



GAYNOR DECLARES HE IS NOT BOUND

Judge Speaks in Tammany Wigwam.

THREAT TO SWALLOW TIGER

Candidate Seeking to Refute Ring Domination.

MURPHY'S CLIQUE PRESENT

Leader of World's Strongest Political Organization Hears His Machine Threatened—Bannard Ignores Hearst.

NEW YORK, Oct. 19.—"And so this is Tammany Hall? It is the first time that I ever have been here, but, if this is Tammany Hall, where is the tiger?"

These were the first words spoken tonight by William J. Gaynor, Democratic nominee for Mayor, as he gazed out over a great audience in the old structure on Fourteenth street, known as the "wigwam," the headquarters of the most remarkable political organization in the world.

It was a typical Tammany ovation and a typical Tammany ratification meeting. The hall was packed. Although Judge Gaynor had delivered several addresses since his nomination, it was not until tonight that the Democratic ticket in Manhattan was officially "ratified."

Bannard Talks Business.

Otto T. Bannard, maintaining his whirlwind pace, but adhering closely to business issues and avoiding personalities, made four speeches in Harlem tonight, but interest was centered in the Tammany gathering.

Judge Gaynor went over the route he has covered heretofore—thrusting at W. R. Hearst, his rival, and criticizing Bannard. He also touched on "personal property," "fraction problems," "subways and other things of interest to the city only." He repeated that, if there was to be any swallowing between him and the tiger, he would be found on the outside. Referring to the office of Mayor, he classed it as second in importance only to the Presidency of the United States, and said that no office offered greater opportunity for exerting power for good or evil.

Tries to Deny Tammany.

He sought to refute the charge that he was strictly a Tammany candidate.

While Gaynor was speaking four big outdoor meetings were conducted from as many platforms to accommodate the great throng that could not get into Tammany Hall, Fourteenth street, between Third avenue and Irving Place to the west was jammed and the police had difficulty in keeping order. The splutter of fireworks, red fire and torches added to the confusion, but no one was seriously injured.

Inside when Gaynor announced that he was bound by no party and to no man, his declaration was received with cheers.

Charles A. Murphy, leader of Tammany Hall, was present, as were other prominent members of the organization.

Republican Slurs Personalities.

Refusing to be drawn into any controversy with Hearst, who at first accepted the nomination as a passive candidate, heading the same ticket as Bannard, but who last night turned against the Republican nominee and attacked him bitterly, Mr. Bannard said:

"I am not spending my time abusing other candidates, but, instead, I am touching on different phases of city life."

He refused absolutely to comment on Hearst's attack.

Hearst rested tonight.

Gaynor is still the favorite in the betting, although money for election betting seems scarce this year, or else those who wager on the results of elections are holding off for the situation to clear up.

Gaynor Rules Favorite.

At the Hoffman House today, where many of the election wagers are posted, it was said that no prevailing odds have developed. There are wagers, however, \$2000 to \$1500, or 4 to 3, that Bannard would be last, and \$2000 was bet against \$1000 on Gaynor against the field.

In a letter to General Stewart L. Woodford today, Governor Hughes explained his declining to take part in the local campaign.

"Under our system," he says, "the Governor is the reviewing officer to whom the more important local authorities are accountable, and he should conduct himself with regard to local controversies that to the greatest extent possible he may exercise this important jurisdiction in sustaining and dismissing charges, without suggestion of unfairness or improper motive."

SMOKE FIENDS MUST WALK

Women Win Campaign Against Using Weed in Cars.

LOS ANGELES, Oct. 19.—After a crusade lasting several months, the women of Los Angeles have won their fight against smoking on streetcars in this city.

The Council today passed an ordinance prohibiting smoking on the cars except on rear platforms.

HYATT'S GIRL TO WAIT AT CHURCH

PITTSBURG PLAYER SPEEDING WEST TO WED.

Man Who Helped Win World's Series Will Charter Train to Fill Marriage Date.

