Congress Given Hard

Nut to Crack.

WOULD LEASING CURE EVILS?

Only Buttress Monopoly.

DEFECTS OF PRESENT LAW

Railroads Practically Forced to Su-

born Perjury in Order to Get

Coal - Action at This

Session Likely.

OREGONIAN NEWS BUREAU, Wash-

ington, Dec. 15 .- Strenuous efforts will be

made at the present session of Congress

to secure the repeal or modification of

the coal land law along the lines recom-

mended by President Roosevelt in his

complished sems quite probable, but what form of law will be substituted for that

under which gigantic frauds have been

perpetrated has not yet been made ap-

parent. The influence of the administra-

off further sales of Government coal land,

though permitting them to be worked by

individuals or companies on a royalty

topic, the exact recommendations of the

plan. Because of the importance of this

n will be behind a bill proposing to cut

тезваде.

That something will be ac-

FATHER IN TEABS: BOY IS UNMOVED.

Dramatic Scene at the Thompson Trial.

HEART PLEA OF BROKEN MAN

Career of Scion of Family Afflicted With Insanity.

FEW DRY EYES IN ROOM

Will H. Thompson, Father of the Slaver of Judge Emory, Lays Bare the Skeletons in His Family History.

TACOMA, Wash., Dec. 14 .- (Special.) Will H. Thompson stood before the 12 men today who are to try his son, Chester Thompson, for his life, and detailed from the boy's birth to the present time his strange and eccentric career in a narrative which for pathos has never been equaled in the criminal courts. It was a great, earnest heart plea of a crushed and broken father and at its conclusion, when the aged attorney, with choking voice and tearstained face, and head and shoulders bowed with the weight of his great grief, felt his way to his seat, there were few dry eyes or clear throats in the courtroom

"Whatever your verdict, gentlemen." almost sobbed the parent, "I have lost my boy, I have lost my boy."

Women cried audibly behind their handkerchiefs, and strong men, attorneys used to scenes of grief in courtoms, furtively dashed a hand across their eyes and swallowed lumps in their throats. Maurice Thompson, with tears | to shareholders of record December 31. streaming down his face, made his way to the back of his father's chair and put both arms over the drooped shoulders. Oscar Thompson, showing equal emotion, remained by the side of the accused and struggled for composure.

Slayer Shows No Emotion.

Chester Thompson was in all that throng the least moved. Never once did he look toward his parent, and not when his father was describing the last movements of the paralyzed mother and repeated her injunction. "Take care of our Chester," did his ex-

The opening statement of J. F. Miller, Assistant Prosecuting Attorney for King County, was very brief. He recited the facts of the killing and declared that murder was born in Thompson's heart when Judge Emory refused to permit Chester to again call upon Miss Whittlesey. When Mr. Miller closed, Will H. Thopmson arose and addressed the jury,

"Insanity has been in our family for many generations. Chester's great-greatgrandmother was insane, with lucid inervals, from the time her first child was born until her death. Two of his aunts were insane all their lives, Joel Lee, an uncle, upon his mother's side, was insane all his later life. Joel Lee's sister was insane from the time she was a girl. Ella West was married at the age of 30 and YESTERDAY'S-Maximum temperature, 42 shortly afterward became insane, and is TODAY'S-Fair and continued cool; easterly now in an insane sanitarium at Colorado Springs.

Unele's Mind Affected.

"My brother Tom was afflicted through his life. He died at the age of 49, and never was able to learn to read and

"My brother Maurice, a man of solendid intellect and a literary toiler all his life, was for two years a sufferer from insanity, but recovered and did his best work afterward. He was of that highstrung nervous temperament which has been both a blessing and a scourge in our family.

financial calamity had overtaken me. The mother was in great distress. Whether this affected Chester I do not know.

But the boy was born healthy." Mr. Thompson made no argument whatever, but simply recited the strange doings of the boy from his babyhood, when was a forward, interesting child, to his later days when he was so shy and diffident, melancholy and indifferent that not one member of his family could get out of him more than a mere yes and no. and when the consuming desire of his life was to sit at a distance and look at Charlotte Whittlesey.

Tomorrow the first witness for the state will be called.

GREATEST OF LINGUISTS

Death of Jeremiah Curtin, Learned in Seventy Languages.

