



## SCHIVELY LOSES BY SENATE VOTE

### Solons Find None to Be Excused.

## CHALLENGES ALL FALL FLAT

### Note on 19 Rollcalls Ranges From 11 Negatives to None.

## BOOTH TO SIT IN COURT

### Decision in His Favor Considered Significant—Defendant's Counsel Argues at Length—Senate Decides No Night Sessions.

OLYMPIA, Wash., Aug. 12.—(Staff Correspondence).—The challenges of J. H. Schively to the qualifications of 15 members of the Senate to sit as judges in the impeachment court now trying him for high crimes, misdemeanors and malfeasance as Insurance Commissioner, were filed in the Senate today. There were 19 rolls called on these challenges, one each for 13 Senators and two each for Senators Allen, Elshback and Paulham, against whom challenges on two separate grounds were made.

On the question of seating the Senators, the roll called ranged from 11 negatives to none at all. The greatest number showing opposition to the retention of Senator Allen, who is chairman of the investigating committee which preferred written charges against Schively to the Governor and recommended his removal by impeachment or abolishment of the office.

### Loses on Every Hand.

In addition to these roll calls, another was taken on the qualifications of Senator Booth, of King, who this morning asked to be excused from sitting because he had already made up his own mind that Schively should be removed from office. With his own vote Booth received only six in behalf of his request. Not only did the day's proceedings go against Schively in these particulars, but also in the matter of his demurrer to article 25 of the impeachment charges, which is based on the perjury indictment against the Insurance Commissioner now pending in the Superior Court of Spokane County, this demurrer was overruled by Senator Freaby presiding, after both sides had argued at some length on the issue, and there was no appeal from the decision of the chair.

Article 25 is considered the most important of any of the 25 articles in the impeachment charges. The perjury charges alleged to have been committed by Schively occurred in his testimony before the Pacific Livestock Association, which is the basis of the perjury indictment against the Insurance Commissioner now pending in the Superior Court of Spokane County, this demurrer was overruled by Senator Freaby presiding, after both sides had argued at some length on the issue, and there was no appeal from the decision of the chair.

### Vote on Booth Significant.

The vote on the request of Senator Booth that he be excused is taken generally as the most indicative of any expression given today of the present sentiment of the members of the Senate toward the accused. In connection therewith, today, for the first time, attention was called to a comma in the constitutional provision relating to impeachment, that may have an important bearing on the final result.

Booth's written request that he be excused was followed by a motion by Falconer, seconded by Bryan, that it be the sense of the Senate that Booth should resign as a member of the Senate. At Freaby's suggestion, however, Falconer withdrew the motion until Booth could be heard, and it was after considerable argument as to procedure that a vote was finally taken, denying Booth the right to retire from the court of impeachment.

### Comma Raises Fine Point.

Booth then asked for a half hour in which to consider his further action. On his return to the Senate chamber he announced his readiness to take the oath as a member of the court of impeachment, he not having been present during previous proceedings. Booth then called attention to the comma in the constitution. The constitution provides that a state officer may be impeached "for high crimes and misdemeanors, or malfeasance in office."

"I have compared the printed copy of the constitution with the original in the office of the Secretary of State," said Booth, "and have ascertained that the comma after the word 'misdemeanors' appears in the original. I am now convinced that this Senate can impeach Schively for offenses committed when he was not a state officer. If the comma were absent we could impeach only for crimes or misdemeanors committed in office. Under the circumstances I am prepared to take the oath."

Those who had voted to excuse Booth were Booth, Hustable, Freaby, Smith, Williams and Ruth.

It was the middle of the afternoon when

## CACHE OF GOLD IS FOUND UNDER BED

### SUICIDE BLACKSMITH HAD OVER \$3000 HIDDEN.

### Earned Sum Since 1893. When He Lost \$2000 in Bellingham Bank Failure.

HILLSBORO, Or., Aug. 12.—(Special).—Members of the Coroner's Jury that investigated the death of Jacob Schaefer, the Bethany blacksmith who committed suicide yesterday after having been arrested on an assault charge, found a cache of \$3600 in gold under the bed in the dead man's house. The money, which was packed in cans that showed signs of having been recently dug from the ground, was in coins of \$20, \$10 and \$5 denomination. It was brought to Hillsboro this morning and deposited with the County Treasurer.

