

CLAIMTAKERS ON THE STAND

TESTIFY TO FRAUD IN BORAH TRIAL

MONEY WAS FURNISHED FOR EXPENSES

Thirteen Witnesses Swear John I. Wells, Indicted with Senator, Put Up \$250 to Each

BOISE, Idaho, Sept. 26.—At the end of today's proceedings in the trial of United States Senator William E. Borah, the government had disposed of thirteen witnesses, all of whom swore that John I. Wells, one of the men indicted with Senator Borah, gave them the money with which they took out timber land patents to the land they all declared that Wells sent them to a man named Pritchard, who took their deeds and gave them \$250 each.

The testimony of the witnesses examined was almost identical in character and became somewhat monotonous. There was no cross-examination. The government attorneys announced that today's testimony was necessary in order to lay a proper foundation for evidence to come.

Senator Borah's name was not named at any stage of the proceedings. Having accomplished much of the tedious work of identifying and placing in the record the papers in about half a hundred of the alleged fraudulent claims filed on timber lands in the interest of the Barber Lumber company, the government attorneys in charge of the prosecution of United States Senator William E. Borah, who acted as attorney for the company, began today to unfold in narrative form details of alleged conspiracy which is said to have begun in 1899 and to have continued down to the filing in 1904 of the last of 108 deeds covering 169 acres each of timbered forest land, to the lumber corporation.

In his opening statement to the jury former Judge M. C. Burch of Detroit, the special assistant of the attorney general, sent here to take an active part in the prosecution, announced that the government would offer as one of its principal witnesses G. S. Long, who, it is alleged, acted as "dummy trustee" to receive title to claims from dummy entries and transferred the property later to the Barber Lumber company.

As connecting Senator Borah with the conspiracy Mr. Burch says that the government will show that all deeds from "dummy" trustees to the Barber Lumber company passed through his office and were recorded, as the records will show, at his request.

In the government's outline of its case it is said that J. T. Barber, in sending one of his men to Idaho, was heard to remark: "If there is anything you want in Idaho, go to William E. Borah. He is our attorney out there."

TACOMA, Wash., Sept. 26.—Ex-United States Senator A. G. Foster, vice president of the St. Paul and Tacoma Lumber company, was subpoenaed to appear at Boise last Friday and left Tacoma Monday.

TRADE BOARD HAS PROBLEM

Council Fails to Honor Demand for Proportionate Share Since Municipal Plant Began Operations

PASADENA, Sept. 26.—Pasadena is in the position of having part of its street lighting done free of charge to the municipality, but such a condition will not maintain long if the board of trade can bring about the change that it desires. At the time the cluster lights were put up the city was asked to pay \$120 toward their cost in addition and maintenance. Instead the city would only agree to pay the amount it would save in the removal of the arc lamps made unnecessary by the cluster system.

FOURTEEN GO DOWN WHEN ALABAMA FERRY CAPSIZES

White Boy and Thirteen Negroes Are Victims of Treacherous Current by Shoals Near Mobile

MOBILE, Ala., Sept. 26.—A ferryboat crossing the Tombigbee river at the government works at Morrow shoals, near Jackson, Ala. late today, capsized, drowning one white boy and thirteen negroes.

The scene of the accident has long been regarded as a very dangerous place by navigators of the river on account of the rapid and treacherous current and the rocky shoals there.

WEALTHY MINING MAN IS ACCUSED OF EMBEZZLEMENT

ST. LOUIS, Mo., Sept. 26.—William J. Scott of New York, who says he is a wealthy mine owner, quarryman and contractor, was arrested here last night on an indictment charging him with having embezzled \$5500 from St. Louisans.

The indictment alleges he was engaged to wind up the affairs of a mining company at Tulsa, I. T., for \$500 and keep \$500 as his fee. It is alleged Scott made the sale but did not turn over any money.

HURRICANE DEVASTATES PROVINCE OF MEXICO

SAN ANTONIO, Tex., Sept. 26.—A special report from Cosala, Culiacan, Mexico, says a terrific hurricane has devastated the district along the coast to the west of here, doing great damage to crops and other property and also causing loss of life. A woman and child were killed in the town of Vastito.

