ELY IS UPSET **WEMME AEROPLANE**

Northerly Wind Baffles Amateur Aviator in Efforts to Make Turn.

OPERATOR NOT DAUNTED

Motor Is Stopped Before Machine Strikes Ground and Another Trial Will Be Made When Repairs Are Completed.

A strong northerly wind proved too much for B. B. Ely, automobile man and amateur aviator, when he tried to reach a high altitude in the Curtiss aeroplane belonging to E. Henry Wemme at the Twelve-Mile House yesterday afternoon. After reaching a height of 30 feet, the machine, which was going north in the face of the wind, veered to the east toward a clump of trees. Ely for the first time tried to make a turn in the air. As he turned toward the cast the north wind caught the side planes and tilted the aeroplane.

he acroplane. In a twinkling the aviator and his ma-In a twinking the aviator and his machine were on the ground. The aeroplane struck on its side, and, as if struggling to leap into the air again, bounced over to the opposite side. The plane and alieron tips on each side were smashed, the ribs, laterals and uprights being broken. The tires were smashed.

Operator Keeps Cool.

The machine was traveling 30 miles an hour and as it was huried to the ground a deep furrow was ploughed where one of the sides struck. Ely maintained remarkable coolness and shut off the motor just as the machine struck. He was unjuried.

injured. The aviator was making his fourth trial with the machine. The three previous ones were straight flights and he had not intended making a turn. On the other trial he did not attempt to get off the ground more than ten feet. On the last trial he went up 30 feet and before he realized it the machine, under the force of the wind, had veered off the course several feet. He then tried to turn it around and at the same time lowered the altitude plane with a view to alighting when making the turn. The machine, under the influence of the wind and the natural tilt given it by the turn, tipped over too far and fell to the ground.

The damage will not exceed \$50. Repairs can be accomplished in two days, when another trial will be made. Yesterday's accident was the second sustained by the Wemme machine. When Charles K. Hamilton, the aviator, was here he tried to fly the machine and gave it up, saying that there was something wrong with it. It was charged, however, that there was method in what he wall

Machine Smashed Before.

The first accident to the machine oc-curred at the Country Club grounds here March 6. Waiter E. Donnelly, an amateur aylator, was practicing with it before a crowd of 5000 spectators with it before a crowd of 5000 spectators after the principal events of the day were over. The practices work consisted of running along on the ground, rising not more than six or eight inches. The spectators crowded in too closely as the machine came by and a mounted policeman's horse was struck, which threw the machine off its course into the crowd, injuring half a dozen persons. The dam age to the machine was about the extent of yesterday's smashup.

Ely, with his associates in the local selling branch of Auburn automobiles, has an option on the Wenme machine. The option calls for test trials with a view of determining its flying capabilities. In the event that Ely masters it, and he has already shown unusual apitude, it will be purchased by the Auburn propole and archibition flights will be

people and exhibition flights will be

made with it.

The racetrack at the Twelve-Mile
House, where the trials are being made,
presents an unusual scene just now.
There are now three acroplanes on the housed in their temporary canvass cloth hangars.

Accident Delays Trial.

Two of these are owned by H. W. Man-J. M. Rache in New York. Both are anes and are fashioned after the liss make. Owing to an accident, in the Jack Manning, who is to make the flight, suffered the crushing of his by the Mannings, neither has been there. Frank Manning may try one in the injury to Jack's hand will be ed and he will begin practicing.

**E Mannings have a contract with the Festival Association and will make flights here at the Summer carnival; then intend touring the Pacific st, making exhibition flights. A third the carnet with the st, making exhibition flights. A third the carnet will be a manning the pacific st, making exhibition flights. A third the carnet with the st, making exhibition flights. A third the carnet with the carnet with the conduct has continued for the last five years, he says.

Attorney Rutherford married in San Francisco. August 8, 1893, and the couple have two children. They came to Oregon in 1800, Rutherford beginning the practice of law here.