The money was found by jurors who were looking over the house last night after the Coroner and Schaefer had departed. With the money were found papers and memoranda that showed he had lost all his savings, amounting to \$2000, in a bank failure in Bellingham, Wash., in 1893, and that the cash in the cache, as well as \$236.48 found in his shop, had been earned and saved since that time and hoarded in cans, as he was distrustful of banks. No will was found in the dead man's effects.

Schaefer was 47 years old and had no relatives in this section. His father is dead, and his mother is believed to be living in Switzerland. He had a brother in this country, but he was drowned in the Heppner flood. The blacksmith had been in Oregon seven years, working at Scholls before coming to this locality. Besides the money found, Schaefer owned 10 acres of land.

## DIVORCEES MARRY AGAIN

### Meet by Chance After Two Years, and Wed at Once.

LOS ANGELES, Aug. 12.—(Special).—William D. Garland, a wealthy mining operator, and wife, who were married in Newfoundland 12 years ago and separated two years ago, met by chance on the street here today and were promptly reconciled and remarried. When they separated Garland went to the Great Northwest and his wife to Arizona. Gar. divorced in the state of Washington. Mrs. Garland was granted a similar document in Arizona.

Garland, a short time after, settled here. Mrs. Garland came from Arizona to see Los Angeles, never giving her former husband a thought. By a strange play of fate the divorced husband and the divorced wife met on the street today.

"Hello, Will," said she.

"Hello, Amy," said he.

"How have you been?"

"Fine," he answered.

"The same."

"I got a divorce in Washington."

"I got one in Arizona."

"Did you?"

"Well, let's get a marriage license?"

"All right; just as you say."

## NEW ANTIDOTE FOR POISON

### X-Rays Used to Revive Man Drugged With Laudanum.

SEATTLE, Wash., Aug. 12.—(Special).—Electricity has come to the bat as an antidote for laudanum poisoning, William McGregor, a Scotch seaman, was picked up unconscious in the streets last night. At the City Hospital it was found that he was suffering from laudanum poisoning, but black coffee and drugs forced into his stomach failed to revive the patient.

Finally the X-ray was suggested, and 300 volts were shot into McGregor's body. In an instant McGregor came to his senses. With a cry that frightened the nurses, he jumped from his bed, jerked loose from the doctor and the nurse and ran like a madman through the ward and into the hall, where for a minute or two he danced a real Highland fling, yelling and cursing all the time. Two men sat on him to hold him until he became quiet.

## OFFICIAL NEARLY DROWNS

### Caught by Rush of Sewer Water, Vancouver Men Are Endangered.

VANCOUVER, Wash., Aug. 12.—(Special).—Al Bateman, Street Commissioner, and his assistant, Tim O'Neil, had a narrow escape today from drowning in an excavation beside a sewer which they were repairing.

A hole had been cut in the sewer to enable the men to remove an obstruction, and a sudden flow of water rushing through the ten-foot pipe poured out into the trench, where the men were, and soon whirled them to their shoulders.

With the water rapidly rising higher and higher, the men shouted for aid, and were rescued just as the dirty water was covering their necks.

## TROLLEY RUNS OFF BRIDGE

### Fifteen People More or Less Injured in Vancouver, B. C., Wreck.

VANCOUVER, B. C., Aug. 12.—Several people were hurt, three seriously, when a North Vancouver streetcar got beyond control and dashed down the steep grade of Lansdale avenue this afternoon, jumping off a seven foot trestle and into several feet of water. Fifteen people, mostly women and children, were on the car.

The seriously injured:

Motorman Kelley, injured about the head; may die.

Mrs. Arnold E. Kelley, badly cut about head and face.

