

# Morning Oregonian

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PORTLAND, OREGON, FRIDAY, FEBRUARY 11, 1910.

PRICE FIVE CENTS.

## DR. HYDE ARRESTED FOR SWOPE'S DEATH

### First Degree Murder Is Charge.

### HYDE IS SON OF PREACHER

### Has Been Involved in Cases of Much Notoriety.

### WEDDED NIECE OF SWOPE

### Forced Himself In as Attending Physician to Swope Family and Is Accused of Wholesale Slaughter—Money Object.

KANSAS CITY, Mo., Feb. 10.—As a climax to the investigation of the mysterious death of Colonel Thomas H. Swope on October 3, 1909, Dr. B. C. Hyde, husband of the late millionaire's niece, was arrested on a charge of the alleged murder of the aged philanthropist.

The warrant upon which arrest was made was issued at the request of Attorney John G. Paxton, executor of the Swope estate.

First degree murder is charged. The warrant says that Dr. Hyde, with felonious intent, administered strychnine to Colonel Swope on the day of his death. Across the back of the complaint filed by Mr. Paxton asking for a warrant, the prosecutor, Virgil Conkling, wrote above his signature, "I hereby endorse this complaint."

### Dr. Hyde Accepts Warrant.

Dr. Hyde learned that a warrant was being sought, and with his attorneys, went to the prosecutor's office to await the return of Mr. Conkling. He submitted to arrest without demanding to hear the warrant read. From there the party went to Judge James M. Lewis, where Dr. Hyde was arraigned before Justice W. G. Lear. The physician pleaded not guilty, and was released on a bond of \$50,000. His preliminary hearing was set for February 17.

Prosecutor Conkling originally planned to have the bond fixed at \$25,000, but Hyde's attorneys had arranged for a \$50,000 surety, and, as they expressed a willingness to give this amount, it was accepted.

### Rich Men Sign Bond.

The bond was signed by F. P. Neal, president of the Southwest National Bank; H. F. Hall, president of the Hall-Baker Grain Company; M. D. Scruggs, a livestock dealer; William McLaughlin, a horseman, and John M. Cleary, Frank P. Walsh and Judge John Lucas, attorneys. They are all wealthy men.

The calmest man in the justice's office in independence was Dr. Hyde. While attorneys hurried themselves making out the papers in the case and the few spectators craned their necks for a view of the accused physician, he sat near the County Marshal, Joel B. Mayes, who made the arrest, and read a newspaper that told of developments in the Swope investigation.

### Anxious About His Wife.

"By the way, Mr. Mayes," he said, folding up the paper, "I wish you would call up my house and have my wife informed that I will be home for dinner. She will be worried about me."

Just as soon as the bond was accepted, Dr. Hyde hurried to his home in an automobile.

The arrest followed quickly after Judge Ralph S. Latschaw called a grand jury today to investigate the death of Colonel Swope. Prosecutor Conkling made a request for the jury.

By dismissing his libel suit for \$500,000 against Attorney John G. Paxton, Dr. Frank L. Hall and Dr. Edward G. Stewart today, Dr. Hyde removed himself from the range of the attorneys, who have been using every legal means known to them to get his deposition in the case. One suit for \$100,000 alleging slander is still pending against Attorney Paxton.

### Mystery in Colonel Swope's Death.

The death of Colonel Thomas H. Swope on October 3 last was attended by circumstances that mystified the millionaire's family and close friends. Dr. Hyde had treated Colonel Swope in his last hours, and had in signing the death certificate given approval as the cause of death.

In December an epidemic of typhoid fever raged in the Swope household, eight persons were stricken, and one, Christmas Swope, died under conditions that caused much apprehension among the attending nurses. Then John G. Paxton, the executor, and Mrs. Logan Swope, mother of Christmas, instituted a vigorous investigation. Dr. Edward L. Stewart came forward with the statement that on November 10 Dr. Hyde had obtained from him an active typhoid culture. After Dr. Stewart had divulged this information Dr. Hyde was placed under constant surveillance of detectives.

