

PAWNBROKER HELD UP AND BEATEN

Max Hermann Victim of Brutal Assault in Couch-Street Shop.

C. W. WAGNER ARRESTED

Suspect Will Today Be Brought Before Hermann, Who Is Not Fatally Injured—Crime Resembles the Wolff Murder.

Bearing a strong resemblance in many details to the fiendish crime that resulted in the death of Nathan Wolff, the First-street pawnbroker, an assault was committed last night shortly before 7 o'clock on Max Hermann, proprietor of a second-hand and loan store at 267 Couch street, between Third and Fourth, in what the police believe to have been an attempt to hold up and rob the place. Hermann was found by Patrolmen Keitlen and Amundson in an unconscious condition seated in a chair near the window of his store. He could be plainly seen from the street. His head bore three gaping wounds, identical to the wounds with some heavy instrument. His face, hair and clothing were besmeared with blood and there were splashes of blood on the floor near the door and window.

Others Saw the Suspect.

Owing to the fact that Hermann was alone in his store at the time, and has been too greatly excited since to tell about the attack, the police have been unable to get a thoroughly connected idea of what happened between Hermann and his assailant. From reports furnished by others in the neighborhood, whom the police believe were also visited by the same man who felled Hermann, it is thought that the assailant entered Hermann's place and picked a quarrel with him over a Knights of Pythias charm which he wished to pawn or sell. Demanding far more than the badge was worth and being refused by the pawnbroker, the theory runs, he used this as a pretext for harsh words, and when Hermann replied in kind, attacked the pawnbroker and, after striking him down, rifled his pockets and the cash drawer.

Wagner was positively identified by D. Steln, who conducts the Union Loan Office, at 47 Third street, around the corner from Hermann's place.

According to Steln, the man who came to his shop just a few minutes before Hermann was assaulted, and tried to engage him in a quarrel about the charm. Steln asserts that he suspected from the man's unusually rough manner that he was trying to work a holdup game, and reaching for a revolver under the counter, threatened to shoot if Wagner did not at once leave.

Sees Hermann Through Window.

Hermann was first discovered by a passer-by who paused to look into the window. He saw Hermann lying on the floor and would have paid no further attention to him had he not noticed the blood. He called to the two policemen a block away, and it is believed that after his assailant's departure Hermann came back to consciousness and crawled to his chair, where, exhausted from loss of blood, he fainted. The police discard all theories except that of robbery as the motive.

Wagner has been unable to give a very satisfactory account of himself and his actions since coming to Portland a few days ago. This, added to the fact that he was arrested in a store where he was trying to buy a hat, possibly in order to change his appearance, has led the police to strengthen their suspicions. He will be taken out to face the injured man again today, when it is believed Hermann will be able to identify Wagner if he is guilty. Wagner is over six feet tall and of powerful build. He asserts that he formerly worked in the city for the Southern Pacific Railway. When confronted by Steln, who identified him as having been in his store under suspicious circumstances, Wagner let loose a volley of oaths at the pawnbroker, which caused the detectives to warn the prisoner against such conduct.

FIGHTS RATE REDUCTION

(Continued From First Page.) railroad lines and that the Railroad Commission be declared to be unconstitutional, having been created and vested with powers in violation of article III of the Oregon constitution.

Refer to Joint Tariffs.

The complaint sets forth that the O. R. & N. is a part of the Union Pacific system, with the Oregon Short Line as the connecting link. Because of these physical connections and of the through tariffs established by the various companies thereto, merchandise and commodities of all kinds have moved from Chicago, Milwaukee, St. Louis and Missouri River points to Portland and to points east of The Dalles reached by the lines of the railroad operated by the complainant, under a joint tariff contracted by these roads and filed with the Interstate Commerce Commission. Because of the same conditions a joint tariff was also agreed to between the O. R. & N., the Oregon Short Line and the Union Pacific with other roads on merchandise and commodities from New York, Pittsburg, Cincinnati, Chicago and common points to North Pacific Coast terminals, including Portland. Similar joint tariffs, it is represented, were entered into between the plaintiff com-

