

CREWS BACK, BUT OVER SINKS AGAIN

Heroism of Commander Is Lauded by Men.

MESSAGE SENT TO WILSON

Petition at About Same Time Is Forwarded to Secretary Daniels by 36 in Crew.

(Continued From First Page.)

They are not expected to experience any serious permanent results. Every man was met at the gangplank by Admiral Charles F. Hughes. As the admiral, who is commandant at the navy-yard, reached out his hand with the question "How are you?" each one, even the three sick men, straightened up and with a brisk navy salute, answered "Fine, thank you, sir."

Stories Pieced Together. Piecing together the brief interviews the men would give, it was easy to obtain a fairly accurate story of their experience. The cause of the accident, they declared, was a failure of the main air induction. The preliminaries of which began today on the battleship Ohio.

It was in order to be present at this hearing that Lieutenant-Commander Cooke was absent from the returning group. According to the story, at about 2 o'clock Wednesday afternoon the S-5 was about 55 miles off Cape Henlopen when the main air induction valve gave orders for a practice "crash dive." This is a war maneuver used when speed is submerged to avoid a mine. It was successfully tried the day before.

Every Man at His Place. The signal had been given and every man was at his place. The hatches were closed and water doors were opened. The air blast was forced out and the water rushed in and the boat began to sink. In a moment the indicator showed the boat was sinking faster than the stern. A quick inspection showed the air induction had failed to work and one of the sea valves had not closed.

Three minutes passed and the submarine was still sinking but not unevenly. Orders flashed out from Commander Cooke, from Charles Grischam, lieutenant, and J. E. Longstaff, chief. Every man knew that something was seriously wrong, but not one left his station. The boat was in a bump.

All but Three Don Masks. "It took us some time to realize just what happened," said Youkers. "We were too busy to worry for a moment."

All but three donned masks and for hours they had their long fight for life. The men without masks are now in the navy hospital. As the gas spread through the boat, the 37 men were forced from one compartment to another, getting nearer the stern each time, until all were gathered there. Crowded in the stern of the boat the men drank the juice of canned peas and beans until they were too weak to open cans. They tried to eat one food but the oil and water had ruined it.

Without a watch or a match, the men were unable to tell what time it was night or day. Commander Cooke suggested that when they pierced the shell and set a signal they would need something for a night sign of distress. One of the commissioned officers volunteered to dash into the chlorine-filled torpedo room and get one of the batteries there. He was permitted to do so, but in his quest got hold of one that was useless.

Seaman Obtains Battery. Stephen Gavin, a seaman, saluted and said: "We need that battery. I will get it." And before anybody could protest, he slipped back into the gas-filled room and returned with the battery.

The presence of each torpedo made the bow heavy and aided in pressing it further into the mud. Efforts to release the torpedoes were without result.

At about 8 o'clock after the ship had been under water about six hours, Commander Cooke decided on trying to force a hole through the side. With Chief Gunner Mate Fox he tried an electric drill. Then the commander learned that none of the electrical apparatus was of any use whatever.

Hatchet Used to Drill Stern. Only one hatchet was aboard and this was used to drill a small hole in the stern.

The men took turns at drilling, Commander Cooke starting off. The hatchet made slow progress through the tough steel and the men were hampered by the darkness.

Finally at about 3 A. M. Thursday a hole 7 inches long by 3/4 of an inch wide had been made. The hatchet was ruined and it was impossible to widen the hole sufficiently to permit the egress of a human body. A long iron rod was pushed through the aperture with Youkers' undershirt tried to it. This was the distress signal which brought the Alanthus to the rescue. Some hours later the transport General Goethals appeared and released the men.

Dive Sixteenth on Cruise. H. A. Love, gunner's mate, first-class, Fall River, Mass., was in the torpedo room when the dive was taken. Love said it was the 16th "crash dive" taken since the cruise started. The air intake valve which, according to the official report to Washington, was responsible for the accident, opened directly into the room in which Love was working.