At one time, in the middle of March, 1908, he complains, while he was consulting with one of his clients in the Commercial building, his wife demanded to the practice of law here.

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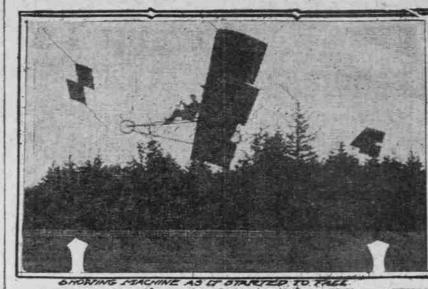
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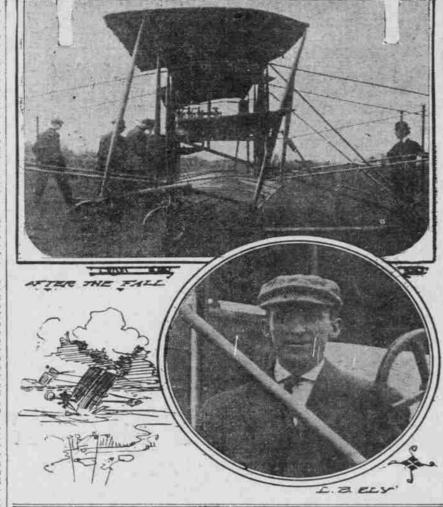
At one time, in the middle of March, 1908, he complains the practice of law here.

At one time, in th of-planes and are fashioned after the Curtiss make. Owing to an accident, in which Jack Manning, who is to make the first flight, suffered the crushing of his fingers in the engine of the machine built by the Mannings, neither has been tried here. Frank Manning may try one of the machines this week. Within ten Rose Festival Association and will make four flights here at the Summer carnival. They then intend touring the Pacific Coast, making exhibition flights. A third machine is being built and all will be taken on the tour.

FESTIVAL PLANS ENGAGE

WIND CATCHES PLANES OF FLYING MACHINE, CAUSING UPSET AND FALL TO GROUND.





WIFE NAGS, ALLEGED

Attorney F. B. Rutherford Is Suing for Divorce.

LOSS OF CLIENTS CITED

Lawyer Says Spouse's Fault-Finding Enduring Five Years Has Broken His Health and Hurt His Office Business.

Attorney Frank B. Rutherford filed suit for divorce yesterday, accusing Ella L. Rutherford of annoying him and his clients so much that his health has been broken and part of his business lost. Her nagging, fault-finding conduct has continued for the last five

wait a few moments until he had fin-ished with his business, at which Mrs. Rutherford became angry, left the of-fice and slammed both the Inner and outer doors after her.

On another occasion, he alleges, they had planned to go to Brownsville to-gether. He says several clients were waiting in his office for him, but that

closes.

One of the more important items of expense which must be taken care of will be the burse float which the Peninsula expects to enter in the "Spirit of the Golden West" parade. The booths which are to be maintained at the different depots for the purpose of disseminating information and distributing roses to all incoming strangers is another considerable flow. The shower of roses through the sirects on two or three mornings of the Pestival week must also be provided for.

A Hint in Time.

Order the Mount Hood Brawing Company's famous Bock Beer now; to be delivered free at your home after April 15. Phone Bast 129 or B 1319.

Eugene, Oregon.—I have sold Hall's Texas Wonder for kidney, bladder and releumnance for the hard sold when the surgest sold and they have three children. She says that and the received here from Cristobal, Panama, State that on March 31. Samuel Barnes, and chock here, telling her that he would kill her and their child, Elien. About two months ago, she continues, he she refused to give him any took 415 from pany's famous Bock Beer now; to be delivered free at your home after April 15. Phone Bast 129 or B 1319.

Eugene, Oregon.—I have sold Hall's Texas Wonder for kidney, bladder and releumnance for the last five years, and have guaranteed it in many cases, but have never had a complaint, 60 days' treatment in each bottle. O. J. Hull.