Mrs. A. Mulvey.

## CHILDISH FINGERS DRAW OUT PRIZES

### Choice Flathead Land Given Away.

## INDIANA MAN IS NUMBER 1

### Little Miss Dolan Selects Names of 2000 of Lucky.

## 4000 MORE TO BE DRAWN

### Cheering Greet Announcement of First Winner—Woman Mixes Fig- ures as to Size and Weight, but Luck Holds Good.

SPOKANE, Aug. 12.—Two thousand names were drawn today for the Flathead Indian Reservation and Joseph Furay, of Warsaw, Ind., was the winner of the lucky No. 1. A crowd of 500 persons assembled to hear the names of the winners this morning and throughout the day there was about the same number around the drawing stand, many coming and going.

The weather was cool and the sky overcast at the beginning, but it soon became extremely hot.

### Cheers Greet Winner.

Judge Witten, superintendent of the opening, made a brief address at the outset, explanatory of the method to be pursued in the drawing of names, his speech being practically a duplicate of that at the opening of the Coeur d'Alene drawing on Monday last.

The \$1,353 applications, each in a buff envelope, had been dumped upon the platform, and Judge Witten announced that 2000 would be drawn today, 5000 tomorrow and the remainder of the 5000 on Saturday.

The first envelope was picked up by little Miss Dolan at 10:30, and the announcement of the name of the winner was greeted with a cheer.

### Woman's Oath Peculiar.

Thereafter the drawing became perfunctory. A striking oath was found in the application of Miranda Dickey of Pullman, Wash., who received an excellent claim, and who swore she was 53 years old, weighed just 20 pounds and put Goliath to shame by measuring 53 feet 12 1/2 inches in height. Judge Witten allowed it.

Six soldiers out of the first fifty names called indicates that the soldiers will receive a greater percentage of the Flathead than of the Coeur d'Alene lands, when the name of N. D. McPhee, of Coeur d'Alene, was announced as winner of No. 134, a young lady in the crowd gave a hysterical shout and made a wild rush to carry the news to her father.

### Spielcer Hits Another Snag.

The first woman to win was Eleanor McLean, of Missoula, who stated in her application that she was 70 years old.

The professional spielcer from Arkansas was on his job again today, but he frequently struck a snag. One of the worst

## INVOLVE BIG MEN TO SAVE PERSCH

### SEVERAL MEN TO BE SWEEPED AWAY BY HEINZE SWINDLE.

### Lawyer Says Broker Was Tool of Higher-ups and Threatens Big Sensation.

NEW YORK, Aug. 12.—"I intend to open up the floodgates and see that several men are swept away, if I find it necessary to save this boy," said the counsel for Donald Persch, the note broker, charged with the larceny of \$100,000 worth of copper stocks put up as collateral with the Windsor Trust Company to secure a loan of \$50,000 made by M. M. Joyce, a broker for F. Augustus Heinze, when his client was arrested on a second charge.

"He has been the tool for men higher up. He knows of the transaction. If these accusations are not withdrawn I will give the District Attorney evidence that will create a sensation in the financial world."

Not only was Persch rearrested immediately on his release under a habeas corpus writ, on a charge of stealing \$44,000, his estimated share of the profits of the swindle, but W. L. Clark, a note broker representing Joyce, the complainant against Persch, was arrested in the District Attorney's office, charged with the larceny of \$10,000, said to be part of the profits from the curb sales of the stock, which Joyce supposed safe in the vaults of the Windsor Trust Company. Clark's arrest is based on two checks drawn in his favor by Persch.

## WIRE CUTS BOY'S THROAT

### Severs Flesh to Jugular Vein When Lad Strikes Barbs.

BELLINGHAM, Wash., Aug. 12.—(Special).—His throat cut from side to side by a barbed wire stretched across his father's gateway to keep out stray horses, 10-year-old Leo Kelly, of 2800 Ontario street, almost met his death this morning.