"When we began to go below the surface," Love said, "I started to set the diving rudders in position. After we were almost completely submerged I felt water pouring into the room. I turned around quickly and saw that it was entering through the intake valve. I ran over to try to shut it, leaving my rudders. I was alone in the room. When I attempted to close the valve from the inside I was knocked to the floor by the rush of water."

Chlorine Gas Released. "I got up and tried again. Again I was bowled over. It was a powerful stream of water, but I managed to get out. We were forced by chlorine gas from room to room until finally we were confined in the two stern compartments, the motor room and the tiller room. We did not yet know the depth of water we were in. Before we were forced to retreat from the conning tower we could look and see that the bow was resting on the sand. That led us to believe that we were in the water whose depth was more than the length of the boat.

"When we got into the two compartments we could hear the water lapping against the side of the boat. That convinced us that the part of the submarine we were in was above the surface. Several men began

looking around the room until they found a breast drill. Work was immediately started cutting a hole through the hull so that we could get air and help.

41 Hours Spent in Silence. The officers told us to keep quiet and talked to us. They asked us to sit down wherever we could and keep as still as possible, so that we would not waste any of the precious air by deep breathing. We also were told not to talk in loud tones, as that would consume oxygen.

"After that we spent our 41 hours of captivity in almost dead silence, save for the revolving drill and the lapping of waves outside.

Commander Cooke in subdued tones and when we talked to each other and kidded to keep up our spirits, we did it in whispers. Hardly a word was spoken aloud.

"There were seven fellows who ought to be mentioned. When the gas masks were counted there were seven shy—they had been ruined by the water or something—so those who did not have any were pushed through the motor and tiller compartments first, although they kicked a lot.

"The worst thing we had to contend with was the fact that we had no matches, no watches and did not know one day from another or when it was night or day. But everybody felt that we would get out all right as long as they could tell us the time by the position of the sun or that of the ship was out of water."

EFFORTS TO RISE ARE FUTILE

Diver Finally Tilted on Stern by Blowing Water From Nose.

NEW YORK, Sept. 4.—Frederick W. Whitehead, chief machinist's mate of the submarine S-5, gave an account at his home in Brooklyn tonight of the experiences of his shipmates during the rescue of the battleship Ohio.

After describing preliminaries to what he termed "the last dive called for in the test," he said: "We hit bottom and rested easily. The captain and men had a conference. Then we started the air salvage system. There was 2300 pounds of compressed air pressure and we tried to blow the water out of the tank from the torpedo room, but still there was from two to three feet of water in each room. We were also unsuccessful in trying to blow the water out of the torpedo room. After blowing all of the oil out of the fuel tank, we were still too heavy to rise.

"The captain then figured out that our boat was 331 feet long and the water was 140 feet deep. We tried by standing the boat on her nose the stern water project through the water door to do nothing else to do. We blew out this water, but as it rushed past and the stern began to rise we were still too heavy to rise. The men sustained injuries. The salt water on the battery plates caused the formation of chlorine gas and the men began choking. We had only six gas masks between us. I had none.

"The captain worked his way aft and we communicated with him through a speaking tube. We finally had to quit our posts as we were chocked with gas. With difficulty we got into the next compartment, but had to return to open a valve so we could get air. The lights then went out.

"Finally we got into the tiller room and after five hours' work managed to drill a small hole through the steel plates. We were then about 25 feet above water. We put some rags on a fuel oil pipe and pushed it through one of these holes as a signal to a steamer we saw passing about five miles away.

"But she evidently did not see us and passed us by.

"An hour later the Alanthus came along and luckily for us she was off her route, because of being partly out of control.

"After getting a cable around us two crews from the boat started to drill from the outside. We kept on working inside but the air was so foul we could work only for 10 minutes at a time and fall back exhausted. Finally a hole was made large enough to put a hose through and air was pumped in.

"But with section 51 incorporated in the act I can find no escape from the conclusion that it was the intention of the legislature to confer upon the public service commission jurisdiction to inquire into and determine the reasonableness of every contract, ordinance or other determination of a municipality relating to the terms and conditions upon which public utilities may occupy the streets. In granting to every municipality certain powers, the legislature further provided that the acts of municipalities should be subject to review by the public service commission.