The string of the purpose of disseminating forms the circuit Court yeaterday. In one case 29 years and the other 2 years, filed divorce suits in the Circuit Court yeaterday.

Two dissentiative dwives with the home for the way and in the other 2 years, filed divorce suits in the Circuit Court yeaterday.

The laster, how what he other 20 years and the other 2 years and the other 2 years, with the remained manne of Julia Pratices, says that the manne of Julia Pratices, and the manne of Julia Pratices, and the manne of Julia Pratices, and the pratice of the provided for.

MEBLIN. Or., April 18.—Word was released they can be found to the page of John Sapple was

POORFARM TRUSTEE WANTED County Would Deed Property to

County Judge Cleeton and County commissioners Lightner and Barnes in-Commissioners Lightner and Barnes intend to go into the Circuit Court this morning with a petition that a frustee be named, to whom they can deed the old Poorfarm on the Canyon road, over which litigation is pending. Judge Cleeton sald last night that the parties to the litigation are clamoring for title to the property, but that the County Court intends to be on the safe side by placing it in the bands of a trustee.

Custodian Named by Court.

"W. A. Spanton holds the contract for the purchase of the land," said Judge Cleeton, "but he has transforred his in-terest to the United States Trust Company. B. M. Lombard also claims an interest in the land, so that we do not feel free to deed it to either one until the litigation in the Circuit Court is settled. But the county desires to secure the interest on the money which it is to receive for the land. With the land decided to a trustee where it can be held in escrow, these payments can be made. B. M. Lombard has offered to make the payments if Mr. Spanton does not pay, the County Court can cancel the contract and readvertise, which it would very much like to do, as it believes a higher price could be obtained for the land."

before the murder and since have ceased, is regarded as significant, indicating that the woman knows where Wezler is. Lottle Freeman is said to be her name, and her home is believed to be in San Francisco.

OFFER REWARD FOR CAPTURE

Pierce County Officials Are Convinced of Wezler's Guilt.

TACOMA, Wash. April 12.—(Special.)—A reward of \$500 cash was voted by the Pierce County Commissioners today to be paid for the "apprehension of Charles I. W. The convention of Charles I. W. The convention

LADZICK WILL IS OFFERED

Instrument Leaves Estate to Partner in Contracting Business.

What Rudolph declares to be the will What Rudolph declares to be the will of Fred Ladzick, whose body was found at the bottom of Butler Lake, near Stevenson, Wash., April 5, was filed for probate in the County Court yesterday morning. In it all the property, consisting of \$288.57 in cash and \$5500 in promissory notes, is given to Koch. It is dated March 12, and is signed by T. W. Ward, of the Hotel Eston, and C. W. Embody, of 768% Johnson street, as witnesses. Koch is named in the will as executor,

Peninsula Association to Meet Tonight to Discuss Details.

Committeemen in charge of the plans for the Peninsular celebration of the Rose Pestival August of the attention he paid to Mrs. M. F. Kerby, who had been invited to take form or more district improvement clubs which have banded themselves to gether into a Peninsular Rose Festival Association or part in the spectacular features of the week of the Festival, June 5 to 11.

To get the money to defray the expense entailed, a vigorous financial canvase of the Feninsula has been under way for some time and one of the objects of toning the second of the conjects of the says for the rest of the evening. He says for the more important items of expense which have been the campaign of the wint has been involved.

To get the money to defray the expense entailed, a vigorous financial canvase of the Peninsula has been under way for some time and one of the objects of tonish's session is to ascertable to be available when the campaign of the says his wife is not a fit person to have the custody of their two children, and that he conformed. More and the conformant suicide. Murder way for some time and one of the objects of tonish's session is to ascertable when the campaign of the week of the more important items of expense which must be taken care of will be available when the campaign closes.

One of the more important items of expense which must be taken care of will be available when the campaign closes.

POLICE SEARCH IN VAIN FOR WEZLER

Man Suspected of Murder of Mother-in-Law Leaves No Clew Behind.

