



FULTON WILL NOT BE NAMED JUDGE

Taft Now Considering Other Candidates.

BEAN IS AMONG LEADING ONES

Attacks on Fulton Make Him Not Eligible.

HENEY'S CHARGES FAIL

Dismissed as Unworthy of Consideration—Taft Anxious to Keep Judiciary Above Criticism From the Public.

OREGONIAN NEWS BUREAU, Washington, April 2.—Unless President Taft undergoes a change of mind, ex-Senator Fulton will not be appointed Federal Judge in Oregon. No official announcement to this effect is obtainable, but from sources close to the President it is learned that the names of other applicants are now under consideration and that the President practically has abandoned his original inclination to appoint Mr. Fulton.

It was stated at the White House today that the President had not yet decided upon a man for this office and until his selection is made no formal announcement will be forthcoming. It could not be learned what names are under consideration, though it is understood that Judge Bean, because of his strong endorsements by the Oregon bar, is one of the leading candidates.

Appointment Not Expedient.

What induced the President to change his attitude towards Mr. Fulton cannot be authoritatively learned, though it is the understanding among those having the entree at the White House that the President has come to the conclusion that it would be inexpedient to appoint Mr. Fulton, in view of the many attacks that have been made upon him. These attacks, it is explained, have aroused antagonistic feeling, and the intention is made that, because of this sentiment, Mr. Fulton's appointment to the bench would meet with considerable disapproval—disapproval of the sort the President does not wish directed at his judiciary.

Henev's Charges Have No Effect.

The President's change of mind, according to authority, is not attributed to the Henev charges, for those charges and Mr. Fulton's answer were examined by one member of the Cabinet and dismissed as unworthy of consideration. Attorney-General Wickham presented his report on the Henev charges to the President today, but that report was not considered at the Cabinet meeting this afternoon. Attorney-General left town this afternoon without opportunity of discussing the case with the President. Furthermore, it is understood his report on the Henev charges was not unfavorable to Mr. Fulton.

Not Influenced by Cabinet.

In tentatively deciding not to appoint Mr. Fulton, the President is understood to have acted entirely upon his own judgment and irrespective of advice from his Cabinet officers.

Senator Chamberlain, in this connection, said today he had at no time protested against Mr. Fulton's appointment and that the previous statement to that effect was incorrect. He merely presented without comment, a telegram from Tracy C. Becker.

Mr. Fulton has heard nothing from the President or Attorney-General as to decision in his case and is absolutely in the dark as to what is going on.

NO ORGANIZED FIGHT MADE

Several Protests Against Fulton.

Two Judges Indorsed Burnett.

Several telegrams protesting against Fulton's appointment were sent from Portland and other sections of the state by the ex-Senator's political enemies either to President Taft or to Attorney-General Wickham. These telegrams, together with a number of petitions in behalf of the other aspirants for the judgeship, were forwarded to Washington beginning late in February, when Congress enacted the law giving Oregon an additional Federal Judge. There was apparently no organized fight against Mr. Fulton, who was believed to have had for the job he himself had created.

With Mr. Fulton eliminated as a candidate, application has been resumed as to which of the several aspirants for the appointment will land the place. Early last month Judges C. E. Wolverton and William B. Gilbert, of the United States District and Circuit Courts, respectively, telegraphed the President recommending the appointment of Circuit Judge George H. Burnett, of Salem. This action on the part of the two Federal Judges is thought locally to have had considerable to do in influencing the President in deciding not to name Mr. Fulton for the place.

Joined with Judge Wolverton in telegraphing a recommendation of Judge Burnett, said Judge Gilbert last night, "but this was before Justice Bean, of the Oregon Supreme Court, had been endorsed by the Bar Association and urged as a candidate. Judge Bean would be satisfactory to me."

When it was first suggested that Ore-

NO SALOME DANCE FOR BOSTON TOWN

CLERGY AND STATE OFFICERS MAKE FORMAL PROTEST.

As Result, Oscar Hammerstein Will Not Produce Opera at Boston This Season.