"The fact that your commission characterized the provisions in the different franchises as burdens and found them to be unreasonable and amounting to double taxation, would seem to warrant the assumption that they were considered.

"You are therefore advised that you have the power to pass upon the un-

GIRL IN BOY'S GARB HELD

Fugitive From Portland Home in Custody at Pasco, Wash.

PASCO, Wash., Sept. 4.—(Special.)—Bicy, 20, dressed as a boy, was taken from a Spokane, Portland & Seattle train here this afternoon. She was traveling with Claude Johnson, 19, who said he didn't know the sex of his traveling companion until they had been taken to police headquarters here.

The Bicy girl escaped from the House of the Good Shepherd, Portland, where she was being held for the Linn county grand jury. The sheriff at Albany, Or., was notified and she is being held for him.

Some weeks ago the girl was arrested while traveling in boy's clothes from California. She was then accompanied by a man.

GOVERNOR NOT FOR DEBS

Olcott Refuses to Sign Petition for Socialist's Release.

SALEM, Or., Sept. 4.—(Special.)—Governor Olcott will not be a party to the plan to release Eugene V. Debs, socialist candidate for president, from the federal penitentiary in which he is serving a term for sedition. This was made plain by the executive in a letter prepared today in reply to a communication received from a prominent socialist in Atlanta, Ga.

In the letter received by the executive it was said that an effort was being made to obtain Mr. Debs' release and that all the governors in the United States had been asked to sign the petition addressed to President Wilson.

"FIUME DAY" IS SEPT. 12

D'Annunzio Representative in U. S. Announces Celebration Here.

NEW YORK, Sept. 4.—Celebration of "Fiume day," Sunday, September 12, anniversary of d'Annunzio's occupation of Fiume, is assured in New York, Philadelphia, San Francisco, Chicago, Boston, St. Louis, New Orleans, New Haven, Newark and West Hoboken, N. J., and Denver, Pueblo and Trinidad, Colo.

Whitney Warren, newly appointed representative in the United States of D'Annunzio and the National Council of Fiume, announced this today.

CARFARE REHEARING PETITION IS UPHELD

Bridge and Street Tolls Put Up to Commission.

LEGAL OPINION IS GIVEN

Assistant Attorney-General Declares Argument Sufficient to Call Meeting.

SALEM, Or., Sept. 4.—(Special.)—The petition filed recently with the Oregon public service commission by P. D. Broderick, B. H. Fisher and V. Chadok of Portland, in which they urged that the case involving the franchise of the Portland Railway, Light & Power company be re-opened to the extent of considering the reasonableness and removal of alleged unjust burdens of taxation now imposed on the franchisee, is sufficient to cause the commission to call a hearing on the application, according to a legal opinion handed down today by J. O. Bailey, assistant attorney-general.

Fred Buchtel, chairman of the public service commission, in commenting on the opinion, declared that if it was the personal view of Mr. Bailey he was not interested in it, but that if the opinion was the bona fide finding of Attorney-General Brown or of the attorney-general's office, it was his view that the commission, having already expressed itself in three previous orders as to the unreasonableness of the franchise tolls might take some action without ever resorting to a rehearing of the case.

No attempt was made by the hearing of the petition, it is found that franchises and ordinances providing for the alleged unjust burdens of taxation are unreasonable, they become void by law to the extent of their unreasonableness and should be removed. No attempt was made by the assistant attorney-general to pass on the reasonableness of the franchise provisions, however, this being a matter entirely within the jurisdiction of the commission.

Section of Act Held Plain. "Section 51 of the public utility act is plain, explicit," said Mr. Bailey in his opinion. "It grants to every municipality certain power and further provides that contracts, ordinances and other determinations of a municipality within the scope of said section shall be in force and prima facie reasonable."

"It is expressly stated that every municipality shall have power to determine by contract, ordinance or otherwise, the terms and conditions upon which the public utility may be permitted to occupy the streets, highways or other public property of the municipality, so long as such contract, ordinance or determination is not inconsistent with the terms and provisions of the public utility act. These contracts, ordinances or determinations by the municipality are, however, by the provision of this section, only prima facie reasonable.

