



## TEST OF STRENGTH ON RATE BILL NEAR

Senate Votes on Vital Amendment Today.

## BOTH PARTIES WILL BE SPLIT

Regulars Predict Interior Will Lose to Coast.

## FACTIONS BATTLE WARMLY

Smoot Has Hot Colloquies With Piles and Elkins on High Rates Which Inland Towns Pay. Favoritism Builds Up Cities.

WASHINGTON, May 12.—Arriving to a proposition by Senator Elkins to begin voting on the long and short-haul amendments to the railroad bill tomorrow at 4 o'clock, the Senate today took an advanced step in the consideration of the bill.

The agreement provides the voting shall be concluded within the "legislative day." This is an elastic arrangement and, if the voting should be prolonged, there might be delay until Saturday. If the Dixon amendment should be voted down, a number of others will be offered, and under the agreement they can be debated, if discussion is desired.

The first vote will be on the Dixon amendment as a substitute for the Heyburn provision. Both of these provisions seek to stiffen the present statute, but the Dixon substitute gives the Interstate Commerce Commission more discretion than does the other.

Both Sides Are Confident.

The organization Republicans are confident of the defeat of all amendments. Considering that 39 Republican votes will be cast for the Dixon provision, they claim from 12 to 15 Democratic votes against it. The smaller number would give them a majority of seven. The advocates of the provision do not concede the claim. They contend the Republican defeat will grow to 12, while they assert not more than eight or nine Democrats will vote with the regular Republicans.

Toward the close of the day's session the Senate reached an agreement to meet daily, beginning on Monday, at 11 o'clock instead of 12 o'clock. It also was understood that practically all other business, even including appropriation bills, should be excluded until disposition was made of the railroad bill.

Smoot and Piles Have Set-To.

During the debate today, Smoot complained the railroads did not deal with shipments from the West to the East as they did with shipments from the East to the West. Having said Salt Lake pays more for every article shipped from Eastern points than do Pacific Coast cities, Smoot asserted in no instance is Chicago charged more than New York on invoices from the West.

"That," Piles said, "is because Chicago is on the water zone."

"No," responded Smoot, "that is not the reason. Chicago has power enough in the railroad world to demand just treatment."

"Why should the railroads wish to build up one point at the expense of another?" Mr. Briggs asked.

Replying for Smoot of Montana, said by giving to Los Angeles terminal rates the railroads had built up a city of 300,000, while Santa Barbara and Santa Monica, which 25 years ago were about the same size as Los Angeles, had remained comparatively stationary because of the denial of the same favor.

Replying to a question, Smoot said individuals could not afford to appeal to the Interstate Commerce Commission or the courts, because such a course would result in their ruin.

Smoot and Elkins Wrangle.

While the Utah Senator was engaged in one of the many encounters with Elkins regarding the reasonableness of the rates to the Pacific Coast, the latter made reference to water competition.

"Water," Smoot exclaimed, "water!" If the Senator from West Virginia had remained in the chamber he would have heard my explanation on that point. Instead of remaining, he goes out, and then hops up here again in a few minutes with the cry of "water."

The controversy proceeded, Smoot asking Elkins whether he would complain if West Virginia were required to pay the rate to Chicago and back on shipments from New York.

"I would not if the rates were just and reasonable," Elkins responded.

After the West Virginia Senator had dwelt for some time on the earnings of the railroads Smoot said if he (Elkins) would remain long enough he would undertake to convince him of the correctness of his position.

The last speech of the day was made by Nixon, who said Nevada has suffered more from long-and-short-haul discrimination than others. As an illustration, he said that, while the freight rate from New York to San Francisco, 3000 miles, is about 30 cents per hundred, that from San Francisco to Reno, 244 miles, is \$1.29 per hundred.

## CUPID OVER SEAS GETS BABE DANZIG

INFIELDER TO WED GIRL HE MET ON TRIP TO ORIENT.

Courts on Shipboard and at Honolulu Continued Successfully Through Mails.