### Dr. Hyde Himself Stricken.

On December 20 Dr. Hyde himself suffered an attack, declared to be typhoid fever. "When Dr. Hyde became ill," said Dr. Stewart, "I was asked to make an examination of his blood for typhoid. He asked that I make the Widal test. This will show typhoid fever, even if the subject whose blood is examined suf-

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## FAIRBANKS DIDN'T ASK FOR AUDIENCE

### MERELY EXPRESSED DESIRE TO SEE POPE.

### Anti-Clericals in Rome Have Used Incident for Renewed Attacks on Vatican.

ROME, Italy, Feb. 10.—(Special.)—Mgr. Biletti, the Papal Major-Domo, says that Ex-Vice-President Fairbanks did not apply directly for an audience with the Pope, but merely expressed a desire to see him. The audience was deemed inexpedient, not because of any objection to Mr. Fairbanks' personality, religion or private character, but because of his active participation in the regular public church services of the Methodists.

Mgr. Biletti called attention to the fact that the Ex-Vice President did not attend the services as a member of the congregation, but contributed by his presence to increase the importance and prestige of a church openly hostile to Catholicism, active in proselytizing and numbering among its converts several apostate priests.

Anti-clericals in Rome have used the Fairbanks incident as a pretext for an attack on the Vatican, exaggerating the importance of the affair and making it almost a breach of courtesy against an American who had occupied the second highest position in his government. Mr. Fairbanks, however, deprecates the publicity and undue importance given to the case, which he admits was due to his lack of foresight.

The report that Mr. Roosevelt has promised to participate in the Methodist church services here is unfounded. He has notified the Vatican of his intention to visit the Pope; therefore it is taken for granted that he is prepared to abstain from acts likely to hurt the Pontiff's susceptibilities.

## ORANGES HURT BY FROST

### Shipment of Damaged Fruit Injures Trade of California.

LOS ANGELES, Cal., Feb. 10.—(Special.)—The damage to oranges by the heavy frosts six weeks ago is much greater than was supposed. Some experts say that one-third of the crop was frozen, meaning a direct loss of many millions of dollars and injury for years to come. The market is demoralized by shipments of bad fruit, and how to prevent the sending of frozen oranges to the East is the burning question of today in Southern California.

The California Fruitgrowers' Exchange has been studying the subject for weeks, and it is understood, the growers have not reached the conclusion that the only effective preventive will be to have a state law passed for the appointment of inspectors, with authority to forbid shipping of any fruit unfit for human food. This would include frozen oranges.

The thermometer was lower at places in Southern California this winter than ever before, registering 20 degrees in the orange belt for an hour on two nights.

## \$11,000,000 IN MINE DEAL

### Dunsmuir Properties to Be Acquired by Mackenzie and Mann.

VICTORIA, B. C., Feb. 10.—(Special.)—Ex-Lieutenant-Governor James Dunsmuir's vast coal interests and various mines on Vancouver Island, B. C., are being sold soon to Mackenzie & Mann, builders of the Canadian Northern Railroad. J. P. Morgan and James J. Hill are said to be back of them.

The price to be paid in cash is \$11,000,000 in addition to be expended in the erection of works on Vancouver Island and the extension and development of the mines. The actual output of the mines already developed is tremendous. The Canadian Pacific Railway had an option on this property but allowed it to expire.

## WOMEN WILL "MAN" PLOWS

### Pick and Shovel Club of Venice to Beautify City.

VENICE, Cal., Feb. 10.—Women of the Pick and Shovel Club, a fashionable organization which has undertaken the task of beautifying this city, will "man" plows on Saturday, when a two-acre garden at the public school is to be prepared for the planting of flowers and shrubbery.

The occasion is to be made a municipal holiday.

## TEACHERS ASK MORE PAY

### Seattle Educators Back Demand by High Cost of Living.

SEATTLE, Feb. 10.—A committee representing all the grade school teachers in Seattle met today and prepared a demand upon the Board of Education for a 10 per cent increase in wages. The increased cost of living is given as a reason for the demand. The high school teachers are expected to join the movement.

## Albany to Boast of Airship.

ALBANY, Or., Feb. 10.—(Special.)—Work began today on the shed at Goltz Park, just south of this city, where the Burkhardt airship is to be housed during the aviation experiments the coming summer. Burkhardt is now in Portland, preparing to bring the biplane air craft, which he exhibited at the Portland Automobile Show, to this city, where it will be made ready for the coming experiments.