PITTSBURG, Pa., Oct. 19.—(Special.)—Hamilton Hyatt, the young Western giant outfielder of the world's champion Pittsburgh team, is now flying towards the West, trying to make Victoria, B. C., in time for his own wedding Monday. Hyatt tarried too long at Forbes Field last night, where 50,000 Pittsburghers were welcoming the champions, and missed the last train west, which would land him in Victoria in time for his wedding.

It took Hyatt about 10 minutes to figure out that the next train he could catch out of Pittsburgh would not get him to Vancouver, B. C., until almost an hour after the time set for his wedding and the rear sent up by Hyatt was fearful to hear. He took the next fast train, however, hoping that some other train between here and the Coast may be delayed long enough to permit him to catch it and still make his wedding on Monday. If not, he will charter a special train and make the last lap of his journey and part of his \$100,000 world's series money will go for that special, he said.

ROAD'S DELAY PROVOKES

State Board Tells Great Northern New Depots Must Be Built.

OLYMPIA, Wash., Oct. 19.—(Special.)—Washington's Railroad Commission today summarily denied a petition of the Great Northern on the claim that the road had deliberately ignored and neglected orders of the commission.

In addition, the commission served notice upon the road that it might direct the Attorney-General to bring action to force the Hill line to pay many thousands of dollars' penalty, which the law provides for failure to comply with the orders.

The commission takes the position the public wants the additional station facilities rather than to flee the road, and announces that if the company in good faith promptly constructs the 13 new stations, remodels and enlarges streets on many side and industrial tracks and other improvements covered by the original orders, no prosecution may result, otherwise the commission may bring suit for the penalty for each day and for each improvement, which would run into thousands of dollars.

M'CARREN AGAIN ON BRINK

Sleepless Night and Attack of Hiccoughs Rack Weak Body.

NEW YORK, Oct. 19.—Patrick H. McCarren, State Senator and Democratic leader of Brooklyn, who was eliminated from the municipal campaign by a sudden attack of appendicitis, which necessitated an extremely precarious condition tonight.

He has been reported as dying at various times since the operation Wednesday, but has rallied well until a relapse today caused by an almost sleepless night and an attack of hiccoughs, which racked his weakened body and aggravated the condition of a fluttering heart.

He improved little if any during the day, and tonight it was evident that his physicians were less sanguine than at any time since he was stricken.

Senator McCarren continued to grow worse as the night progressed. At midnight Dr. Hughes said:

"Senator McCarren's condition is very serious and I can give but little encouragement, but he is making a brave fight."

HILL NOT RUSHING SOUTH

Magnate Says He Has No Present Plans to Invade California.

OROVILLE, Cal., Oct. 19.—(Special.)—M. J. Lorraine, former engineer for the Western Pacific, who helped locate part of that road's route through Feather River Canyon, has made public a denial that he is working in the interest of J. J. Hill or any other railroad company in the investigations he has recently been making along the Middle Fork of the Feather River. The report has become persistent that he represented some new road that intended coming westward.

Engineer Lorraine also makes public a letter he has received from Hill in reply to one he wrote, asking as to the truth of the statements published regarding Hill's intention to build into California. The letter is dated September 22, 1909, and is written by Hill's private secretary, who states he is directed by Hill to say that the latter has no present plans to build to California.

ST. JOHN HAS 2 SALOONS

City Council, Despite Protest, Grants Licenses in Stormy Session.

In spite of the strenuous protest of the prohibition element of St. John, expressed through Rev. E. G. Gates, pastor of the Evangelical Church, who appeared before the City Council last night, that body granted two saloon licenses, one to Thomas Glover, and one to Sherman Cochran.

There was a stormy session of the Council. In executive session that lasted two hours. The whole liquor situation was gone over and it was voted to grant three licenses provisionally, so if the Supreme Court decides the town shall have no saloons, these licenses will be revoked.

One other license is yet to be granted. Two firms are applicants, F. Kircher & Co., and E. O. Magson. The saloons will pay a fee of \$1200 and there are to be no alcoves, no chairs, no music and no curtains.

ROSS MUST SERVE 5 YEARS IN PRISON

Supreme Court Remits Fine as Excessive.

BANKER LOSES ON APPEAL

Conviction for Misuse of State Funds Affirmed.