pany and the San Francisco & Portland Steamship Company, and also the Southern Pacific, affecting the transportation of freight between California and Portland and points east of The Dalles. It is also asserted in the connection that fully 70 per cent of the freight handled by the O. R. & N. from Portland to points east of The Dalles originates at points along or east of the Missouri River or in California. For that reason the rates sought to be modified by the Railroad Commission, it is charged, will disturb the interstate rates under which the great bulk of the company's business is handled.

Should the order of the Railroad Commission be enforced, continues the complaint, not only the interstate rates already referred to would be affected, "but each and every other interstate rate now in force and effect from Missouri River common points and points east thereof to points in Oregon east of The Dalles, and from California points to points in Oregon east of The Dalles, contained and set forth in the tariffs heretofore mentioned, would likewise be affected, and the said order necessarily amounts to an attempted regulation of the said Oregon Railroad Commission of commerce between the several states and by an infringement upon the exclusive power of Congress over such interstate commerce and power over such commerce of the Commission created by the act of Congress approved February 4, 1887, entitled 'An Act to Regulate Commerce.'"

Comparison Is Cited.

Another contention urged by the O. R. & N. against the action of the Railroad Commission is the fact that by the conditions of the tariff of the Union Pacific system, approved by the Interstate Commerce Commission, it is provided that where the rate to or from the point of shipment to Portland added to the local rate from Portland to any point in Eastern Oregon east of The Dalles, fixed and established by the O. R. & N. local tariff, is lower than the rate to the same point shown by the tariff filed with the Interstate Commerce Commission, then the combination of the transcontinental rate and the local rate will govern. On this subject the complaint follows:

"The rates fixed and established by said Union Pacific tariff I C C No. 1578, applying to points and places on the lines of your orator's railroads in Oregon east of The Dalles, and particularly the class rates so established by said tariff, are generally more than the rate made by adding to the terminal rate to Portland fixed and established by the transcontinental terminal tariff, the class rates from Portland to the local Oregon destination fixed and established by said tariff No. L 625, and the commodity rates fixed by said Union Pacific tariff I C C No. 1578, are generally somewhat less than the combination of the transcontinental terminal rate to Portland and the rate fixed and established by tariff No. L 625 from Portland to point of destination east of The Dalles, but such commodity rates so fixed by said Union Pacific tariff I C C No. 1578 are greater than the combination of the rate fixed by the transcontinental terminal tariff from the point of shipment to Portland and the rates undertaken to be established by the Railroad Commission from Portland to the points east of The Dalles, by the said order hereto attached marked 'Exhibit I.'"

Assert Rates Are Low.

The same advantage in prevailing rates over those sought to be enforced by the Railroad Commission, it is pointed out in the complaint, in favor of the Southern Pacific to points east of The Dalles. The additional contention is made as a defense of its existing tariffs that the company over its lines in this state charges lower freight rates than any other railroad in Oregon, Washington or Idaho.

Referring to the possible result of an unrestricted meddling with freight rates by Railroad Commissions, the complaint suggests that should the Washington Commission establish rates in Washington equal to those ordered by the Oregon Commission, the interstate rate charged by rail could not lawfully be greater than the sum of the respective local rates so established by the two states and interstate rates would be wholly and necessarily established by the two states, to the exclusion of the control which properly should be exercised thereover by Congress and by the Interstate Commerce Commission.

PERSONAL MENTION.

Dr. E. M. Richardson, of Coos Bay, is a guest at the Portland Hotel. Frank Ira White, the well-known Klamath Falls promoter, is in the city for a few days. F. H. Lechler, a well-known citizen of Milwaukee, who has been critically ill for some time, is improving. It is believed that his health will be fully restored.