BRISTOL, Vt., Dec. 14. - Jeremiah Curtin, the distinguished linguist and philologist and well-known as a translator of Russian and Polish novels, died here today of Bright's disease, ged 66 years. He was professor in 70 languages, excelling as a linguist, it is

other man. After his graduation from Harvard in 1863 he became secretary of the United States legation in Russia and later acting consul there. For any years he was actively engaged many years he was actively engaged to be built on Sixth street. Page 12. stitution, visiting many countries and

the people. As an author he was best known as the translator from the Polish of the work of Henry Sienkie-

ONLY GRANITE IN SACKS

Mining Man Causes Seller's Arrest for Buncoing Him.

SALT LAKE CITY, Dec. 14.-As the result of a disagreement over a mining deal for a property in Bolse County, Ida-ho, Samuel Newhouse has had Lee Bunch arrested on a charge of obtaining 23700 under false pretenses. Newhouse says he paid Bunch that amount on representation that an amount of ore was mixed and sacked on the property,

granite. Bunch says Newhouse made the initial investment, then sent his expert M. M. Johnson up to examine the mine and on his report decided to invest \$50,000 more in development work and finally repented of his offer. Newhouse is a prominent mine owner operating in all the Western states.

while in reality the sacks contained

SIX SPECIAL MESSAGES DUE

President Will Discuss Vital Questions With Congress.

WASHINGTON, Dec. 14.-Six special nessages are to be sent to Congress next week by President Roosevelt. They include one on the naval person-nel bill, which contemplates the more rapid retirement and promotion of the officers of the Navy; a message transmitting Secretary Metcalf's report on he alleged discrimination against the For three hours and forty minutes Japanese in San Francisco; a special message on Panama; a message on the public land question; transmitting Secretary Taft's report on Cuba, and a reply to the Senate resolution calling for information regarding the discharge without honor of the soldiers of the I wenty-fifth regiment of colored in-

WILL INCREASE ITS CAPITAL

Northern Pacific Announces Issue of \$93,000,000 New Stock.

NEW YORK, Dec. 14.—The expected financial plan of the Northern Pacific Rallway Company was made public late tonight. It provides for an increase in the capital stock from \$155,000,000 to \$250,000,000. A special meeting of the stockholders is called for January 7 to authorize the proposal. A right to sub-scribe to \$83,000,000 of the new stock at par in proportion to the respective hold-ings of the present stock is to be offered

GIVES UP DOWER RIGHT

Mrs. Dowle Assigns All Interest in Zion City.

MUSKEGON, Mich., Dec. 14.-Men. Jane Dowie today formally signed away her dower interest and any claim she night have on any Zion City property, Lake in Northern Muskegon County, The transaction does not affect any property that John Alexander Dowle may own outside of Zion City.

Osler's Mother a Centenarian.

NEW YORK, Dec. 14 -- A message from Toronto says that Mrs. Featherstone Os ler will celebrate her 196th birthday to She is the mother of four distin guished sons, Judge Osier, of the Ontario Court of Appeals; E. P. Osier, M. P.; Dr. William Order, regius professor of medi-cino in the University of Oxford, and the late B. B. Osier, who was a prominent lawyer. Dr. Osler gained public notice recently by a statement credited to him that the end of human usefulness comes at the age of 60 years.

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Little hope of King Oscar's recovery, Page 3.

National.

Law Based on False Theory. The President, like every practical Western man, knows that the existing coal land law is not sensibly framed. That law was built on the theory that the individual could take up and develop a quarter section of coal land, just as the homestead law gives the individual a like area of agricultural land. But no individual can develop a quarter section or a whole section of coal land. He could not afford to install the necessary machinery, or if he could, his profits on a

for the outlay. Moreover, no railroad would think of building a spur onto an isolated quarter section of land and the owner of the land could not afford to OF COAL PROBLEM assume that expense. So the individual with a quarter section of coal land in his possession would have a white, or rather a black, elephant on his hands. The mineral wealth might be there in abundance, but he could not get it out and could not get it to market.

It is conceded by every one who has made a study of the situation that the development of coal deposits is not a matter for the individual, nor is it a matter that can be handled on a small scale. It requires capital to open and operate coal mines, and capital will never enter a new field unless it is sure to have sufficient range to guarantee a profit on its investment. Once the ma terial field is opened, the railroad will build its spur, but not until then. This being the fact, the coal land law must be amended in a way that will permit Western Man Says It Would capital to obtain title or obtain legal right to develop a reasonable area of coal land, and must not be restricted to a quarter section or even to a section.

Inducement to Perjury.