BOSTON, April 2.—The opera, "Salome," which the Manhattan Grand Opera Company intended to present at the Boston Theater next Thursday, will not be given because of protests from Governor Dreyer, Mayor Hibbard, Bishop Lawrence of the Episcopal Church, Vice-General Patterson of the Roman Catholic Church, Rev. Dr. G. A. Gordon of the Congregational-Trinitarian body, former Governor Curtis Guild and other leading citizens. The clergy objected to the opera on moral grounds and many of them considered that a presentation of "Salome" next Thursday would be a profanation of Holy Week.

Mayor Hibbard notified the lessees of the Boston Theater—Frohman & Harris—today that if the Manhattan company persisted in its intention of producing "Salome" he would invoke such power as he possessed to stop the presentation.

NEW YORK, April 2.—Oscar Hammerstein, speaking of his exclusion of "Salome" from Boston, said tonight: "I never expected that Salome would be allowed in Boston, and I had no idea of presenting it. But the Boston critics all came to me on Monday and insisted that Boston must have a chance to hear 'Salome.' I told them it was impossible. They persisted. I consented to the extent of advertising a performance, and awaited results. They were just what I expected. They would not stand for it. I know Boston better than the Boston critics."

FORT'S BASE IS SINKING

Artillery Officers Alarmed at Condition at Fort Stevens.

FORT STEVENS, Or., April 2.—(Special.)—Recent surveys have made it apparent that land adjoining Battery Russell, the most modern and best equipped battery at Fort Stevens, in fact, on this coast, is rapidly sinking. In places it is found that the land is at least one foot lower than formerly.

Various hypotheses are advanced to account for this unusual occurrence. Some advance the theory that earthquakes, so prevalent on this coast, are the active cause; others, that the land on which this battery is situated, being of such a swampy nature, sinks from the enormous pressure exerted by such an unusual weight. The cost of this battery approximates \$1,500,000; hence considerable interest and some alarm are manifested as to the ultimate outcome of a most unusual condition.

MINERS FREED FROM TOMB

Two Men Imprisoned in Nevada Tunnel Rescued by Friends.

VIRGINIA CITY, Nev., April 2.—Martin Walker and James Lannahl, the two Comstock miners yesterday imprisoned in a tunnel near the entrance, were rescued from what promised to be their tomb this morning at 3:25. Their wives and friends were at the mouth of the tunnel when they were taken from the depths, and there was a scene of great rejoicing at the two men again breathed the open air. Both men were tired and hungry, and showed signs of great worry and suffering, but were unhurt. The accident occurred yesterday morning.

RUSH FOR TRADING STAMPS

Women Try to Get Books Filled Before New Law Goes In.

ST. PAUL, April 2.—Following the passage of a law making issue of trading stamps illegal unless they bore on their face the actual value of the stamps, several small runs have been made on the local trading stamp stores. Today 600 women gathered in front of one store in an attempt to get their books filled so they would be able to get prizes before the law became effective. The concern was unable to handle the crowd and the police were called out to disperse it.

REWARD TO CATCH OSWALD

Graft Inquiry Will Fail Without His Evidence.

LOS ANGELES, April 2.—District Attorney Fredericks announced today the offer of a reward of \$1000 for information that would lead to the arrest of Nick Oswald, the missing "tenderloin king" who is wanted as a witness before the special grand jury, in connection with charges of graft preferred against ex-Mayor Harper and others.

It is freely predicted that without Oswald the grand jury can go no further in its investigations.

MANY CHILDREN MANGLED

Nitroglycerine Explodes at Oil Well Near High School.

BRADFORD, Pa., April 2.—Twenty persons, including several school children, were burned, eight seriously, this afternoon by an explosion following the shooting of an oil well with 120 quarts of nitroglycerine. The well is near a high school. The pupils and others rushed to the mouth of the well to pick up stones that had been thrown to the surface by the shooting, and then the explosion occurred. Four of the pupils may not recover.

BOTH ROADS WILL USE SAME TRACK

Harriman and Earling Make Agreement.

NO CONTEST FOR TERRITORY

May Be Truce Among All Systems in Northwest.