PROFITS 20 TIMES COST

PIPE LINES PAYING ADJUNCTS TO TRUST

Standard Oil Issues 4,000,000 Booklets Among the Public—Archbold Gives Warning as to Authenticity of Statements

NEW YORK, Sept. 26.—The Indiana Pipe Line company, a subsidiary of the Standard Oil company, made a profit of \$4,010,022 in 1903 on a total investment of \$2,228,758, according to the figures made known by George Chesbro, controller of the National Pipe Line company, who appeared as a witness today in the federal suit against the combine.

From balance sheets of the company Frank B. Kellogg, conducting the government's case, sought to show that the Indiana company was making extensive profits and that it maintained a high schedule of tariffs to prevent shipments of oil by independent oil producers. Mr. Chesbro testified that the Indiana company transported practically only the oil of the Standard Oil company. The counsel for the government alleges that it will be shown that the profits made by these pipe line companies have in some cases been twenty times the actual cost of operations.

John D. Archbold, vice president of the Standard Oil company issued a general notice today to the effect that "false and injurious statements were being scattered broadcast as from a representative of the Standard Oil company," and warning the public that no credit should be given to any statement purporting to emanate from the Standard Oil company unless signed by an executive official of the company or its designated attorney.

ROOSEVELT WILL APPROVE OKLAHOMA CONSTITUTION

WASHINGTON, Sept. 26.—President Roosevelt announced today that he would approve the Oklahoma constitution. The president said he had examined the document with Attorney General Bonaparte and he felt that the question of his approval ought not to be based on his personal opinion of the document, but whether it came within the terms of the enabling act.

His personal opinion of the document, the president laughingly said, was not fit for publication.

The promulgation of his approval will be announced in the Federal Register.

MRS. S. T. RORER, CULINARY EXPERT, DECLARED BANKRUPT

New York Restaurant Bearing Her Name Said to Have \$26,000 Liabilities—Was Opened Two Years Ago

NEW YORK, Sept. 26.—Mrs. Sarah Tyson Rorer, known all over the United States as an authority on cooking, author and teacher of domestic science, is the subject of a petition in bankruptcy filed against her in her capacity as restaurant keeper at 45 New street.

It is alleged that she is insolvent and on August 22 called a meeting of creditors, at which it was stated that her liabilities are \$26,000.

Judge Holt of the United States district court appointed McDougall Hawkes, former dock commissioner, to be receiver with a bond of \$5000.

The fixtures and equipment of the restaurant are estimated at \$10,000 and Mrs. Rorer has other assets estimated at \$5000 besides the lease, which has six years to run. The rent is said to be \$7000 a year.

The place was fitted up in October, 1905 at a cost it was said then of \$20,000. Mrs. Rorer did not give the restaurant her personal attention. She resides in Washington.

NORTH DAKOTA, NOT NEW YORK, WARSHIP'S NAME

Roosevelt Decides That Calling Craft After Gotham Would Be Unfair. Utah Only State Lacking Naval Namesake

WASHINGTON, Sept. 26.—North Dakota will be the name of the battleship No. 23, one of the 20,000 ton vessels, contracts for which were recently awarded by the navy department. The other vessel, as heretofore announced, will be called the Delaware.

REMNANTS AT HALF PRICE. The weekly cleanup of odds and ends and broken lines in percale, calicoes, outing flannel, table linen, etc.; all marked at just half price.

Bargains for Friday, "Something Doing" Day. That Lead the Way to Emphatic Savings. Read This List and Profit by Trading Here Today

9c Huck Towels 4 1/2c. Large hemmed bedroom towels; size 16x33; on sale today, 8 to 10, at 4c; limit 4. 12 1/2c Outing Flannel 6 1/4c. Dark outings in blue, gray and brown; stripes and checks; 12 1/2c grade, 8 to 10, at 6c; limit 6 yards. 35c India Linon 15c. 400 yards of the finest grade of India linon; the outside folds are slightly soiled, but the goods are perfect; 35c grade 15c; limit 10 yards. 22c 45x38 1/2 Pillow Cases at 16c. Extra heavy linen finished pillow cases; size 45x38 1/2; the kind that will wear well; 22c value at 16c. 85c Sheets, 81x90, at 65c. Full size, seamless sheets for double beds; fine soft finish; regular 85c value at 65c. 12 1/2c Percales, 2 to 4, at 8 1/2c. 1000 yards of good fast color percales in blue, gray and black; regular 12 1/2c quality, 2 to 4, at 8 1/2c; limit 6 yards.