The present law, unwise and imprac tical as it is, has been an inducement to men to commit fraud and perjury, for by no other means could large companies de velop the coal regions of the West. The railroad companies, for instance, had to have coal; they could not afford to haul it from the East, particularly when they had it along their own lines, yet under the present law there was no means by which they could legally obtain title to the coal fields which they sought, honestly or dishonestly, to enter. The law would not permit them to purchase or even to lease large areas of coal land; they could not get sufficient coal by opening up little quarter section tracts so to save themselves and to get coal for the people living tributary to their lines they were compelled to buy up coal entries made by individuals, and in order to get an adequate area they were literally compelled to induce men to commit perjury in order that they in turn might have the privilege of working the land which was absolutely useless in the pos-

session of individuals. Men who have talked this matter over with the President are satisfied that the President takes a reasonable view of the coal land situation in the West, and while he does not excuse the railroads for inducing individuals to commit perjury, he realizes the President may well be repeated. In his force of circumstances that induced message he said: in hearty sympathy with the "roar" that has been raised by Secretary Hitchcock in the past few weeks. The same view is generally entertained in

Argument for Royalty Plan.

message he said:

It is not wise that the Nation should alienate its remaining coal lands. I have temporarily withdrawn from settlement all the lands which the Geological Survey has indicated as containing, or in all probability containing coal. The question however, can be properly setled only by legislation, which in my judgment should provide for the withdrawal of these lands from sale or from entry, save in certain especial circumstances. The ownership would then remain in the United States, which should not, however, attempt to work them, but permit them to be worked by private individuals under a royalty system, the Government keuping sack-ascarrol as to permit it to see that no excessive price is charged consumers. It would, of course, be as necessary to supprivise the rates charged by the common carriers to transport the product as the rates charged by the common carriers to transport the product as the rates charged by the common carriers to transport the product as the rates charged by those who mine it; and the supervision must extend to the conduct of the common carriers, so that they shall in no way favor one competitor at the expenses of another. The withdrawal of these coal lands would constitute a policy analogous to that which has been followed in withdrawing forest lands from ordinary sel-How to cure the evil is a question for Congress to decide, and some solution is likely to be forthcoming this Winter Some favor a change in the law increasing the area of coal land that may be purchased by individuals or by companies or corporations to such size that they can profitably invest and put the coal on the market. These men would increase the price of coal land so that the Government would reap a larger benefit from the sales. plan, however, has not the approval o the President. He believes that the title to all remaining coal land should remain in the Government, his idea being that if the Government holds the title, it can prevent the upbuilding of a coal monopoly in the West such as has been developed in Pennsylvania. If title should pass from the Government, there would be no check upon the owners of the Western coal fields.

Senator Hansbrough, of North Dakota, chairman of the Senate committee on public lands, has already introduced a bill along the lines laid down in the President's message, directing that title to coal land shall remain in the Gov-(Concluded on Page 3.)

STANDARD CASE HANGS ON THREAD

Kill Indictments.

FEDERAL LAWYERS IN COUNSEL

Did Rate Law Repeal Elkins Law on Passage?

IF SO, TRUST IS IMMUNE

Roosevelt Summons All Legal Forces to Prepare Reply to Octopus' Claim of Pardon for All Past Offenses.

> STANDARD'S CLAIM FOR FOR-GIVENESS.

The Hepburn rate law, as passed, took effect immediately, that is on June 29, 1906. It repeals the Elkins anti-rebate law and substitutes new provisions against rebating.

A joint resolution was passed on June 30 providing that the Hepburn law should take effect 60 days after passage, that is, August 28.

The Standard Oll Company was indicted under the Elkins law on August 27, one day before the Hep-burn law replaced the Elkins law. The Standard attorneys maintain that the Eikins law was repealed

immediately upon the approval of the Hepburn law on June 29 and was not revived until the President signed the joint resolution of June 30, but that its revival could not affect offenses committed prior to The Government maintains that

the Hepburn law and the joint resc lution were one legislative act and that therefore the Elkins law was not repealed until August 28 and If the court decides for the Stand-

ard, all the indictments at Chicago, Jamestown, N. Y., St. Louis and cisewhere will be void. If the Government wins, the prosecution will

CHICAGO, Dec. 14.-(Special.)-Every available force at the command of the by the enactment of the new legislation. Government is to be brought to bear to defeat John I. Miller's doctrine of ratelaw pardon for Standard Oil, and a conference under the eyes of President Roosevelt and Attorney-General Moody will be plain to protect the Government in bringheld in Washington Monday to patch up