BUT GATEWAY MUST OPEN

Harriman Insists on Concessions and Hill May Yield—St. Paul Will Not Run Trains Through to Coast This Year.

CHICAGO, April 2.—(Special.)—There will be no contest between the St. Paul road and the Harriman lines over territory to be occupied by either interest in the Pacific Northwest. This was decided during the brief visit of Edward H. Harriman in Chicago Wednesday. While in his private car, which stood in the Park Row station of the Illinois Central road, Mr. Harriman was visited by President A. J. Earling, of the St. Paul road, and arrangements were completed for the joint use of certain tracks by the St. Paul and the Harriman lines.

Joint Track and Truce.

Although none of the officials interested in the deal would say anything concerning it, it is understood that the tentative agreement will obviate the necessity of Mr. Harriman's building a line between Seattle and Tacoma, as he contemplated doing as a part of his line from Portland to Seattle. The two men had only a few moments' conversation, but it was sufficient to clinch an agreement regarding which they had talked several times before.

In this connection also it is stated that the conference between Mr. Harriman and Louis W. Hill in San Francisco is likely to result in a better understanding between the Hill and Harriman lines in the Pacific Northwest. It is stated that all three interests realize the benefit which would come should there be a truce among them with respect to territorial aggression in the Northwest. As the price of peace, however, Mr. Harriman is said to insist upon the opening to his line of the Portland gateway, and it is thought by many that concessions will be made in this direction by the Hill people.

Through Trains Next Year.

In connection with the completion of the rail-laying on the St. Paul's Pacific Coast extension, it has been announced that through train services between Chicago and Seattle and Tacoma by way of St. Paul will not begin until early next year. Although peace is expected between the Harriman and St. Paul interests, the management of the latter road does not wish to ask for through business until it is sure that it has a rail-

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BLACK HAND CHIEF FALLS INTO TRAP

CAPTURED WHILE RECEIVING DUMMY MONEY PACKAGE.

Pounced On by Detectives, Black-mailer Fights and Then Betrays Comrades.

CHICAGO, April 2.—Vincenzo Geraci, who is said by the police to be the leader of the "Black Hand" Society, was arrested today in the office of Dr. Peter Cutera, from whom the Italian had demanded \$3000 on pain of death.

Geraci has given evidence concerning his associates in the plot and the police expect soon to arrest several more members of the band.

The physician received a telephone message today from a man who said he was one of those who had written a letter which the physician had not answered.

"Unless you pay us the money, you will be killed within an hour," said the man. Dr. Cutera invited the man to his office. He prepared a dummy package of money and sent for the police. Detectives came at once and were concealed in an adjoining room.

Just as the physician was handing the package over, the detectives leaped upon the blackmailer. He fought hard before being overpowered.

CHINESE DIGNITY INJURED

Merchant and High Official Arrested in Pittsburg.

WASHINGTON, April 2.—Secretary of State Knox today sent a communication to the Governor of Pennsylvania requesting an investigation of the circumstances attending the arrest of Yip Yen, a prominent Chinese merchant of Vancouver, B. C., and Low Sy Kl, Taotal of a province in China, in Pittsburg. This request was made upon the representation of Minister Wu, of China, that the men had been improperly arrested.

The Mayor of Pittsburg said that the men were apprehended for selling securities not listed in the state, as provided by law, and that, upon learning that they did so ignorantly and upon the request of the Chinese Minister, he ordered them released.

WESTON KNOCKS MARATHON

On Arrival at Sharon Veteran Pedestrian Gives Opinions.

SHARON, Pa., April 2.—Edward Payson Weston, the pedestrian, arrived in Sharon shortly after 7 o'clock tonight. He left Meadville at 4:30 o'clock this morning, making 40 miles today. After a night's rest he will leave for Youngstown in the morning, and will stay in Canton over the night. Weston declared that Marathon races are wicked, injure the health, and should not be permitted.

COW CHEWS BOY'S HAND

Mangles Thumb and Forefinger in Mistake for Red Apple.