## BELL HAS CONTROL OF INDEPENDENTS

### Attorneys Confident It Has Been Proved.

### MORGAN WAS BLIND MERELY

### Ohio and Indiana Telephone Companies Still Probed.

### STRONG DENIAL IS MADE

### Banker Who Negotiated Sale of Properties Says Bell Company Knew Nothing of Purchasers.

NEW YORK, Feb. 10.—Counsel for the minority stockholders in the Ohio and Indiana Independent Telephone Companies, control of which was recently sold to interests yet to be officially identified, declared tonight in a hearing held here they were satisfied they had already proved the control has passed to the American Telephone & Telegraph Company, commonly known as the Bell Company.

On the action, said: "The hearings were adjourned until a week from today, because Western lawyers insisted on next examining President Vail, of the American Telephone & Telegraph Company, who cannot appear until then."

### Bell Control Believed Shown.

Before leaving for Cleveland tonight H. B. McGraw, an attorney for the minority stockholders, who are plaintiffs in the suit, said: "Through Vice-President Hall and W. H. Remick, the banker who negotiated the deal, we have already established that the American Telephone & Telegraph Co. lent to Remick's firm (R. L. Day & Co.) without security, \$2,500,000 to buy the controlling shares in the independent companies of Ohio and Indiana."

"They admit the American Company wanted these companies and provided the money to make the purchase."

### Contract Drawn in Bell Office.

"They admit that the contracts, not only between the American Company and Remick's firm, but between Remick and F. W. Goff and James S. Brailley, Jr., who had the shares of stock to sell, were drawn in the American Company's offices and that Remick was acting for the American Company."

"Furthermore, we have shown that the American Company asked J. P. Morgan & Co. to form a holding company for these Ohio and Indiana companies, and that, when Morgan & Company held the holdings over, the American company released Remick from the option, so that the transfer could be made to Morgan's firm."

### All Competition Stopped.

"We believe that this shows conclusively that the American Telephone & Telegraph Company, which owns the Central Union Company, in Ohio and Indiana, has quieted all competition there."

Remick testified today that his profit in the deal has been "about \$60,000." Remick said that from the time he

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On the action, said: "The hearings were adjourned until a week from today, because Western lawyers insisted on next examining President Vail, of the American Telephone & Telegraph Company, who cannot appear until then."

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## TAFT TO DECLARE POLICY ON TRUSTS

### Nation in Suspense on Trust Decisions.

### PRESIDENT'S VIEWS STAND

### Speech in New York Will Show Flurries Don't Move Him.

### MAGNATES SEE NO HOPE

### If Federal Incorporation Passes, It Will Not Save Trusts From Effects of Standard and Tobacco Decisions, if Taft Wins.

WASHINGTON, Feb. 10.—A conference held at the White House last night between President Taft and Senator Aldrich was only the forerunner of others in the near future, the outcome of which probably will be the issue of a statement dealing with the situation that is discussed wherever two or three are gathered together, yet which apparently nobody thus far has deemed it prudent to make the subject of public utterance.

"That situation relates to the possible consequences, financial, industrial and political, hanging upon the decisions of the Supreme Court of the United States in the cases of the American Tobacco Company and the Standard Oil Company." "The immediate subject of last night's conference between the President and Mr. Aldrich was the Administration's proposed amendments to the Interstate Commerce law, but the effect of the Supreme Court decisions in the tobacco and oil cases was discussed also and will be further discussed on Monday."

### Flurries Don't Swerve Taft.

Meanwhile the President will speak in New York Saturday night on the subject, it is said, of "Party Pledges and How They Should Be Kept," and he is attempting no concealment or modification of his intention to make the decision of the Supreme Court the guide of the Government's further action in regard to corporations charged with violations of the Sherman anti-trust law. He makes it plain to all inquirers that he has in no wise changed his view of what in his message to Congress he described as his duty to investigate the conduct of all trusts. Mr. Taft says he will not be swayed therefrom by rumors or flurries or other manifestations "in Wall street."

The general impression here is that the Federal incorporation bill will not be passed at this session. All the talk is unfavorable to its substantial progress and Mr. Taft recently disclaimed any intention of attempting to force its passage.

### No Legislative Relief Near.

But, even if it were enacted in its present form, it offers, in the opinion of members of Congress and of corporation men, no material relief from the condition that hangs upon the decision of anti-trust cases. The bill provides that it shall not be construed to create a shelter or immunity for any corporation that has violated the Sherman law. Nobody here shares what appears to have been the popular impression—that the proposed Federal incorporation bill would be a relief.