PLAYWRIGHT HAS MARKED SUCCESS

ACHIEVES FAME IN TEN YEARS' TIME

Destined for a Diplomatic Career, M. Paul Hervieu Leaves Service to Become a Writer of Plays

Paul Hervieu, the brilliant author of "The Awakening" and "The Labyrinth," both of which Miss Olga Netherole will present at the Mason opera house during her engagement there next week, was born near Paris September 2, 1857. He was the fifth of six sons.

While he was serving in the foreign ministry he occasionally contributed to the leading Paris magazines. In the course of a year or two he was named third secretary to the French ambassador in Mexico. Almost at the identical moment of his diplomatic promotion came an offer of the editorship of a small political journal near Paris.

After weighing both propositions carefully Mr. Hervieu determined to accept the editorship. That was the end of his diplomatic experiences. He returned to Paris later with a complete volume entitled "Diogenes, the Dog." His novels soon became the talk of the city, and in due course, as is the custom with all French writers, his pen drifted toward the stage, where in a short time he had succeeded in making himself self the leading French dramatist of the modern school, a member of the French Academy, and one of the forty immortals of France.

Early in February next Olga Netherole will play an engagement at the Astor theater in New York city, where she will produce still another play, "The Enigma," by M. Paul Hervieu. She will also present a dramatic version of "I Pagliacci," made for her by Charles Brookfield, author of "The Belle of Mayfair." The first made especially for Miss Netherole from the French by Louis N. Parker, and "En Plongee," a French novelty which Miss Netherole saw at one of the vaudeville theaters in Paris during her engagement there the past summer. The great artist's repertoire in Los Angeles will be as follows: Monday and Friday evenings and Saturday matinee, "The Awakening;" Tuesday and Saturday evenings and Wednesday matinee, "Sapho;" Wednesday evening, "The Labyrinth;" Thursday evening, "Carmen."

BRIDEGROOM ARRESTED. CHARGED WITH THEFT

Claims That Paz Hernandez Stole Money to Get Married with Are Not Proved at Trial

SANTA MONICA, Sept. 26.—The fact that Paz Hernandez stole money to get married with was not proved at trial.

As testified by Berajas, he had shown Hernandez \$200 in gold coins which he had taken from their place of concealment in his bed. The next time he looked for his money it was gone, and at the same time he discovered the absence of Hernandez.

The court ruled the evidence purely circumstantial and dismissed the case.

The 5th Street Store. BROADWAY COR. FIFTH ST. 25c Bands and Edges 10c. Made of fine grade swiss and cambric; widths 6 to 9 inches; open and blind pattern; new designs; some matched sets; regular 25c embroidery today at 10c yd. 75c Scarfs and Squares 25c. 35c Spachtel Scarfs and Squares 10c. Excellent quality Japanese linen; hemstitched and three and four rows of drawn work; squares to 36 inches, scarfs to 42 inches; regular 75c value today at 25c. Open and blind designs; fine assortment; made of lawn; squares to 30 inches, scarfs to 42 inches; sold regularly to 35c; a "Something Doing" special at 10c.

Friday \$2.50 Waists, 8 to 10, 50c. A two-hour sale today of white lawn, oxford and madras waists; desirable styles and regular value to \$2.50; over 300 in the lot; they will be on sale 8 to 10 today at 50c; great opportunity to get a good waist cheap. \$6 Silk and Net Waists \$3.98. Handsome net waists in white and ecru; Jap. silk in black and colors; attractive styles; new up-to-date garments; \$5.00 and \$6.00 values \$3.98. 49c Flannelette Gowns 25c. 50c Rompers 35c. For girls and misses; sizes 2 to 14 years; plain and striped; heavy fleeced flannelette gowns; regular value to 49c, special at 25c. Children's rompers in light, medium and heavy weight; made of fine gingham and chevilot; sizes 2 to 6 years; 50c value at 35c.