ANOTHER WOMAN IN CASE

Postal Cards Sent Regularly Until Disappearance Stop Coming--Incapable of Formulating Alibi, Says R. C. Clyde.

Developments yesterday in the Schulz nurder case made even more difficult solution of the problem as to who and where is the slayer of Mrs. Henry and where is the slayer of Mrs. Henry Schulz, of Tacoma. Although there are four persons in Portland who believe that Charles J. Wesler talked with them on Monday and Tuesday, the Port-land and Tacoma authorities apparently are convinced that he is not only the author of the decoy letter received by Mrs. Schulz, but is also guilty of her murder.

"Today we know just as much about the whereabouts of Charles J. Wezler as we did when we first took hold of the matter, and little more," said Cap-tain of Detectives Moore yesterday.

Seen in Portland Tuesday.

Mrs. K. C. Mathitt, stock clerk in the Mrs. K. C. Mathitt, stock clerk in the Benedictine Press office, is confident that on the Tuesday following the disappearance of Mrs. Schulz in Tacoma she talked with Wezler in the Goodnough building in this city. Wezler had been engaged the previous Friday to solicit advertising for the special Rose Festival number of the Mount Angel Magazine. Ralph C. Clyde, advertising manager for the Catholic publications, had a short talk with Wezler Saturday, the last time he saw him.

Miss Grace Vandemarr, stenographer for the concern, talked over the tele-

for the concern, talked over the tele-phone on Monday with a man who, she is positive, was Wezler. Her contention is borne out by the fact that Wezler was the only advertising salesman for the Benedictine Press who could have

the Benedictine Fress who could have been in Portland on that date.

The following day, Tuesday, April 6, a man came into the office when all the employes but Mrs. K. C. Mathitt had gone. The caller, whose description as given by Mrs. Mathitt fits that of Wezler, showed familiarity with his surroundings.

Wezier Believed Unbalanced.

"Wezler was a cigarette user, probably a drug habitue, and undoubtedly in a very nervous, if not unbalanced, condition," said Raiph C. Clyde. "I do not believe that he was mentally capable of formulating an elaborate plan for an alibi, such as would appear under the theory that he had an accomplice here in Portland. I think that, under the circumstances, it is more than sertion, she declares. She is now living with her daughter. under the circumstances, it is more than likely Wezler left Portland on the Wednesday morning that the news ap-peared in the local papers, reasoning that, from the apparent evidence against him, there would be little opportunity to clear himself. This theory is plausible in view of the positive statement which Mrs. Mathitt makes relative to her caller of Tuesday after-

The Portland authorities believe that Wezler returned to Portland after slay-ing his mother-in-law, quickly making arrangements for secreting himself. All efforts to find the "short, dark man" and the woman with whom he is said to have been familiar during the

said to have been tamiliar during the past few months, have proved without avail.

That postal cards from the mysterious woman friend of Wezler came to him regularly up to within a few days before the murder and since have ceased, is regarded as significant, in-

TACOMA, Wash., April 12.—(Special.)—A reward of \$500 cash was voted by the Pierce County Commissioners today to be paid for the "apprehension of Charles J. Wezler." The board instructed the Sheriff to communicate with Governor Hay and ask that the state join with the county in a like reward, making \$1000 in all. The Commissioners believe the state

The Commissioners believe the state will do its part in aiding to bring Wezler to justice. Rewards usually are based on "arrest and conviction." In this case, however, the reward is solely for the "capture," the county authorities having no dobut of their ability to take care of Wezler once they get him. The action was taken on advice of the Prosecuting Attorney. The funeral of Mrs. Fredericka Schulz was held this afternoon and was largely attended. The services were entirely in German and were conducted by Rev. R. Ave Lallemant.

ed by Rev. R. Ave Lallemant.