Mr. and Mrs. J. D. Lettingwell, of New York, are registered at the Portland Hotel. Mr. Lettingwell is here in the interest of Francis Wilson, the comedian, who will appear here shortly.

CHICAGO, May 11.—(Special.)—Mrs. E. E. Tanner, Jerome R. McGlade, Mrs. McGlade, Helen D. McGlade, of Portland, are registered at the Great Northern.

Weekly Concert for Seamen.

An excellent concert was given last evening at the Institute of the Portland Seamen's Friend Society, corner Third and Flanders streets. A large number of sailors were present. The programme was prepared by Miss Eva Wells. The programme: Selections by Cooper's Orchestra; piano solo, Mrs. Buckman; vocal solo, Miss Alice McCoy; vocal solo, E. D. Allen; vocal solo, Mrs. Hammond; vocal solo, Miss Eva Wells; vocal solo, Ole Olson, Norwegian stamper; Horn solo; vocal solo, Fred Smith; duet, Miss Wells and Mrs. Buckman.

Mme. Gould ad Prince Leave Rome.

ROME, May 11.—Madame Anna Gould, accompanied by Prince Helle de Sagan left here this evening for Monte Carlo, from which place, within a week or two, they expect to go to Paris. It was stated that the marriage of the Prince and Mme. Gould will take place as soon as the Prince has embraced the Protestant faith.

Spectacles \$1.00 at Metzger's.

HUGHES IS VERY MUCH IN EARNEST

Tour of New York Is Series of Flattering Receptions Everywhere.

TEST ELECTION TODAY

Race-Track Bills and Support of Governor's Policies the Chief Issue in Contest for State Senator.

BY LLOYD F. LONERGAN. NEW YORK, May 11.—(Special.)—Hughes seems to be frightfully in earnest, was the uneasy comment of one of the Governor's political enemies today.

He was alluding to the Governor's tour of the state, which ended on Friday and Saturday with speeches in Niagara and Orleans Counties, where a State Senator will be elected next Tuesday.

Hughes has been received with great enthusiasm at every place which he has visited, and has certainly thrown a scare into the Republican legislators who opposed his policies at Albany.

The Senatorial fight has been one of the most interesting on record. And the man elected will probably face the shortest term of active law-making on record.

The special election is called to choose a successor to Senator S. P. Franchot, deceased. The voters will be busy on May 12, canvassed by the county officials May 19, and passed upon by the State Board of Canvassers on May 22.

As the extra session convenes May 12, it is entirely within the range of possibilities that the new member may never sit in the onyx chamber in the Capitol.

For the issue is clearly drawn. The Republican candidate, W. J. Wallace, has declared that, if elected, he will vote for the bills to end race-track gambling, and any other good legislation that the Governor favors. The Democratic opponent, on the other hand, craves the issue, but it is generally believed that he will line up with McCarran, Grady and the other race-track men.

Involves Factional Fight.

The Senatorial District is close in average elections. Mr. Franchot won in 1896 by the narrow margin of 750 votes out of a total of 24,000. The Republicans are further handicapped by a bitter factional fight between the followers of Congressman Peter A. Porter and his predecessor in Washington, General James W. Wadsworth, Jr.

Every bit of influence Wadsworth possesses will be thrown against Wallace. One reason is that he has been a long admirer of that Wadsworth is a member of the State Racing Commission, and favors a continuance of present conditions at the tracks.

A victory for the Republican candidate for Senator would be a triumph for Hughes. A large majority for Wallace would throw the eight "race-track Republicans" into the hands of the Governor's legislation before the arrival of reinforcements from Niagara County.

Even a Republican defeat may end in a Hughes victory. For several of the insurgents have been heard to say that they will support the Democratic candidate if the message have not been couched in pleasant language.

The most dramatic "message" was the one sent by the Republicans of Ithaca to Senator Owen Cassidy, which reached the home of Cornell University, is in Tompkins County, which, with Schuyler and Chemung, make up the district represented by Cassidy.

