

## BAGGAGEMAN KILLED

### Bandits Attempt to Hold up Railway Station.

## MEET WITH RESISTANCE

### Fierce Hand to Hand Fight Follows —Operator, Though Mortally Wounded, Captures One of the Highwaymen.

(Special to The Evening News.)  
Ypsilanti, Mich., Jan. 7.—Two young desperadoes attempted to break into the railroad station in this city early today, and as a result of the battle which followed, Henry Erner, the baggage master, was killed, and the telegraph operator, Morgan Emmett, was fatally wounded. The bandits started a reign of terror in the vicinity of the depot, holding up people, breaking into stores and generally terrorizing the people on the streets. The two men had things all their own way and met with no resistance from any source until they reached the depot and attempted to force their way into the offices. At this point in the game they were met by Erner and Emmett, both of whom were armed with revolvers, and a desperate fight began. Many shots were exchanged with the terrorists, and the affair became a hand to hand fight, in which Erner was shot to death by one of the highwaymen, who then fled, unhurt. Emmett, though mortally wounded by the other highwayman, had grappled with the man and pluckily held on to him until

the police arrived and arrested the bandit.

## ISLAND RACKED WITH EARTHQUAKE

(Special to The Evening News.)  
Mobile, Ala., Jan. 7.—Word has reached this city that terrible earthquake shock has been experienced in the island of Swan, 900 miles from here. The island is situated in the Caribbean sea, and the news of the temblor was brought by Captain Olsen, of the steamer Corinto. The Corinto was in the Caribbean sea on January 1, at which time the earthquake was felt, and the captain and crew of the vessel witnessed the effects of the phenomenon on the island. In speaking of the matter Captain Olsen said that the water along the shore of the island fairly boiled during the periods of the heaviest shocks, and for more than thirty minutes the island seemed to fairly rock to and fro. In all five shocks were felt.

## ST. LOUIS FIRE MAN LOSES LIFE

(Special to The Evening News.)  
St. Louis, Jan. 7.—The Cambridge hotel in this city was totally destroyed by fire at an early hour this morning. The flames swept through the corridors so rapidly that it was with the greatest difficulty that the scores of guests escaped from the doomed structure. In the heroic efforts to save the people in the hotel one fireman was killed and several others were seriously injured.  
Mr. S. M. Walker has sold his hotel at Dillard to a conet arrival in this section from the east

## A SPECIAL MESSAGE

### Taft's Suggestions as to Ways of Controlling.

## INTERSTATE COMMERCE

### President Recommends Establish- ment of a Court of Commerce to be Composed of Five Judges —Salary of \$10,000.

(Special to The Evening News.)  
Washington, Jan. 7.—On the subject of interstate commerce in a special message sent to Congress today, President Taft, after calling attention to the fact that a large number of orders issued by the interstate commerce commission have been appealed from, says: "It would not be proper to attempt to deprive any corporation of the right of review by a court of any order or decree which, if undisturbed, would rob it of a reasonable return on its investment or would subject it to burdens that unjustly discriminate against it and in favor of other carriers similarly situated. What is of supreme importance is that the decision of such a question will be as speedy as the nature of the circumstances will admit, and that a conformity of decision can be assured so as to bring about an effective, systematic, scientific enforcement of the commerce law rather than conflicting decisions and uncertainty of final result. For this purpose I recommend the establishment of a court of the United States to be comprised of five judges, designated for such purpose from

among the circuit judges of the United States, to be known as the United States court of commerce, which court shall be clothed with original and exclusive jurisdiction over the following classes of cases:

"First. All cases for enforcement, otherwise than by adjudication and for the collection of penalty or by the infliction of criminal punishment of any order of the interstate commerce commission other than for the payment of money.

"Second. All cases brought to enjoin, set aside, annul, or suspend, and order or requirement of the interstate commerce commission.

"Third. All such cases as under section 3 of the act of February 19, 1903, known as the Elkins act, are authorized to be maintained in a circuit court of the United States.

"Fourth. All such mandamus proceedings as, under the provisions of section 29 or section 23, of the interstate commerce law, are authorized to be maintained in the circuit court of the United States."

The president recommends the appointment of five circuit judges from the districts having the largest volume of business, and also would empower the chief justices to reassign judges to districts at times when the business of the commerce court does not require their services. He recommends the payment of such judges while sitting in the court of commerce of such an additional amount as to make the total salary of each \$10,000 annually.

### Regular Sessions for Court.

The president recommends that regular annual sessions of the court be held in Washington, but that the court be empowered to meet anywhere. He says that the orders should be made final, and subject only to review by the supreme court of the United States, with the provision that the operation of the decree appealed from shall not be stayed except by the supreme court of the United States. He recommends giving the court power to suspend orders of the interstate commerce commission which are under review, pending a final hearing, but that no such restraining order be made except on notice and after hearing, unless in a case where irreparable damage will ensue to the petitioner. He would allow the judge of the court to grant a 60 days stay of the commission's orders, pending submission to the court, but only on hearing, and upon finding on evidence that irreparable damage would ensue to the petitioner, providing that this damage must be specified.

### Condemns Individual Action.

The president condemns the bringing of cases by attorneys acting for the interstate commerce commission and recommends that all prosecutions be brought by the department of justice.