CHECKS HELD TO BE MONEY

Members of Corporation of Defunct Bank Responsible Personally When Money Was Loaned Out, Court Finds.

SALEM, Or., Oct. 19.—(Special.)—The Supreme Court today rendered an opinion in the case of the State vs. J. Thorburn Ross, affirming the decision of the Circuit Court for Marion County, Judge George H. Burnett presiding, except as to that part which says Ross shall be imprisoned in the Multnomah County Jail until the fine of \$75,000 shall have been paid. In all other respects the judgment of the trial court is affirmed, and Ross must serve five years in the Penitentiary for wrongful conversion of state school funds, amounting to \$238,458.57.

The opinion of the appellate court is written by Justice Eakin. The question of whether the deposits made by the State Treasurer with the Title Guarantee & Trust Company, of which Ross was president, were general or special deposits, is taken up. The opinion holds that it is evidently not the purpose of the law that the active depositories shall loan or be required to pay interest on funds deposited thereunder. It is held that "the active depositories hold the money only as collections, and, therefore, the deposits were special, the title to which did not pass to the bank."

Checks Recognized as Money. Defendant urged that "the proof shows only a deposit and conversion of checks and drafts, and not money as charged in the indictment, and that this is a variance." The opinion holds that "when the trust company placed to the credit of 'Steel, State Treasurer, Educational,' the amount of a check, it thereby acknowledged that it had received the amount of the check in money, which, at least prima facie, sufficient to establish the receipt of the money by the trust company. Having decided that the money in the hands of the trust company was a special deposit and the money remained the property of the State of Oregon and was paid out to other persons than the State Treasurer, it follows that this was a conversion of the money."

Members of Corporation Responsible. Replying to contention of defendant that the trust company, and not the officers thereof, was in possession of the money of the state, the opinion states:

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MRS. COYNE JOINS RENO'S HEARTSICK

NEW YORK WOMAN ENLISTS IN DIVORCE COLONY.

Southern Railway Magnate's Daughter Takes Up Residence in Separation State.

RENO, Nev., Oct. 19.—(Special.)—Mrs. S. P. Coyne, daughter of J. F. Gattins, president of the Southern Railway, accompanied by her young son and brother, B. K. Gattins, arrived in Reno today and engaged a suite of rooms at the Riverside. The party came direct from their home in New York City. Rumor says Mrs. Coyne will ally herself with members of the local divorce colony.

This is strengthened by the fact that Mrs. Coyne has already lost no time in making efforts to secure a furnished house, in which she desires to reside for an indefinite length of time. Mrs. Coyne is a young woman and girlish in appearance. She has already found a friend and companion in Mrs. K. Donaldson, wife of the prominent New York stock broker, herself a divorcee. The two women have been together much of the time since the arrival of Mrs. Coyne yesterday.

Mrs. Coyne examined a fashionable cottage this afternoon.

LIGHTKEEPER OUT OF FOOD

Family Starving, Oil Supply Gone When Supplies Arrive.

SEATTLE, Wash., Oct. 19.—(Special.)—The tug Gollah, which lost its tow, the barge Quatsino, en route from Nainalmo for Cordova, with 2300 tons of coal last week, arrived in port today. The Green Island light was dark and the vessel's light-house-keeper was out of coal oil, he having used the last of his private store of illuminant the night before.

The Canadian government supply-boat Quadra, with stores, was overdue nearly a month, and the light-house-keeper was reduced to corn starch and bread, he and his family having eaten nothing else for nine days. The Quadra arrived the next day.

CHINESE ACCUSES MAYOR

Oriental Charges Ben Heney With Disorderly Conduct.

TUCSON, Ariz., Oct. 19.—At a special meeting of the City Council today charges were filed against Mayor Ben Heney, a brother of Francis J. Heney, the San Francisco graft prosecutor, by Yee Kam, a Chinese whose place of business was entered by the Mayor on July 25 last, according to the Chinese. Kam alleges disorderly conduct on the part of the Mayor.

It is asserted that the charges are part of an effort to oust Mayor Heney. No action has been taken by the Council.