What Struck Cassidy.

Ithaca citizens decided to hold a mass meeting to protest against the failure of the anti-race-track bills. They asked the Republican Mayor to head the list of signers for the call. He declined, and they went ahead without him. His name by 2000 voters, which is going some for a small town like Ithaca. And seated on the platform was the Mayor. Further, he made a speech and named the Governor that he spoke for united Ithaca in assuring him of the support of his measures. For this Mayor had learned of nothing. His speech, it might be added, were all constituents.

The County Judge of Tompkins County was also on the platform. Like the Mayor, he is an organizer. He said that Cassidy will be remembered as the Senator who received the famous telegram from Congressman Fassett that changed his vote at the last moment. The telegram was found to be a "forgery."

The County Judge presented resolutions regretting Cassidy's course and respectfully urging him to suppress the Governor's bills. A motion by Professor Woodruff, of Cornell, to substitute "condemned" for "regret" and to omit "respectfully" was adopted. A thunderous storm of "ayes," followed by cheers for the professor. And the Mayor and the County Judge sat side by side on the platform in nervous silence.

The convention to nominate a Senator has been adjourned, indefinitely. The bosses are trying to decide what to do about Cassidy. Naturally he wants to go back to Albany.

Governor Grows Bolder.

That the Governor is encouraged to a marked degree by his receptions is plainly indicated by the increased confidence displayed in his speeches. At first he simply brought up the race-track question. Lately he has been linking the direct nominations bill with it.

"You cannot hold up the people of this state," he says, "and the defeat of one measure illustrates the need of the other. The people of this state understand the direct nominations issue better than they did five weeks ago."

"I asked the consent of party to endeavor to enforce the constitution of this state, and I do not stand for that dictation which makes the elected officer of the state a puppet of a local leader. The people of this state only by supporting an administration which is devoted to the interests of the people."

Praise His Manly Stand.

These are two striking extracts from the Governor's heart-to-heart talk with voters, and they have been received with applause all over the state. The tide against bossism is growing day by day.

What the Governor says is gaining in fire and passion every day. By his speech and his attitude it is perfectly clear that he feels he has offered the Republican leaders of the state a chance to rehabilitate the party in following his leadership. He believes they have declined to accept for base reasons, and the realization of this stirs him deeply.

Although the Governor is clearly a sick man today, he sticks to his work and keeps the engagements he has made,

Where the finest biscuit, cake, hot breads, crusts or puddings are required Royal is indispensable. Baking Powder Absolutely Pure. Not only for rich or fine food or for special times or service. Royal is equally valuable in the preparation of plain, substantial, every-day foods, for all occasions. It makes the food more tasty, nutritious and wholesome.

which take him from one end of the Empire State to the other.

Hisses First; Then Cheers.

The Governor's crusade started off in a storm of hisses from the Assemblymen at Albany, who hated him and the things he stands for. It is now progressing in a rain of applause from the neglected, disregarded voters of the state.

The first real test, of course, will come in Niagara and Orleans County, Tuesday. It is a fight in which the Governor and his policies are under a heavy handicap.

And do not forget that, regardless of the result in the Niagara Orleans district, a change of one vote from "no" to "aye" will sound the death knell of race-track gambling in New York State.

PEACE AMONG NATIONS

(Continued From First Page.)

building, the cornerstone of which we lay today, emphasizes by its existence the great reason for the peace of the world, the aspiration among all the people of the New World, it marks our recognition of the need to knit ever closer together all the republics of the Western Hemisphere, through the kindly bonds of mutual justice, good will, and sympathetic understanding.

At the outset, on behalf of all of us I wish to thank Mr. Carnegie for his generous gift—a gift to all the nations of the New World, and therefore pre-eminently fitting for the cause of peace, which has so long and so bravely been our common goal.

For while we have yet a long path to tread before we can reach that goal, the certainty of the day when wars shall cease from the earth, we of this Western Hemisphere, by our united efforts, are endeavoring to bring about, we believe, a permanent peace among ourselves.