"In view of the complete control over rate making and other practices of the interstate carriers, established by acts of congress, and as recommended by this communication," the president says, "I see no reason why agreements between carriers subject to this act, specifying classifications of freight, and the rates, fares, and charges for transportation of passengers and freight, which they may agree to establish may not be permitted provided copies of such agreements be promptly filed with the commission but subject to all provisions of the interstate commerce act, and subject to the rights of any of the parties to such an agreement to cancel it, as to any and all of the agreed rates by notice in writing to the other parties and to the commission."

### Railroads Must Quote Rates.

He suggests that the railroads be required to quote rates in writing on the application of any shipper, with a fine of \$250 for any misquoting.

He recommends the empowering of the interstate commerce commission to inquire into the reasonableness of rates, and adds:

"The enormous volume of transportation charges, and the great number of separate tariffs filed annually with the interstate commerce commission, amounting to almost 500,000, and the impossibility of any commission supervising them making of tariffs in advance of their becoming effective on every transportation line within the United States, to the extent that would be necessary if their active concurrence were required in the making of every tariff, has satisfied me that this power, if granted, should be conferred in a very restricted form."

### Postpone Increase of Rates.

It is recommended that the interstate commerce commission be empowered to postpone the operation of any proposed increase of rates, either upon its own initiative or on the complaint of an outsider, for a period not exceeding sixty days. If the commission finds the increase unreasonable, it may forbid the increase or fix a maximum beyond which the rate may not go. If the commission has not completed the investigation when the new rate becomes effective, the investigation may be continued as under the present law.

### Shippers Can Choose Route.

The message recommends definitely that shippers be given the right to select routes over which their shipments are to be handled. It is proposed that after passage of the suggested bill, no railroad shall be permitted to acquire any interest of any kind, directly or indirectly, in the capital stock or purchase or lease any railroad, or any other corporation which competes with it, with the proviso that the law shall not operate to prevent any corporation, which, at the date of the passage of the act, owns half of the entire stock of a company, from securing the rest of it nor prohibit any railroad company

## PINCHOT TO LOSE JOB

### Secretary Ballinger and President Taft Closed

## PINCHOT LETTER CAUSE

### "Shall the Presidential Axe Chop Off Official Head of Gifford Pinchot?" Is the Question Now Being Discussed

(Special to The Evening News.)

Washington, Jan. 7.—Secretary of the Interior Ballinger is closeted with President Taft today. Other conferences have been held at which meetings the participants are supposed to have discussed the question, "Shall the presidential axe chop off the official head of Gifford Pinchot, chief forester of the United States?" Many are inclined to believe that the reading in the senate by Senator Dooliver the letter that was written by Pinchot in which the chief forester defended his subordinates for the aid they gave L. R. Glavin in pressing the cases in which the charges were brought against Secretary Ballinger, must eventually mean Pinchot's dismissal.

A special meeting of the cabinet was called this afternoon for further consideration of the so-called Ballinger-Pinchot controversy, which has suddenly become the all-absorbing question here today. The matter was thoroughly discussed at the regular meeting of the cabinet this afternoon and Secretary Ballinger was recalled to the White House by telephone to further delve into the affair.

The House also adopted a special ruling allowing immediate consideration of the resolution calling for the investigation of the Ballinger-Pinchot controversy. Representative Fitzgerald opposed the resolution, declaring that its object was to allow President Taft to get on the "band wagon." Fitzgerald declared that Taft had sit on the lid as long as he dared and demanded that the investigation be narrowed to Secretary Ballinger alone and proposed that that portion which brings the forest service into the scope of in-

vestigation be stricken out.

Washington, Jan. 7.—The reading in the Senate today of the letter from Gifford Pinchot, chief forester, to Senator Dooliver, of the senate committee on agriculture, in which a direct slap at President Taft takes the form of a positive indorsement of L. R. Glavin and an intimation that the president did not know what he was doing when he ordered the removal of the special agent, put a new face on the Ballinger-Pinchot controversy. It was followed by a hurried meeting of the cabinet, and it is said in Washington tonight that "some action as to Mr. Pinchot's course is not unexpected."

### Early Removal Expected.

This is taken to mean that the president will remove Pinchot at an early date. The president issued some time ago an order that no subordinate in any government department should disclose any information to congress except through the head of his department. The letter of Pinchot addressed to Dooliver clearly is a violation of this order. It is said that the president has felt for some time that Pinchot has been "defying the lightning."

The members of the cabinet who attended the session today were Secretary Knox, Secretary MacVeagh, Attorney General Wickersham and Secretary Wilson, the last named the secretary over whose head Pinchot went when he addressed his communication to the chairman of the committee of agriculture of the senate. It was said that Pinchot's conduct was discussed freely, although none of those who participate would tell what went on at the conference.

## MONOPLANE AS- CENDS 3300 FEET

Mourmelon, France, Jan. 7.—Latham, the French aviator, today established a new height record in his monoplane when he soared 3300 feet above the earth, carrying with him his barometer and the feat is unquestioned.

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- All \$27.50 Suits and Overcoats \$20.65
- All \$25.00 Suits and Overcoats \$18.75
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- All \$20.00 Suits and Overcoats \$15.00
- All \$18.00 Suits and Overcoats \$13.50
- All \$15.00 Suits and Overcoats \$11.25
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