District Attorney Edwin W. Sims and James H. Wilkerson, special counsel for the Government in the Standard cases were directed by telegraph from Wash ington today to go to the National capital to attend the conference and to talk over personally the details of the situation, which admittedly has created consternation in administration circles. Telegrams flew back and forth between Chicago and Washington all day relating to different phases of the question. The message which Mr. Sims sent to the

Attorney-General when Judge Landi made it clear that his decision depended on the actual moment the rate law be came effective did not succeed in getting any information from Washington which ould be presented as evidence to the ourt. On the contrary, the call for a conference between the Government's legal representatives was issued from headquarters. It is the expectation that in the conference will sit the entire force of United States District Attorneys, .spe Hiatus of One Day May cial counsel and the array of special investigators who have been on the trail of Standard Oil ever since the President gave the order which laid the foundation for the many indictments which have been returned against the oil company in

a half dozen United States Courts. May Fail Like Beef Trust Cases.

Intimation comes from Washington hat there is grave fear that the position which Judge Landis appears to be taking. so far as the Miller contention goes, presages an end to the Government's on slaught on rebating. It seems not to be concealed in the higher circles that there is fear the oil prosecutions will fail almost as spectacularly as did the beef cases, when the immunity bath plea of Mr. Miller relieved the individual packers of further danger of attack.

Another Law to Rely On.

Mr. Sims, Mr. Wilkerson and Assistant District Attorney Hanchett, who handled the arguments on the Government's part before Judge Landls, do not share in the temerity which is expressed at Washingon. Mr. Sims is positive in his faith that, even if the plea of Mr. Miller is held good that the rate law was effectly for a single day on June 29, section 31 of the revised statutes makes the case of the Government absolutely good and protects the Government's indictment wherever they have been returned.

The rate bill provided that it should ecome effective "from and after its passage," and finally was passed when the Senate accepted the conference agreement June 29. This the records show.

On June 20, after a conference with the President, a joint resolution was passed oviding that the law should not become effective until 60 days after its passage, er on August 28. Through an error of the public printer this resolution was not sent out with the newly enacted law, and it was a week later before the mistake was

Mr. Miller in his argument held that the new law was in effect from June 29 to June 30, and that it thereby repealed the Elkins law and changed the circumstances legal rebating could be brought. The pass age of the joint resolution brought back the Elkins law into temporary life, but, he contended, could not be retroactive in re-establishing the crimes which might have been committed under the old law and which were wiped out by the passage of the later measure. Mr. Sims declares that to all purposes

and intent the law and the joint resolution were one legislative enactment and that the rate law could not and did not, become effective in any provision until August 28. The Chicago indictments were returned August II, and thereby became "pending causes," which, by section 10 of the law, were not to be prejudiced Mr. Sims also contended that, even were tion 15 of the revised statutes of the Parliament. In fact, it has been the United States was sufficiently broad and ing the present prosecutions. This section provides that the courts in construing Congressional statutes shall hold that, unless there is a "saving clause" expressly exempting from prosecution those who might be prosecuted under the law repealed by the new act, then pending causes shall be proceeded with, just as

though the old law had not been re-HARVESTER TRUST'S PLANS

Morgan Promotes Scheme to Convert Stock and Change Control.

CHICAGO, Dec. 14.-The Post today says; Unless the plans which are sanc-tioned by J. Pierpont Morgan and agreed to by the holders of at least \$100,000,000 tion brought about by the dissolution out of \$129,00,000 of the capital stock of the International Harvester Company fall through, February 1, 1987, should see the complete financial reorganization of the great farm implement trust, Tentative contracts which have been signed by the chief stockholders call for the inver-sion of \$125,000,000 of empital stock of one class into a like amount of new stock divided into \$60,000,000 7 per cent cumulative preferred and \$50,000,000 common ock; the retirement of several interests active management of the company and a general change in the staff of offi-

The expectation is that the new securities will be listed on the New York Stock Exchange, which, if the plans are carried through, will give the stockholders a broad market for their securities and enable them to retire, if they desire to do so. Reichstag today,

MANISTIQUE MISSING WITH 31 MEN NEAR DULUTH.