The Coroner's inquest will begin tomorrow. Emma Schulz, daughter of
the murdered woman, and whom the decoy letter urged Mrs. Schulz to bring with her; Albert Schulz, a son; C. A. Darmer, a brother-in-law, and Mrs. Haberecht, sister of the dead woman, are included with Mrs. Wezler in the list of witnesses.

The Prosecuting Attorney's office will conduct the inquiry, and the purpose is to delve into the Schulz family history to bring out the threats Wezler made against his wife, mother-in-law made against his wife, mother-in-law and Emma Schulz, and the troubles the family had with Wezler. Witnesses who saw Wezler in the vicinity of the scene of the crime will also be called. Sheriff Morris says he is absolutely certain he has a clear case against-Wezler. Besides invoking the aid of the Portland police. San Francisco, Kansas City, St. Louis and other cities where Wezler might be likely to flee have been fully advised, and Alaska cities have also been asked to look out for him.

RATE AGREEMENT IS MADE

Stipulation in Astoria Case May Bar Controversy Reopening.

As the result of the signing by all interested parties of a stipulation in the Astoria grain rate case, a prospective reopening of the controversy has probably been sverted. The subject was to have been taken up again by the interestate Commerce Commission April 18, at Washington, but, unless the stipulation is unsatisfactory to the Commission, the hearing will be canceled.

The order of the Commission in the Astoria rate case required the railroads As the result of the signing by all



You people that are interested in Portland real estate are presented every day with so many socalled "Good propositions' that you are getting to look on them as all alike and not until you have seen MONTCLAIR will you fully realize that there is something different and the MONTCLAIR magnet is quality.

The Jacobs-Stine Company

Largest Realty Operators on the Pacific Coast. 146 FIFTH STREET PHONES-Main 6869; A 6267



shipments to Astoria not to exceed 4½ cents for 100 pounds over the Portland rate, or a reduction of 5½ cents. The rairroads were left to adjust the division of rates themselves, the Commis-sion expressing a readiness to reopen that phase of the case if the railroads that phase of the case were unable to agree.

Following the decision, the Astoria & Columbia River Railroad put the rate in effect and an adjustment of a division of rates was agreed upon with the railroads with which it is allied. The O. R. & N., however, declined to put in a through all-rail rate jointly with the Astoria & Columbia River road but named the lower rates in conjunction with its boat lines. Legal representatives of Astoria

Legal representatives of Astoria have now signed a stipulation in which all the railroads interested have joined, expressing approval of this solution of the problem, the stipulation having been agreed upon after a rehearing had been set and after representatives of the parties to the action had made plans for going to Washington at once. The stipulation was sent on to Washington yesterday.

RAILROADS MAY HAVE FLOAT

General Agents Consider Taking Part in Rose Festival.

The proposal that the general agents of the railroad companies represented in Portland prepare a float for the floral parade in the Rose Festival was preparade in the Rose Festival was pre-sented to a meeting of railroad men yes-terday by the Rose Festival committee. The railroad men decided to appoint a committee to take up the subject, nam-ing R. V. Holder, general agent of the Northwestern, as chairman, and R. W. Foster, assistant general agent of the C. Northwestern, as chairman, and R. W. Foster, assistant general agent of the C. B. & Q., as secretary. Mr. Holder will appoint a subsidiary committee and a decision will be reached in a few days. If the railroad men are represented, it will be in the horse and vehicle parade with a float typifying the work in which they are engaged.

Iowa Town Honors A. J. Goodrich. Copies of the Dallas County Record, Copies of the Dallas County Record, published at Adel, Iowa, have been received in Portland by friends of A. J. Goodrich, an old time railroad man of this city who is well remembered in all the offices. Mr. Goodrich, who now lives in Adel, was recently elected mayor of the town and the Record publishes a picture of Mayor Goodrich and the members of the City Council. Mr. Goodrich was at one time city passenger agent in was at one time city passenger agent in Portland for the O. R. & N.

J. P. O'Brien, vice-president and general manager of the Harriman lines in Oregon, is expected home today from a business trip to San Francisco. W. R. Skey, traveling passenger agent of the O. R. & N., is in Portland from his Spokane headquarters.

