7.—The growing suspicion that Italy seized upon Tripoli with the full knowledge and consent of the European powers, is strengthened today by a semi-official report that the state department of Russia, when asked to intercede in the Turkish-Italian war, flatly declined to do so until Turkey cedes Tripoli to Italy. Germany has already declined to intervene. The refusal of Russia is regarded as especially significant.

A Warship Sunk.
Fiume, Croatia, Oct. 7.—The sinking of a Turkish warship by an Italian cruiser is reported here today as the result of a hot fight at St. Jean De Medua. Despatches say that the Turkish fort at that port fired upon and sank Italian sailing vessels. Information of this coming to the Italian squad-

FOUR KILLED BY FALLING OF BUILDING

[UNITED PRESS LEASED WIRE.]
Chicago, Oct. 7.—High winds here today overthrew a four-story building under construction on the North Side. Six men were taken from the debris, of whom Paul Laslo and Harry Greenwood probably will die. Firemen later found the bodies of two children, a girl of 12 and a boy of 6, in the ruins.

Want Free Canal.
Portland, Ore., Oct. 7.—A campaign to secure free passage for American ships through the Panama canal was officially launched here today, following a discussion of the matter by representatives of the Chambers of Commerce of Tacoma, Seattle and Portland. Each organization has pledged itself to work as a unit in demanding of congress that all ships of American register be permitted to pass through the big ditch without charge. It is believed such action would assist in the upbuilding of the American merchant marine.

[UNITED PRESS LEASED WIRE.]
La Crosse, Wis., Oct. 7.—"We want food and clothing, and we need money. The people here are starving."

This message, received by Mayor John Dengler here today from Mayor McGill, of Black River Falls, as the latter sat upon the top of a telephone pole, met with immediate results, and a relief train is hurrying to the flood-stricken town to do everything possible to alleviate the situation. The only means of communication with the outside world and Black River Falls is from an improvised telephone and telegraph instrument fixed by an operator on the top of a pole. When the refugees, 2000 in number, poured into the town today, hungry, homeless and suffering from exposure, Mayor McGill struggled up the pole and sent his message of distress to the city. Supplies Pouring In. Mayor Dengler immediately ordered stores to be sent; at 12:45 a relief train left here, bearing Mayor Dengler, a number of citizens and an ample supply of provisions, bedding, etc., for the use of the refugees tonight. Former State Senator McGilliveray telephoned here at noon that only five business houses are left standing in Black River Falls. Besides the practical wiping out of the business section, between 30 and 40 residences have been demolished. The stories of looting are now being discredited. It was learned this afternoon that the small towns above and below Hatfield had escaped with minor damage.

Loss Is Appalling.
Black River Falls, Wis., Oct. 7.—Far more serious consequences of the heavy floods along the Black River and the bursting of the Dells dam than were at first expected are apparent here today, and the disastrous news which is pouring in from various counties along the river banks is as yet far from complete in its tale of casualties and property loss. Several are now reported dead, and hundreds rendered homeless. Partial accounts of the property damage in five counties estimate it at from \$2,000,000 to \$5,000,000. The Black River is filled with wreckage as far as LaCrosse and numerous farm houses have been demolished. Communication with the farm districts have not yet been resumed, and it is feared that there has been loss of life in the outlying sections.

Hatfield Wiped Out.
Hatfield, near the big dam of the LaCrosse Water Power company, which was hardest hit by the flood is reported to be completely submerged, and it is feared that the property loss there will be appalling. Probable casualties there can not as yet be estimated. Other places where immense losses have been suffered are Roaring Creek, Irving, North Bend, Holmes, Lytle and Midway. Onalaska is in a most precarious position, with the river raging far out of its banks there, and it is feared that the town will be destroyed. It has been deserted by all the inhabitants. A travel-stained courier arrived

TROUBLE AT SACRAMENTO IS ALL OVER

San Francisco, Oct. 7.—Peace has been restored in the Southern Pacific shops here today after several skirmishes between strikers and strikebreakers, the first since the calling of the strike. Additional guards are being put on by the railroad in view of the disturbance, 10 more men, wearing stars, being placed on duty this morning. It is reported that the railroad is putting stars on all strikebreakers to avoid trouble. Today Edward A. Malsburg, a railroad guard, was booked at the city prison for assault with a deadly weapon, after chasing a brakeman several blocks at the point of a revolver. As a result of disturbances last night one guard is in a critical condition with an ugly scalp wound, another is in jail for carrying weapons and a number of guards, police and strikebreakers are suffering with bruises and cuts sustained in a general mixup.