VANCOUVER, Wash., April 2.—(Special.)—A cow mistook the hand of Stanley Voorhees, a young lad of Hazel Dell, for an apple, and before the boy could jerk his hand from the cow's mouth a thumb and one finger had been mashed to a pulp. The boy at the time was trying to drive the cow from a box of apples.

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SENATE HAS PLAN FOR RETALIATION

Maximum Tariff for Hostile Nations.

GIVE YEAR TO ADJUST RATES

Taft Will Examine Foreign Tariffs Meanwhile.

SENATE WILL HURRY BILL

Aldrich Promises Prompt Action in Senate—Strict Provisions Against Undervaluations Are to Be Included.

WASHINGTON, April 2.—President Taft was informed today of the Senate program for the administration of the new tariff bill. It provides that the minimum tariff shall apply to all countries for one year. At the end of that time the maximum rates will go into effect against all countries which, in the opinion of the President, are not giving the United States their best tariff rates.

The President, it is understood, favors strongly the idea of applying the maximum and minimum principle and it is believed that it will be agreed upon fully. The plan of administering the minimum maximum rates in the House bill as it now stands is said to be indefinite and less effective than the one proposed by the Senate finance committee.

Will Be No Delay in Senate.

Prior to the Cabinet meeting today Mr. Taft conferred with Chairman Aldrich of the Senate finance committee and Secretary McVeagh. Mr. Aldrich assured the President that the committee is making most satisfactory progress with the bill and said there would be little or no delay in taking the matter up in the Senate. The administrative features of the Senate bill were discussed. Mr. Aldrich left later for New York and the finance committee will not meet during his absence.

Reports, apparently authentic, have been current that the majority sentiment in the Senate opposed the minimum and maximum principle as enunciated in the Payne bill. The President has not shared this belief and he received definite assurances today as to the correctness of his position, when Mr. Aldrich outlined his own position and that of the majority of the finance committee.

Will Hit at Unfriendly Nations.

The difference between the minimum and maximum rates will be 30 per cent. It is planned that for nine months or one year the minimum rate shall apply to all countries without distinction or discrimination. At the end of this period the maximum rates will go into effect automatically against all countries which, in the opinion of the Executive, are not giving the United States their most favored Nation clauses. If, in the gen-

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INTERRUPTS MEAL TO KILL FATHER

YOUNG OHIOAN BECOMES SUDDENLY INSANE AT TABLE.

After Committing Foul Deed, Picks Up Napkin and Resumes Dinner as Usual.

NILES, O., April 2.—Richard Law, 24 years old, interrupted his dinner tonight long enough to kill his father, and then seated himself within two feet of the body of his parent and resumed eating. The young man seemed very much surprised later when he was arrested, and his mother believes his mind is unbalanced.

The crime was committed in the home of Samuel Law, who was seated at the head of the family table. Mr. Law is 70 years old, and was quietly eating his dinner when the son rose from the table, reached over and took the carving knife from a platter, and before the horrified eyes of the balance of the family, plunged the blade into his father's heart. He then laid the knife on a sideboard, picked up his napkin, and returned to the table and started in eating as if nothing had happened.

Mrs. Law, the wife of the dead man, was too frightened to move for several minutes, but finally rose and summoned the police.

When the officers arrived young Law wanted to know why he should be taken away.

FARM SELLS FOR \$95,000

Lafollette Orchard on Snake River Sold to Lewiston Firm.

SPOKANE, Wash., April 2.—(Special.)—W. L. Lafollette, "the fruit king" of Wawawai, has given an option on his fruit farm at Wawawai, 14 miles south of Pullman, on the Snake River. The consideration is placed at \$95,000. White Bros. & Crum, of Lewiston, Idaho, fruit buyers and shippers, are the purchasers. They have made a payment to hold the option.

The land consists of about 600 acres, of which 250 acres are in bearing fruit. This is the largest fruit orchard on Snake River and one of the largest in the Inland Empire. Shipments from this orchard run from 50 to 100 carloads annually.

FRAUD IN MINING STOCKS

Brokers Accused of Bunking Investors Out of \$150,000.