H. L. Tabke has been appointed chief clerk and cashier at the city ticket office of the O. R. & N. and Southern Pacific, succeeding L. F. Knowlton, who resigned to become city ticket agent of the Canadian Pacific.





CORNER SEVENTH AND STARK STREETS

Portland's New and Modern Hotel. Rates \$1 per Day and Up EUROPEAN PLAN WRIGHT - DICKINSON HOTEL CO., Props.



NEW PERKINS

Fifth and Washington Sts.

Opened June, 1908. hotel in the very heart of Portland's business ac-y. Only hotel equipped with wireless telegraph, y convenience for comfort of commercial men-sorn in every respect. Rates \$1.00 and up, afe and grill; music during lunch, dinner and after

THE IMPERIAL

Oregon's Greatest Hotel 350 Rooms, 104 Suites, With Private

Baths. NEW PIREPROOF BUILDING

Moderate Rates. Phil Metschan & Sons, Props.



NORTONIA HOTEL

ELEVENTH, OFF WASHINGTON ST. BEAUTIFUL GRILL ROOM

MODERN COMFORTS

MODERATE PRICES



THE CORNELIUS

"The House of Welcome," corner Park and Alder. Portland's newest and most modern hotel. European plan. Single, \$1.50 and up. Double, \$2.00 and up. Our omnibus meets all trains.

C. W. CORNELIUS,

H. E. FLETCHER. Manager. Proprietor.

Corner 10th and Alder

The leading hotel of Portland, opened July 1209. Modern in every detail, furnished is elegance. Most beautiful corner lobby in Northwest. Commodious sample rooms. European plan. Rates \$1.50 and up. 'Bus meets all trains.

W. M. SEWARD, Prop.





HOTEL RAMAPO

Corner Fourteenth and Washington New Hotel, Elegantly Furnished

Rates \$1.00 and Up Special Rates for Permanents

European Plan, Bus Meets All Trains, M. E. FOLEY, PROPRIETOR.

OPENED SEPT., 1909

HOTEL LENOX E. D. and V. H. JORGENSEN Props. and Mgrs.

COR. 3D AND MAIN STS.

Hot and Cold Water. Long Distance Phone in Every Room.

RATES \$1.00 and up





YOU WILL LIKE THE WOODS

American Plan HOTEL suropean Plan \$2.50 Per Day "It's All Comfort."
Our Table d'Hote Meals One Feature.
In heart of business district, center of city, half block from G. N. Ry. and N. P. Ry. Depot, close to all steamship wharves and C. P. R. Depot.

VANCOUVER, B. C.

15 and 16. Among the exhibits will be a complete electrical home equipment, an isoldted power plant, a wireless butter during the season, while the telegraph, an automatic telephone, an a complete electrical home equipment, an isoldted power plant, a wireless telegraph, an automatic telephone, an exhibit illustrating the evolution of lighting from the candle to the arc light, and X-ray and two ministure flying machines. The students who have worked out the plans for this unique entertainment are: A. Finlay, R. L. Davidson, C. P. Richards, C. A. Vincent, D. H. Rowe, F. E. Pernot, H. D. Marsh, E. A. Sorenson and A. H. Schmidt.

State Lands Again Advanced.

SALEM, Or., April 12.—(Special.)—The State Land Board has ordered an in-crease in the price of indemnity selec-tion land from \$13 to \$15 an acre, and the new price is already in effect. The price recently was raised from 10 to 113. The extraordinary demand for the land, and the fact that the quantity owned by the state is being rapidly depleted, are the reasons given for the increase,

they have always a ready market for fresh milk with the Summer visitors.

PALACE HOTEL COMPANY

Presents the PALACE HOTEL

In its entirely new \$5,050,050 fire-proof building, rebuilt since the fire, and the

FAIRMONT HOTEL

In its superb situation

SAN FRANCISCO