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## DEATH WARNING IS PROVED TRUE

### MOVED BY STRANGE IMPULSE, ENGINEER LEAVES WORK.

### Fatal Accident Follows—Similar Omen Preceded Death of Family Within Two Days.

LOS ANGELES, Cal., Feb. 10.—(Special.)—Eugene O'Hara, chief engineer on board the steamship Santa Clara for many years, was accidentally killed by electricity tonight at Kingman, Ariz., where he went to look over some mining property. Early yesterday morning his sister, Mrs. Frances O'Hara-Fields, 214 Eastlake avenue, went to Calvary Cemetery, moved by a desire to look upon her mother's grave, and was greatly surprised to find her brother Eugene there also.

"Why, Eugene," she asked, "How do you happen to be here?" "I can hardly tell you," he responded, "but a peculiar feeling has come over me that this will be the last time I will ever see mother's grave. I feel just as I did before the children died, and I am sure that something is going to happen to me."

He referred to an affection that befell his family in San Francisco, November 20, 1903. He arrived by port that day and was told as he stepped from the plank that all his six children had died of diphtheria that day. His wife died the next day.

O'Hara had given up a good berth on a Pacific steamer to come here.

## AMERICANS' ART TASTE BAD

### Dr. Bode, Noted Authority, Says Big Names All That Is Wanted.

BERLIN, Feb. 10.—(Special.)—American art connoisseurs have enough money, but only a limited amount of taste, according to Dr. Wilhelm Bode, the famous director of the Prussian art galleries, recently involved in a world-wide controversy over the genuineness of a bust he acquired. Europe, he says, should take advantage of this fact and protect itself against predatory American millionaires who are despoiling the Old World of its art treasures. "Owing to the fact," writes Dr. Bode in a leading German art journal, "American prices for pictures have again increased. Simple portraits by Rembrandt and Hals are selling for 1,000,000 marks (\$250,000), which is six times what they brought a few years ago. Such gigantic prices exclude Europeans from competition. "American taste, however, is limited and leaves a rich choice of masterpieces which they do not want. They are big names and for the famous works of Rembrandt, Van Dyck, Velasquez and Titian they will commit any folly. Smaller paintings of even these masters, though, they do not want. We must derive an advantage from this situation, for artistic values are not measured with a yardstick."

Dr. Bode has been conducting a vigorous campaign against activities of American collectors.

## CLAGSTONE SEEKS OFFICE

### Idaho Candidate for Governor Is Prohibition Advocate.

LEWISTON, Idaho, Feb. 10.—Paul Clagstone, Representative from Bonner County and Speaker of the House during the last session of the Legislature, tonight formally announced his candidacy for the office of Governor on the Republican ticket, to succeed Governor Brady.

Mr. Clagstone has announced his platform as being favorable to state-wide prohibition, legislation desired by the farmers, organizations throughout the state, conservation of the state's resources, as begun by Gifford Pinchot and President Roosevelt and continued by President Taft and Secretary Ballinger, anti-trust legislation to reduce the cost of living, the enactment of such laws as will protect the settlers on Carey act lands so that they will be required to pay only the cost of reclamation and a revenue revision with a view to reducing taxation. Mr. Clagstone has also announced his intention of campaigning Nez Perce County in the future local option for the election to be held March 2.

## ARMY BARBED WIRE DOWN

### Vancouver Road Blocked During Work Cleared by Miscreant.

VANCOUVER, Wash., Feb. 10.—(Special.)—Barbed wire on Reserve street, from Thirteenth street to the Cemetery, were torn down last night. Reserve street, while it is used as a public thoroughfare, is a part of the military reservation, and as such is under the complete control of the military authorities. The barricades were put up again today, much stronger than before, and a guard has been stationed on that part of the garrison grounds. The Government will expend \$20,000 in macadamizing this 2300 feet of Reserve street, and the specifications require the street to be shut off from traffic while the work is being done.