25c to 50c Women's Stockings 15c. Odd pairs of women's stockings; all regular made; some of them have a slight imperfection; regular 25c, 35c and 50c grades at 15c. 35c Women's Underwear 17c. Long or short sleeves, jersey ribbed shaped vests and knee length, lace trimmed drawers; two styles; 35c values at 17c. 25c Boys' Stockings 12 1/2c. Full seamless, fast black, two style ribs; heavy weight, very elastic, triple knees, heels, soles and toes; 25c values at 12 1/2c. \$1.48 Music Rolls at 35c. 25 music rolls, made from real leather in several grains; slightly soiled; \$1.48 music rolls; great bargain at 35c. 25c Coin Purses, 1 and 2 Pocket, 5c. Buckskin, calf and Japanese leather purses; nickel frame and ball fastenings; 25c purses at 5c each. 25c Jewelry at 5c. Waist sets, cuff pins, brooches, stick or scarf pins, necklaces, hat pins, etc. gold plated and some sterling pieces; 25c jewelry at 5c.

HOUDINI WILL DIVE LOADED WITH IRONS

KING OF HANDCUFFS TO JUMP INTO WESTLAKE

Picture of Event and Story of His Life Will Appear in Sunday's Herald—Watch for It

Amateur photographers who are looking for something novel to "snap" will find such a subject in Westlake park between noon and 1 o'clock Saturday. Exactly at half past 12 Harry Houdini, wearing the irons shown in the accompanying photograph, will dive from the roof of the pavilion in Westlake park into the lake. The weight of iron which he carries will be sufficient to drown an ordinary man, and if Houdini cannot escape from his shackles before his breath is gone it will be good by to the handcuff man.

Those who fail to get pictures of the event will find them in the Sunday Herald, accompanying the story of his life which Houdini has promised to write. The Herald is the only paper in America that has been able to induce Houdini to write such a story, and it will contain facts and pictures that have never before been published.

SUPPLY DESTITUTE FAMILY WITH FOOD AND CLOTHING

Special to The Herald. OCEAN PARK, Sept. 26.—The local police today were directed to a pitiful case of destitution that resulted in temporary relief being given to a father, mother and four children who were penniless and destitute in a camp near the gas house.

Food and clothing were supplied the family by Mrs. W. M. Kendall of 38 Dunay avenue, which alleviated their sufferings for the time being. The family is named Hoistein and recently came to this section. The Associated Charities of Santa Monica were asked to take the case in hand.

ASK TRUSTEES TO STOP BATHING SUIT PARADES

Special to The Herald. LONG BEACH, Sept. 26.—A petition signed by E. Fickett and fifteen others was filed with the city council last night asking that men and boys clad in bathing suits be prohibited from passing through the business streets.

The trustees placed the petition on file with the remark that as there is no place to change clothing on the beach without going in through the turnstile of the Long Beach bath house, persons can hardly be blamed for walking from their homes to the surf clad in the limited rainment.

VETERANS ENJOY SIGHTS ON BALLOON ROUTE TRIP

Special to The Herald. VENICE, Sept. 26.—The Sawtelle community held its first annual outing today when five carloads of the soldier city population, waving flags and blowing horns, did the Balcon route and interjected a little variety into their fun by stopping over here for several hours. The party was in charge of Mayor Nellis, who was aided in the arrangements by the city's most prominent business men.

Jan A. Creel, a brother of Enrique C. Creel, governor of Chihuahua, is with his family enjoying the hospitality of Albert and Louis Terrazos of 47 Clubhouse avenue. Mr. Creel is said to own the largest cattle ranch in the world and to be possessed of mines containing fabulous wealth.

Say Chinese Is Embezzler

OAKLAND, Sept. 26.—A warrant was issued yesterday for the arrest of Wong Long, an accountant for a Chinese clothing firm, who has, it is alleged, disappeared with \$400 of the company's cash. A reward has been offered for his capture.

NEIGHBORS OBJECT TO BIG HAY SHED

PROTEST UNION ICE COMPANY'S APPLICATION

Same Corporation Objected a Year Ago to Coal Firm Storing Fodder on Nearby Lot on Alameda Street

Application by the Union Ice company to store hay at 660 Alameda street has aroused protests from nearby property owners. The fire commissioners yesterday heard from this source and shelved the application for a week at least. The company seeks to erect a two-story brick structure, but in the past when the Black Diamond Coal Supply company sought to erect a hay shed there the Union Ice company strongly protested, and it was turned down.