Commission Holds Power. "The public service commission is granted power upon complaint, either made by a public utility or by a qualified complainant, to set a time for hearing and if it is found that such contract or ordinance is unreasonable, the same, according to the sections of the act are declared void."

"The provisions of the public utility act relating to the jurisdiction of the public service commission are much broader and more comprehensive than the provisions contained in many public utility acts of other states and in the absence of section 51 it might well be contended that the public service commission had power to relieve unjust and unreasonable burdens.

"But with section 51 incorporated in the act I can find no escape from the conclusion that it was the intention of the legislature to confer upon the public service commission jurisdiction to inquire into and determine the reasonableness of every contract, ordinance or other determination of a municipality relating to the terms and conditions upon which public utilities may occupy the streets. In granting to every municipality certain powers, the legislature further provided that the acts of municipalities should be subject to review by the public service commission.

"The fact that your commission characterized the provisions in the different franchises as burdens and found them to be unreasonable and amounting to double taxation, would seem to warrant the assumption that they were considered.

"You are therefore advised that you have the power to pass upon the un-

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reasonableness of the different provisions of the street railway franchise, and if you find they are unreasonable, then by operation of law, they become void to the extent they are found unreasonable. Case Started March 27. The fare case involved in the petition at issue had its inception on March 27, 1920, when the commission after extended hearings on an application of the railway company for increased revenue found, according to Mr. Bailey's opinion, that the provisions of the franchise relating to franchise taxes, car licenses, free transportation for city employees, paving assessments and bridge rentals were unreasonable and amounted to double taxation.

Recommendation was then made by the commission that the city of Portland should eliminate the alleged unjust burdens, and on May 21 the proposal was referred to the voters. Every measure looking toward the elimination of the alleged "double taxation" was defeated and on June 26 the railway company renewed its application, with the result that on June 19 the commission granted to the railroad corporation an increase in fare from 6 to 8 cents.

Almost at the same hour that Mr. Bailey gave his opinion today, a letter was received from John Kaste, a Portland attorney, that he proposed to institute proceedings in mandamus in the supreme court here next week to compel the public service commission to eliminate the so-called burdens of taxation now imposed on the railroad corporation. No intimation was given in his letter as to whom he represents.

SUMMER SCHOOL CLOSES

Oregon Normal Students Put On Playlet With Good Success.

OREGON NORMAL SCHOOL, Monmouth, Sept. 4.—(Special.)—Miss Ernie Johnson of Boring has taken up work at the Oregon Normal school as assistant to the registrar. The second six weeks' term of summer school closed Friday, September 2, and rapid preparations are being made for the fall term, which begins September 29.

Students of the summer school staged the playlet "Six Cups of Chocolate" Thursday night with great success. The production was from Portland took part in the play: Misses Dorothy Miller, Carrie Grant, Florence Court and Isa Upson. Miss Lillian Lusk of Trout Lake, Wash., and Miss Juanita Wolff of Orenco, also had roles in the play.

FACULTY IS COMPLETED

North Bend Elects Six New Teachers for Ensuing Year.

NORTH BEND, Or., Sept. 4.—(Special.)—The city school board announced completion of its faculty for the ensuing year by the election of

Advertisement for Dr. A. Reed Cushion Shoes, featuring a shoe illustration and text: "A Popular Favorite is the 'Combination' It polls a large vote from men who know shoe values, and a repeat vote from its wearers."

Advertisement for Staiger's shoes, featuring a shoe illustration and text: "A shoe of class and comfort that will give satisfaction to the last step. STAIGER'S 292 Washington St., Bet. 4th and 5th"

Hazelwood SUNDAY DINNER \$1.25 menu listing various dishes like Cream of Chicken Corn Soup, Celery, Lettuce Tomato Salad, etc. Also includes Hazelwood Plate Dinner 75c and Hazelwood Vegetable Dinner 40c menus.

Large advertisement for Columbia Pictures featuring the film 'THE RIGHT TO LOVE' and 'HUMORESQUE' STAYS WEDNESDAY. Includes an illustration of a woman in a dress and the Columbia logo.