Loses Man-Finds Her Tow Disappeared in Storm. DULUTH, Minn., Dec. 14 .- The wreck-

Tug Crosby Collides With Her and

ing steamer Manistique and the steamer Ireland collided near here tonight. The Ircland was disabled. The tug George the education bill, and would thus Crosby, which was assisting the Manistique, took the crew off the Ircland and ent to the fate of the educational in doing so one man was lost. The Crosby came into Baylield, reported the loss of life and returned to look for the Manistique, but at a late hour to-

night reports that she is unable to find iny frace of her.

It is feared that the boat and her crew of 31 men is lost. There is a heavy sea running and the Ireland, which is at anchor near Apostle Island, is in danger.

Siberian Grain for Relief.

ST. PETERSBURG, Dec. 14.-The government has purchased 6,000,000 bushels of grain in Western Siberia, where there has been a big grain harvest this year, at comparatively low prices. This grain will be hauted into the famine-stricken provinces with all possible dispatch,

EXTREMES ALLIED AGAINST KAISER

Clericals and Socialists Oppose Him.

HE APPEALS TO FATHERLAND

Hostile Majority in Next Reichstag Larger.

CLERICALS HOLD CONTROL

Defeat on African Budget Due to Their Defection and Contest With Pope May Result-Constitutional Crisis Near.

BERLIN, Dec. 14 .- (Special.) -A contest between the Kaiser and the Pope. overshadowing the Russian convulsions, will result from the dispute between Emperor William and the Reichstag. This is the prediction of political prophets on the outcome of the new

Forecasters assert that the anti-government majority in the next Reichstag will be stronger than in the one just dissolved. The opposition will obstruct the Kaiser, step by step, bringing on a deadlock not only in the colo-nial bureau, but also in the foreign, naval, military and domestic depart-

Germany is plunged into what is universally regarded as the greatest crisis in its imperial history by the revolt of the Reichstag in refusing to pass the Southwest African military budget.

The Kaiser's fearless atroke in call-ing upon the Fatherland to elect a new Reichstag was filled with a proper sense of patriotism. The step was a momentous one, as the Emperor has no assurance that the country will respond to his call. If it does not, and if the voters again hoist the flag of Catholicism and Socialism above the Reichstag, the Kalser will find himself in the anomalous position of being unable to continue a constitutional government along the lines on which he Aninks it should be conducted.

Cone-third of Germany's 60,000,000 inhabitants are Catholic. This minority by standing together in a solid pha Clerical party to which the Kaiser has looked for support of most of his noti-

The Kalser wished to keep 8000 troops in Southwest Africa, but a majority in the Reichstag, by a vote of 178 to 168, refused to vote more money than was needed to support a force of 2500 men.

KAISER AND CHANCELLOR TALK All Germany Prepares for Election

of New Reichstag. RERLIN Dec. 14.-Emperor William

lunched with Prince von Buelow at the Chancellor's palace today, and, presumably they discussed the political situaof Parliament. The Emperor and Chancellor have been in complete accord throughout in the treatment of Colonial questions and in the desire to relieve the government from dependence upon the elerical party.

The imperial government and the Vatican have got along fairly well since the beginning of the late Prince von Hohenlohe's Chancellorship, but the critical attitude of the Center or Clerical party of recent years has been annoying to administrative and court circles. It is not intended to completely break with the members of the Center party, but only to show them that they are not indispensable. The leaders of all the party groups and many of their followers have held caucuses in the committee rooms of the

Pay Taxes for Religious Teaching.

LONDON, Dec. 14.—The House of Lords has reversed the decision of the Appeals Court in the West Riding case in regard to the payment of rates for religious instruction and holds that the county councils are bound to pay for the whole curriculum, religious as well as secular. The law Lords thus uphold the original interpretation of the act of 1902, under which the "passive re-sisters," headed by Rev. Dr. Clifford, were fined and imprisoned. Had the decision been otherwise the levy rates for the payment of religious in-struction would have been illegal and the Nonconformists would have gained one of the many of the points for which the president of the Board of The Education, Mr. Birrell, is fighting, with

> measure. King Raakon to Visit Kaiser.

LONDON. Dec. 14.—King Haakon, Queen Maud and Crown Prince Olaf, of Norway, left London this morning for Germany. They will spend a couple of days with Emperor William, at Berlin, before returning to Christiania. King Edward, the Prince and Princess of Wales, Dr. Nansen, the Norwegian Ministers and others gathered at the station to bid farewell to the royal travelers.

Death Still Hovers Over Shah. LONDON, Dec. 14.-A private telegram from Teheran announces that the Shah's condition continues critical,

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or Wood-street quarry. Page 10,