## PARRICIDE STORY DOUBTED

### Attorney Defending Mrs. Brown Questions Victim's Son's Tale.

BARTLESVILLE, Okla., Feb. 10.—The state closed its case today against Mrs. A. H. Brown, charged with murdering her husband. Mrs. Brown's attorney, in making the opening statement for the defense, questioned the sensational story of Peter Brown, the dead man's son, that he killed his father. It was hinted that the older Brown really was not murdered at all. Mrs. Brown, said the attorney, would deny improper relations with her stepson, and hinted she did not influence him to murder his father.

## PULLMAN SLICES ENORMOUS MELON

### Twenty Millions Given to Stockholders.

### SHARES WORTH DOUBLE PAR

### Increased Investment in Facilities Is Public Reason.

### MORGAN'S ADVICE TAKEN

### Step Taken Now Lest Federal Incorporation Act Shall Make It Impossible Later On—Total Gifts \$64,000,000.

CHICAGO, Feb. 10.—The directors of the Pullman Company decided at a special meeting today to give the stockholders a stock dividend of 20 per cent on the corporation's \$100,000,000 of capital. This will call for the issuance of \$20,000,000 of new capital, worth nearly \$40,000,000 in the open market, which will be given to the present shareholders without cost and will swell the company's total capital stock to \$120,000,000.

### Stock Worth Twice Par.

Pullman stock pays 48 a share dividend each year and sells in the market at \$198 a share, or nearly twice par value. This stock dividend of 20 per cent is about the equivalent of 40 per cent, therefore, of the par value of the stock.

In a statement made by directors announcing the dividend, this afternoon, it was pointed out that "the considerations influencing this action were that the increased investment in the manufacturing facilities of the company had been so material and considerable as to justify the directors in the belief that it should be represented in additional capital stock of the company."

### Original Capital One Million.

The declaration of a dividend at this time is understood to have been on the advice of J. Pierpont Morgan, one of the controlling figures in the company. It is said to have been Mr. Morgan's idea that if the company contemplated increasing its capital in this way, it would be better to do so before the passage by Congress of some bill like the Federal incorporation bill made it impossible.

The dividend of \$20,000,000 will make a total of \$64,000,000 of stock which the Pullman Company has given to its stockholders without cost in 12 years. The original capital of the company was \$1,000,000.

## COUNTY SPLIT THREATENS

### New Issue Is Injected Into Local Option Fight at Lewiston.

SPOKANE, Wash., Feb. 10.—(Special.)—A new issue has been injected into the local option campaign in the last few days at Lewiston, Idaho, by the inauguration of a movement, both in the Orofino country and the Prairie districts to introduce in the next Legislature a bill for the division of Nez Perce County into three counties, a meeting having been called for Saturday night at the Orofino Commercial Club to formulate plans, and both factions admit that the anti-local optionists will take advantage of the movement to secure votes in the territory embraced.

The plan is to make one county out of the district north of the Clearwater and east of the Nez Perce River, Orofino as the county seat, and another out of the Nez Perce prairie section, with either Nez Perce or Volmer as the county seat. The leaders in both camps admit that county division has an important bearing on the local option fight.

## CHEHALIS PUPILS DOUBLE

### Report Shows Children Increase From 2446 to 6839 in Decade.

MONTESANO, Wash., Feb. 10.—According to figures taken from the recent address of County Superintendent of Schools McKillop, Chehalis County now has 6839 persons of school age, as compared with 2446 ten years ago. Of these 2388 are in Aberdeen, 1400 in Houlihan and the remaining 331 in the cities and country districts of the rest of the county. During 1899 \$189,192.34 was expended for school purposes in the entire county, as compared with \$42,661.89 spent in 1889. The expense of Aberdeen alone in 1909 was 14 times the entire cost of the county for 1889.

## Publicity Secretary Resigns.

OREGON CITY, Or., Feb. 10.—(Special.)—At a meeting this evening of the publicity department and the advisory board of the Oregon City Commercial Club, the resignation of S. P. Davis, secretary of the publicity department, was tendered and accepted. Mr. Davis has been with the club about eight months.

## Supreme Court Cases Set.

SALEM, Or., Feb. 10.—(Special.)—In the Supreme Court the following cases have been set for hearing: February 23—State vs. Smith; Tillamook City vs. Tillamook County. February 24—State ex rel. vs. P. R. L. & P. Co.; Talbot vs. Smith. February 25—Morehouse vs. Webster Co.; Kelsey vs. Taylor.