The boy was running down the often-traveled pathway which leads from his father's house to the street, and, not knowing that the wire had been stretched across the gateway, ran full into it. He was caught under the chin, lifted off his feet and his own weight and the force of the impact caused the strand of steel to bite in through the skin and muscles as deep as the windpipe and jugular vein. He will recover.

## BURNS WITH CHILD IN ARMS

### Mother Cremated in Home With Four Other Persons.

HANCOCK, Mich., Aug. 12.—Five lives were lost last night in the burning of the dwelling of Mrs. John Dionne. The fire broke out when the family was asleep.

Mrs. Dionne got out of the house, but returned to rescue a child and perished. Her body was found with the infant clasped in her arms. The cause of the fire is unknown.

## TOSSES CHILDREN IN SEA

### Wife of Argentine Consul Has Fit of Murdorous Madness.

CIRUVENCE, Hungary, Aug. 12.—Madame E. F. Gyan, wife of the Argentine Consul-General at Budapest, in a sudden fit of madness today drowned two of her young children in the sea here and was restrained with difficulty from killing her third child and herself.

## FRIEND RESENTS HIT AT SECRETARY

### Chicago Man Defends Ballinger.

## CONVENTION IS IN AN UPROAR

### Attacks by Pardee Start Live- ly Battle of Words.

## JOHN L. WILSON HAS SAY

### Lays Aside Set Speech to Take Up Defense of Taft's Secretary of In- terior—Calls Previous Re- marks Words of Anarchy.

SPOKANE, Aug. 12.—John L. Wilson, ex-United States Senator from Washington, and John Farson, millionaire banker of Chicago, clubman and a society leader, broke into the limelight today in defense of Richard A. Ballinger, Secretary of the Interior, and succeeded in keeping the Ballinger-Pinchot "feud," so-called, in the public eye.

The forepart of today's session did not offer, seemingly, the proper opening for a continuation of the trouble until Dr. Pardee, ex-Governor of California, rose to question a statement made by a speaker. Dr. Pardee warned his subject to such an extent that the Secretary of the Interior and accused that official again of permitting the opening for entry of valuable water-power lands.

### Secretary's Friends Prompt.

Among his other charges Dr. Pardee said that a number of water power companies, notably the Amalgamated Power Company, was favored in the throwing open of these lands.

"Do you mean to say," demanded Mr. Farson, "that the Secretary of the Interior is dishonest?"

"I make no such claim," retorted Dr. Pardee.

"Then, insinuated Mr. Farson, 'you charge him with inefficiency?'"

"I make no charges," replied Dr. Pardee.

"I have only stated the facts and the delegates can draw their own conclusions."

### Questions Become General.

There was hubbub in the congress for the next few minutes, during which numerous delegates demanded of Dr. Pardee where he got information, why he was attacking Secretary Ballinger and other pertinent queries. To all of these Pardee reiterated that the dam sites have been "gobbled up" and that Secretary Ballinger has been responsible.

## Afternoon Session Heated.

The afternoon session was hardly under way when W. W. Farrell, of Farrell, Idaho, took the floor and during the time allowed for discussion attacked severely the Washington

## WIFE'S FORTUNE TO REBUILD BUSINESS

### WALL STREET HEARS S. G. LOVE WILL RESUME OPERATIONS.

### Wise Ones Think Plan Would Be Foolish, as Many Knives Await Broker's Scalp.

NEW YORK, Aug. 12.—(Special).—Wall Street was regaled today with a beautiful story detailing how Mrs. Sidney G. Love, who has just inherited \$1,000,000 cash from the Burnes estate in St. Joseph, Mo., intends to rehabilitate her husband, whose sudden withdrawal from the brokerage business a few months ago is still regretted by sundry persons, chiefly Judge William H. Moore, whose financial protege Mr. Love was.

Wise ones on the street laugh at the story of Love resuming business, and say he would not proceed far with the empty purse of Judge Moore to combat. These friends say the Judge did not so much care for the monetary loss, but he feels aggrieved that Love never kept an oft-promised appointment to explain certain matters. There is a story current in the clubs that Judge Moore recently attached a string of polo ponies Love was having shipped to Europe.