NEW YORK, April 2.—The Postoffice authorities caused the arrest here today of George L. McKay and Charles H. Colby, members of a brokerage firm. The two men are charged with fraudulent use of the mails in the sale of certain mining stocks to the amount of \$150,000.

The charges are in connection with the alleged stocks of the Island Bay Mining Company of Alaska, the China Consolidated Mining Company and the Equity Mines Syndicate of Coaldale, Nev.

McKay came to this city from Tacoma, Wash., about five years ago. He said he would be able to straighten the matter out to the satisfaction of all concerned when he is arraigned tomorrow.

LIVES OF TWO MEN SAVED

Boat Upsets in Coos Bay, but Rescuers Come at Once.

MARSHFIELD, Or., April 2.—(Special.)—John L. Brown and a man named Hansen, from the East, had a narrow escape from drowning in Coos Bay today. They were in a small sailboat, which capsized, and both would have drowned had they not been rescued by Henry Wickham, H. B. Fulton and C. M. Byler, who went in a gasoline launch to the assistance of the helpless men.

SCRIBER'S PROPERTY SOLD

Business House at La Grande Brings In \$25,000.

LA GRANDE, Or., April 2.—(Special.)—Another sale by the trustee of the bankrupt Scriber estate was made today when one of the main business houses on Adams avenue was sold for \$25,000. The successful bidder is Joseph Palmer, president of the defunct Farmers & Traders Bank, of which Scriber was cashier. The Scriber residence was also sold recently. These sales close the principal items in the assets of the Scriber estate.

\$5,000,000 FOR HUMANITY

Salvation Army to Found University as Booth Memorial.

NEW YORK, April 2.—Commander Evangeline Booth, of the Salvation Army, announced today that a campaign will be launched April 30 for raising \$5,000,000 for founding a "World's University of Humanity."

Its purpose will be to train workers for the Army's social service. The date chosen is the eightieth birthday of General William Booth.

A.-Y.-P. INVITES BRYCE

British Ambassador Asked to Deliver Opening Address.

SEATTLE, April 2.—The British Ambassador to the United States, James Bryce, and James J. Hill, have been invited by the directors of the Alaska-Yukon-Pacific Exposition to make the opening address June 1. Mr. Bryce is now in California and the invitation was sent to him through Secretary of State Philander C. Knox.

FIGHT LOOMS ON BALDWIN ESTATE

Mrs. Selby Stands in Way of Settlement.

IS LEFT OUT OF AGREEMENT

Widow Gets Liberal Terms From Other Daughters.

ESTATE IS PUT IN TRUST

No Sooner Is Agreement Carried Out Than Selby Says Wife Will Sue Unless Claims Allowed—Is His Legal Daughter.

SAN FRANCISCO, April 2.—The very day that a settlement had been made between the widow and two other daughters of "Lucky" Baldwin to avert a contest of his will, the third daughter, Mrs. Rose Ella Selby, wife of David S. Selby, of Oakland, is declared to be ready to fight to the bitter end for her full share.

Despite a will that was considered proof against all legal technicalities, the last wishes of E. J. (Lucky) Baldwin regarding the disposition of his estate have been circumvented. By an agreement reached today between the principal heirs there will be no contest on the part of the widow, Mrs. Lilly Bennett Baldwin.

There were filed simultaneously today in the County Recorder's office two deeds which are the outward signs of the agreement. In one deed the widow, Mrs. Lilly Bennett Baldwin, conveys to Mrs. Anita Baldwin McClaughey and Mrs. Clara Baldwin Stocker, the one-third interest in the Baldwin Annex, the widow's sole interest in her husband's estate under the will.

Estate Put in Trust.

The second deed is a transfer to the Metropolitan Trust Company by Mrs. McClaughey and Mrs. Stocker, who are the residuary legatees under the will, of all their interest in the Baldwin estate, including the property conveyed to them by Mrs. Lilly Bennett Baldwin. Although on the face of it the transfer to the Metropolitan Trust Company is a straight deed, it was admitted today that

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