END OF OATHS MAY BE CUT

District of Columbia Plans to Clip "So Help Me God."

WASHINGTON, Oct. 19.—The use of the words, "So help me God," at the end of oaths may be prohibited in the Congress of the District of Columbia, if Congress passes a law being drafted by the Commissioners of the District.

The bill under consideration is similar to one enacted by the Maryland Legislature and leaders of the bench and bar in Washington have been consulted as to the advisability of recommending its enactment.

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SEALED VERDICT IN BATONYI CASE

Jury Decides Whether Man Tells Truth.

UNFAITHFUL TO WIFE OR NOT

Austrian Whip Vehemently Denies All Charges.

HE HAS HAD THREE NAMES

Changed Just as Wife's Family Did, Says He, With Flash of Irony. Majd of Alleged Affinity Says Nothing Wrong.

NEW YORK, Oct. 19.—A jury in the Supreme Court decided tonight whether the second matrimonial venture of Frank Work's daughter, Frances Work-Burke-Roche-Batonyi, and the second venture of her second husband is to be called off, but the decision will not be made public until tomorrow morning, when a sealed verdict will be opened before Justice O'Gorman.

Aurel Batonyi, native of Austria and a former professional whip and horseman, took the stand himself this afternoon to deny his wife's charges of improper conduct with two women.

Question of Veracity for Jury.

After much family history had been aired, counsel for both sides summed up and the court told the jurors that, if they accepted the denials by Batonyi that he had visited an apartment-house in Central Park West after a taxicab ride with Beatrice Brevaine, an actress, they must render a verdict in his favor. If, on the other hand, they did not accept the denial, then remained to them the duty of determining from the evidence of the seven witnesses for the plaintiff whether or not a statutory offense had been committed.

When the jury came into court again after three hours' deliberation, it was announced that the questions had been decided upon. They were therefore sent home for the night with instructions to report in the morning.

Batonyi Makes Hot Denial.

The day was marked at the opening with more testimony by witnesses for Mrs. Batonyi than the Austrian whip had been unfaithful to her. This was followed by emphatic testimony of the defendant, who spoke so heatedly and with such feeling that he was admonished by the court. He denied his wife's allegations, branded them as lies; said he was wounded by detectives, and accused his wife's relatives and in others of alienating her affections, in connection with which he has a suit for damages pending.

Mrs. Batonyi was in court all day, but no sign of recognition passed between her and the man she is suing for absolute divorce. Batonyi, in previous

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UNCLE JOE TAKES RAP AT CUMMINS

SPEAKER SAYS IOWA SENATOR WILL AID BRYAN.

Cannon Scores All Insurgents—If They Are Republicans, He Is Something Else.

ELGIN, Ill., Oct. 19.—Speaker Joseph G. Cannon tonight attacked the Republican insurgents in Congress and defended himself in a vehement two-hour address before the Illinois Mayors' Association.

Speaker Cannon vigorously denied that his election as Speaker was brought about through a deal with Tammany Hall. The speaker also asserted that Representative Fowler of New Jersey was dropped as chairman of the House currency and banking committee because of his refusal to report to the House an emergency currency measure.

"I was over in Iowa last week," he said, "and found that it is an open secret there that Senator Cummins not only purpose to join hands with Bryan, but that he will appeal to the people until the tariff is revised according to his notions."

"In this campaign to be waged by Senator Cummins the issue appears to be whether the seven Senators and the 20 members of the House who voted against the tariff bill constitute the majority of the Republican members of Congress and the President makes up the Republican party."

ARMED MEN GUARD CAMP

Greeks Fear Repetition of Last Week's Fatal Shooting.

PRAIRIE CITY, Or., Oct. 19.—(Special.)—A constable and six armed deputies are guarding the Greek camp at Huckleberry flat, the scene of the killing of a Greek last Wednesday night. The white men connected with the Greek camp, including the cook and time-keeper, have left, fearing violence, as various threats have been made against them.

It is believed that all trouble is over now and that the Greeks will quiet down and proceed with the work on the railroad extension. One of their number telegraphed the story of the murder to the Greek minister at Washington, who replied "Let the law take its course." This message has had a great deal to do with quelling the incensed foreigners.