Greetings to the Senators.

In the next place, as President of this Republic I greet the Representatives of all our sister republics to the south of us. In a sense, you are our elder sisters and we, the younger ones, are proud to represent an ever ancient civilization on this continent that we do. Your fathers, the Spanish and Portuguese explorers, conquerors, lawgivers and commonwealth builders, had founded a flourishing civilization in the Tropics and the South of the Rio Grande, while all America north of the Rio Grande was still unpopulated wilderness.

More and more in the future we shall each give to and get from the others, not merely things of material value, but things that are of worth for the intellectual and spiritual welfare of all of us. In the century that has passed the development of North America has, on the whole, proceeded faster than the development of any other nation which has had the opportunity.

Another lively skirmish occurred over a proposal to make a special appeal to the trades unionists in behalf of Socialist party principles. While the verbal contest was at its height the Wisconsin delegation threatened to bolt the convention unless it stood by the policy of appealing to the men in the trades unions. Eventually a committee of seven to consider the situation was ordered appointed.

Indications during the day pointed to a new possibility in the race for the Presidential nomination in the person of A. M. Simons, of Illinois. Ben Hanford, of New York, Vice-Presidential candidate in 1904, was also discussed informally by the delegates as eligible for the honor.

Boon to Salem Housewives.

SALEM, Or., May 11.—(Special.)—Salem's City Council has undertaken to regulate the handling of meat and vegetables in the local markets with a view to securing cleanliness, and tonight an ordinance was introduced for that purpose.

We Tell Show this to your doctor and ask him if he knows anything better for coughs, colds, bronchitis. Complete Formula Ayer's Cherry Pectoral NON-ALCOHOLIC. Each Fluid Ounce Represents: 2 Grains Bloodroot, 2 Grains Rho Ipecac, 3 Grains Grindelia Robusta, 4 Grains Citric Acid, 1 Grain White Pine, 4 Grains Terpin Hydrate, 4 Grains Senega, 4 Grains Glycerin, C. P. Water—Sufficient to make one fluid ounce.

If You Don't Care What You Eat— If you don't care what you eat—if you don't care whether it is clean or not—if you don't care whether it contains any real nutriment or not—there's no use trying to interest you in Shredded Wheat. It contains the greatest amount of body-building material in a form that is easy to digest. Try it for breakfast. For breakfast heat the Biscuit in oven, pour milk over it (hot milk in winter) and a little cream. If you like the Biscuit for breakfast you will like toasted TRISCUIT (the Shredded Wheat wafer) for luncheon or any meal with butter, cheese or marmalade. At your grocers.

Selz Royal Blue shoes will fit your feet. EVERY one of these Royal Blue Shoes is made on a single perfect model; whatever the shape of the toe, the swing of the sole, the length or width, they're all shaped on the lines and measurements of a master-last, Selz famous Footform, a perfect foot-shape last. It's imitated, but not equalled by any other maker. We can fit any pair of feet in this town. Every pair of Royal Blue Shoes is guaranteed to satisfy; that means, your satisfaction, not ours—\$3.50, \$4, \$5. Rosenthal's PORTLAND'S BEST SHOE STORE Cor. 7th and Washington Sts.

Mark These Days x Sunday x Monday x Tuesday x Wednesday x Thursday x Friday x Saturday. These are the days on which you should eat "FORCE" for breakfast. No matter what you eat on other days, these are the "sunny days"—the "red letter days"—when you want to be at the top-notch of mental vigor and physical power. "FORCE" is made of the best white wheat, steam-cooked, rolled into thin flakes, combined with the purest barley-malt and baked. Always "crisp" it before serving it by pouring into a pan and warming it in oven. Then serve in large dish with cream, piling the flakes in one side of the dish and pouring the cream in the other side, dipping the flakes as eaten. Your Grocer sells it. No other Flaked Food is "just as good."