## LEAPS FROM SPEEDING CAR

### Accused Maryland Murderer Es- capes at Risk of Life.

YORK, Pa., Aug. 12.—(Special).—After being brought from California to answer a charge of murder in Cecil County, Maryland, Scott Johnson, aged 25 years, jumped from the platform of a sleeping car of a Northern Central Railway train, a few miles south of this city shortly after 8 o'clock this morning and escaped.

Johnson was employed on a farm near Rising Sun, Md., last May. A man named McAllister, employed on the same farm, was found murdered. At the same time Johnson was missed and suspected of the crime. A few weeks ago, when notice was received from the authorities of Santa Rosa, Cal., that Johnson had given himself up there and admitted that he had killed McAllister, Sheriff H. G. Hager, of Cecil County, went to Santa Rosa to bring Johnson back to face trial. Arriving at Santa Rosa he got his man and brought him safely east to within a few miles of the Maryland line, when the man rushed to the door of the car and jumped off.

## AVENGERS FAIL IN EFFORT

### Tar and Feathers Party Misses In- tended Victim in Revelstoke.

VICTORIA, B. C., Aug. 12.—(Special).—Armed and masked and provided with a barrel of tar and a sack of feathers, 30 citizens of Revelstoke last night went in search of George Green, who had been arrested earlier in the day and fined \$50 for assault upon S. Bickerton.

Certain circumstances connected with the assault made the citizens of Revelstoke think Green had not been sufficiently punished, hence the tar and feathers party. Green heard of their coming and sought safety in the police station, where he remained over night, leaving town quietly in the early morning.

## BOY IS KILLED ON STREET

### Thrown From Horse, He Is Dragged With Foot in Stirrup.

SALEM, Or., Aug. 12.—(Special).—Ralph Johnson, about 12 years old, met a horrible death on East State street this evening, when the horse he was riding threw him, one foot being caught in the stirrup.

The boy was dragged along the street at a terrific pace, his head being crushed to a pulp on the paving. He was rescued after being dragged four blocks and hurried to a hospital, but died as soon as he reached there.

The boy was a son of Walter Johnson, a Salem liveryman.

## \$500 COIN FOR \$10 FINE

### Freak Coin of Great Rarity Paid Into Police Court.

SAN FRANCISCO, Aug. 12.—A gold piece, valued by collectors at \$500, was paid into the Police Court today for a \$10 fine, and is said to be one of six freak pieces coined in 1847 from which the words "In God We Trust" were omitted by accident.

These six coins escaped into circulation before the stop order was received and they are now eagerly sought by collectors. It is not known who paid the \$10 piece.

## TENOR HURT AT BULL RING

### Roof Collapsed and Bezares Was Among 100 Injured.

EL PASO, Tex., Aug. 12.—Relatives here of Bezares, the noted tenor, have received letters informing them of his serious injury by the collapse of the roof of the bull ring at Pachuca, Mexico, Sunday during a bull fight.

The ring was crowded and a number of spectators climbed to the roof, which collapsed. Over 100 were injured.

## EARNINGS SHOW INCREASE

### Northern Pacific Makes \$250,000 More This Year Than Last.

ST. PAUL, Aug. 12.—The annual report of the Northern Pacific Railroad Company, filed with the Interstate Commerce Commission today, shows that the total business done, the last fiscal year amounted to \$88,468,747, an increase of about a quarter of a million over 1908.

## SHIPPERS DECLARE OPEN SHOP TODAY

### Throw Down Gauntlet to Grainhandlers.

## WAGES ARE FIXED AT \$3 A DAY

### Serious Situation on Docks Is Brought to Crisis.

## WHEAT DIVERTED TO SOUND

### Refusal of Union to Enter Into an Agreement With Exporters the Cause—Immense Cost to Port Likely to Ensnare.

The three big local grain exporting houses of Kerr, Gifford & Co., the Portland Flouring Mills Company and Balfour, Guthrie & Co., will this morning put up to effect a sweeping order declaring an open shop on all grainhandling work at their various docks, on the flat wage scale of \$3 for a ten-hour day.