Owners of property in the block are Industrial Realty company, Commercial Warehouse company, Inc., Carl Leonard, Union Ice company, Alexander Culver et al, Steiner Investment company, Frank M. Warrinton and Elton G. Fay.

WOULD VIOLATE PRECEDENT

Strong & Dickinson say: "We do not see how the board can grant such a permit, as it refused W. Oder of the Black Diamond Coal Supply company, located on our property, such a permit less than a year ago and at that time the Union Ice company was one of the protesters against Mr. Oder."

"Unless the Union Ice company would agree to build fireproof barns we must respectfully protest against granting such permit."

CITES INCONSISTENCY

"We respectfully protest against allowing the Union Ice company a permit to store such a amount of hay in its barns, unless the barns are built of absolute fireproof materials," said Alex Culver, speaking for himself and others.

"The Union Ice company has asked for a permit to build a barn at 660 South Alameda street, adjoining our property on the south, for the purpose of storing seventy-five tons of hay."

"We call attention to the fact that Manager Jullinich of the Union Ice company, as well as ourselves, protested against allowing Mr. Oder to carry hay in a barn on the south of the Union Ice company, and your honorable body refused to grant Mr. Oder such a privilege, so that under the circumstances we fall to see how Mr. Bullfinch can expect to obtain such a permit."

LAYMENS CONFERENCE ADOPTS RESOLUTIONS

The laymen's conference yesterday adopted resolutions on corporations in consonance with the resolutions adopted a year ago by the same body at Riverside. It today authorized its secretary to engross them and forward copy to President Roosevelt. The preamble and resolutions are as follows:

"Whereas Many Christians belong to such corporations that are guilty of unjust and unlawful acts, which acts have created a breach between the great masses of the people and such corporations, and Whereas, Our chief executive President Roosevelt, is directing an efficient enforcement of law against such corporations, therefore be it resolved: That it is the duty of Christians who belong to such corporations to investigate their acts and to protest against and denounce such unjust and unlawful acts."

"That where Christians do belong to such corporations and fail to investigate their acts, and to protest against and denounce such unjust and unlawful acts, they are chargeable, personally, with the evil consequences of such unjust and unlawful acts."

"That we most heartily commend President Roosevelt for his faithful and efficient services in the prosecution of such corporations."

VITOSOPHY ASSEMBLY TENDERS RECEPTION

Dr. William Windsor, Founder of the System, is Guest of Honor—Will Lecture Tonight at Blanchard Hall

Several hundred friends and invited guests taxed the hospitality of the Boston college of vitosophy last night at a reception given in honor of Dr. William Windsor, who has just returned from a successful lecture tour of the northern Pacific cities. Mrs. Nellie Wood, vice president of the vitosophy assembly, presided while a delightful literary and musical program was rendered by the members of the assembly, as follows:

Instrumental music, Mrs. Weinhaugen. "Nellie's Prayer," Miss Gerlie Jirak. Mandolin solo, Miss Margaret Whisman. "A Trip Up North," Dr. Russell H. Taysman. Chorus, vitosophy singing class. Original poem, Mrs. Weinhaugen. "Vitosophy in Seattle and Portland," Dr. Wm. Windsor.

Dr. Windsor made a brief address, after which an informal reception was held, closing with dancing and refreshments.

Dr. Windsor will open the annual session of the western branch of the Boston college of vitosophy in Los Angeles with a course of free illustrated lectures in Blanchard hall commencing tonight with a lecture on "Matrimony," following on Saturday night with "How to Become Rich," and Sunday night with "How to Be Healthy," in Symphony hall. Readers of The Herald who have been interested in the articles on vitosophy which have appeared in The Sunday Herald for the past three months will be gratified at this opportunity to meet the founder of the science on the platform. Dr. Windsor's reputation as a platform orator is greater than his fame as a writer, and the lectures promise to furnish an exceptionally high form of entertainment.

SANTA BARBARA SUPERVISOR TO BE TRIED OCTOBER 10

SANTA BARBARA, Sept. 26.—The preliminary hearing of Supervisor J. F. Fricke, charged with malfeasance in office, has been postponed until October 10. The grand jury will meet October 8, when an indictment will probably be returned.

In the future The Herald will issue to subscribers holding six months contracts The Housekeeper, instead of the Woman's Home Companion. The Housekeeper is preferred by many of our patrons. It is bright, full of excellent articles of special interest to women.