Hugh Jackson, who killed Sobht, waived an examination in the Justice Court here, and was bound over to await the action of the grand jury which meets in November.

BAND OF BRAVES STARVING

Chippewa Indians Hungry—Government Rushing Supplies.

WASHINGTON, Oct. 19.—Rocky Boy and his band of Chippewa Indians, numbering about 150 braves, encamped near Birdseye, Mont., probably will owe their rescue from death by starvation to the promptness of Indian Office officials who today took speedy means to relieve their desperate plight.

Some concern was felt when a message came today from the Indian allotting agent at Glasgow, Mont., telling of the conditions of the band, noted for its daring, and suggesting the extremes to which hunger might drive them.

As a result of orders issued by the War Department to the commanding officer at Fort Harrison, Mont., ample supplies are being rushed to the Indians, who for weeks have been subsisting on scant herbs.

ALL GO TO BUILDING AUTOS

Carriage Builders Say Their Business Is in Doldrums.

WASHINGTON, Oct. 19.—Automobiles have displaced carriages to such an extent that carriage-builders are obliged to retire from business or devote their attention to the construction of automobile bodies.

In effect, this was the statement made today by Maurice Connolly, of Dubuque, Ia., president of the Carriage Builders' National Association of the United States, which convened here in its 35th annual meeting.

William L. Hall, assistant forester of the Agricultural Department, said the supply of hardwood from which the bodies of both carriages and automobiles are constructed is diminishing rapidly.

GREGGAINS GETS DECISION

But Crowd Believes Dranga, of Portland, Scored Best.

SAN FRANCISCO, Oct. 19.—(Special.)—In the amateur boxing show held tonight as part of the Portland festival, Jack Greggains of San Francisco, was given a decision over Olmar Dranga, of Portland, but the verdict was unpopular with the spectators.

Greggains outpointed the Portlander in the early stages, but weakened in the third round, when Dranga established a good lead.

SENATOR ALDRICH IS BACK

Member of Monetary Commission Returns From Europe.

NEW YORK, Oct. 19.—United States Senator Aldrich, who was a member of the sub-committee of the National monetary and banking systems abroad, returned to New York today on the Kaiser Wilhelm II, but declined to discuss the results of the trip.

JOINS IN CALLING FERRER MARTYR

Labor Federation Says Spain Murderer.

PARALLEL TO GOMPERS CASE

Only Security to Liberty Is Jury Trial in Open Court.

DIED FOR FREE SPEECH

Chorus of Denunciation Which Rises Throughout Europe Joined by Leaders of American Labor Unions.

LONDON, Oct. 19.—The Daily Chronicle's Madrid correspondent asserts that, owing to the Ferrer agitation, King Alfonso is much dejected. He is suffering from insomnia and is almost a prisoner in the palace, having abandoned his daily outings.

Many threatening letters are being received daily at the palace and at the residences of the ministers.

WASHINGTON, Oct. 19.—Resolutions

fiercely denouncing the murder of Francisco Ferrer, the Spanish revolutionist, who was condemned by court martial and shot in Barcelona, were adopted at today's session of the executive council of the American Federation of Labor. Ferrer was referred to as a martyr.

"We in our personal behalf as well as in the name of America's workers and the whole people," the resolutions declare, "express our intense indignation, horror and strongest protest against the murder of Francisco Ferrer by direction of the Spanish government."

Taken in connection with the action of the Supreme Court of the District of Columbia in sentencing President Gompers Secretary Morrison and John Mitchell of the Federation, to serve terms in jail for contempt of court, the concluding paragraph of the resolution is looked upon as significant. It declares that:

Jury Trial Secures Liberty.

"We take this occasion of the military murder of a man whose real offending was speaking, writing and teaching freely to become more wise, more free and more liberty-loving, to remind the people of our country that liberty of the citizens is only secure when trial by jury and in open court for any alleged offense involving punishment is guaranteed. The resolutions say 'The cause of free speech, free press and free education has found in Ferrer another martyr, the more regrettable in an age when civilization boasts of having replaced the tortures

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