This action marks the crisis of trouble that has been brewing between the shippers and members of the Grainhandlers' Union since last April. It is the direct result of the refusal of the grainhandlers to sign a contract for one year at 25 cents an hour and 50 cents an hour overtime after ten hours' work. This scale prevailed during the season which ended in April, and is 5 cents an hour higher than is paid for loading ships on Puget Sound.

### Men Refuse to State Position.

All efforts on the part of the exporters to get the union to renew this contract proved fruitless and yesterday a final meeting of representatives of the exporters and grainhandlers was held to settle the matter definitely one way or the other. The officers of the union again refused to sign. They would not state their position as to the wages they wanted at all, further than to say that at present they could not get together enough members of their union to justify them in signing up for 25 cents.

Rather than run the risk of having the union demand 40 cents an hour and perhaps strike for it, trying up all shipping operations after the wheat season is in full swing, the exporters broke off negotiations with the union and declared an open shop on the same wage scale of 30 cents an hour as is paid on Puget Sound.

The rupture between the exporters and the union is complete. The exporters will from today refuse to recognize the union in any way, or to enter into negotiations with it. More than that, men who are known to be members of the union will not be allowed to work on the docks. All grain that is handled will be handled by nonunion labor.

In the Grainhandlers' Union at present are about 250 members who will be affected by this order, but this is not all.

(Concluded on Page 14.)

## INDEX OF TODAY'S NEWS

The Weather.  
YESTERDAY'S—Maximum temperature, 68 degrees; minimum, 54 degrees.  
TODAY'S—Fair; westerly winds.

Foreign.  
Dock laborers at Port William, Ont., fight police; many injured; troops called out. Page 6.  
China makes vigorous reply to Japan's demands. Page 5.  
National.  
Minister Wu, of China, is recalled. Page 5.  
Taft tells plans for trip to Seattle. Page 4.  
Government will try to forfeit vast area of Alaska coal land on ground of fraud. Page 5.  
Domestic.  
Divorced couple meet by chance and get married again. Page 1.  
Court decides Thaw is still insane and must return to asylum. Page 3.  
Guilt of killing Sutton can't be fixed, but family chiefly desires suicide theory exploded. Page 4.  
Persch's lawyer threatens to expose higher-ups in Heinze swindle. Page 1.  
Van Sant elected commander of Grand Army. Page 3.  
Sports.  
Coast League scores: Portland 4, Vernou 6; Sacramento 7, Oakland 5; San Francisco 10, Los Angeles 2. Page 12.  
Jeffries raily to Ballinger's defense and lively session ensues at Irrigation Congress. Page 1.  
Two thousand persons are lucky applicants for the noted tenor. Page 1.  
Porter Bros. hire more men discharged by Twobys. Page 7.  
Cache of \$3600 in gold found under bed of suicide Bethany blacksmith. Page 1.  
Seven-cornered fight on for Salem Post-mastership. Page 7.  
Movement starts at Olympia to step further course of alleged Supreme Court scandal. Page 5.  
Portland and Vicinity.  
Grain exporters bring serious situation to crisis by declaring open shop on docks. Page 1.  
Harriman counsel obtains continuance in Deschutes injunction hearing. Page 14.  
W. W. Cotton presents Harriman's side of Deschutes fight. Page 7.  
Plans made for entertaining distinguished Japanese next month. Page 11.  
Change in design for upper deck of new railroad bridge contemplated. Page 11.  
Two city jails will be erected on East side. Page 10.  
John P. Stevens, noted engineer, drops alias and denies connection with Hill. Page 15.  
Factional Northwest invited to participate in National Corn Exposition. Page 10.

IS THE MAN WITH THE HOE OR THE MAN AT THE ROLL-TOP DESK THE REAL FARMER?

OLD STYLE FARMER

AND NEW.