SACRAMENTO, Cal., May 12.—(Special.)—Harold P. (Babe) Danzig, first baseman of the Sacramento Coast League baseball team, procured a license today to wed Miss Jean A. Center, of Honolulu, niece of ex-Supervisor George Center, of San Francisco.

Danzig says he will not be married for several days yet. He was not in the game today.

The baseball player met Miss Center when on the trip to the Orient with Miqye Fisher's All-American team a few years ago. The couple became acquainted on the route to the islands from San Francisco and in the Hawaiian Islands the courtship progressed.

They corresponded until finally the maiden from over the sea came to this country, her arrival causing Danzig's delay in getting into a recent Sunday morning game at Oakland.

## RAILROAD BUILDER DIES

Michael Elmore, Known Through West as "Friend of Hobo."

WHITE PLAINS, N. J., May 12.—Michael Elmore, pioneer railroad builder of the West, and close personal friend of W. J. Brown, is dead at his home here. During the 30 years he spent in the Western states he was engaged in construction work on practically all of the transcontinental trunk lines. He supervised the building of a large part of the Chicago, Milwaukee & St. Paul's extension through the Rocky Mountains to the Pacific Coast.

He owned thousands of acres of ranch lands in Wyoming and Nebraska and a breeder of race horses and the mules from his Missouri farm have been supplied for the armies of several of the European powers.

Throughout the West and Northwest Mr. Elmore was known as the "friend of the hobo," and he is credited with having given away several fortunes to homeless and unemployed men who appealed to him for assistance.

## QUINN REFUSES PRIEST

Murderer Who Dies at Sunrise Still Boasts He Will Be "Game."

WALLA WALLA, Wash., May 12.—(Special.)—Because he wishes to make good his boast he would die "game," Richard Quinn, who is to pay the death penalty on the scaffold at sunrise tomorrow given away several fortunes to homeless and unemployed men who appealed to him for assistance.

Penitentiary Chaplain Lacorn, in a last hope of persuading the condemned man to acknowledge a hereafter, went to him tonight after Quinn had been informed there was no hope of another stay of execution, but the prisoner refused to listen.

Quinn was born a Catholic, but has joined the Baptist Church twice in his lifetime. Father Jones called on him yesterday, but met with no success.

Quinn was convicted of killing his wife in Everett, Wash.

## MURDERER'S TRAIL FOUND

Japanese Thought to Have Killed Denver Woman Believed Seen.

LOVELAND, Colo., May 12.—A Japanese answering the description of Genkyo Mitsunaga, who the Denver police think murdered Mrs. Katherine Wilson in Denver last Saturday, was seen on the mountain road near Big Horn Canyon, 12 miles west of this place, this morning by an automobile party.

He accepted a ride in the machine, but in a few minutes, apparently becoming suspicious, jumped from the car while it was in motion and disappeared in the underbrush.

Sheriff Carson, of Fort Collins, and a posse have gone to the scene and a thorough search of the mountains in the vicinity will be made.

## POWDER BLAST INJURES 20

Indiana Disaster Scene—Man in Charge Blown to Atoms.

LOGANSPORT, Ind., May 12.—Three hundred pounds of powder stored in the magazine of the Casparis Stone Company at Kenneth, Ind., seven miles west of here, exploded tonight, injuring about 20 residents of the town.

John Elroy, in charge of the magazine, cannot be found and is believed to have been blown to atoms. Houses in the town were badly damaged and the explosion could be felt for miles in every direction.

## WOMAN KILLED IN BATTLE

Attempt to Force Out Strikebreakers Ends in Fight.

LATROBE, Pa., May 12.—In a battle today at the plant of the Shenango Furnace Company, near Wilpen, 15 miles from here, a foreign woman was probably fatally injured and 20 men were more or less seriously hurt. This was the outcome of an attempt of former employees of the iron concern to stop the work of imported strikebreakers at the plant.

Railway Special Agents Meet.

LOS ANGELES, May 12.—The Railway Association of Special Agents and Police of the United States and Canada, which is holding its 14th annual convention here, voted today to change its name to the International Association of Railway Special Agents and Police. One hundred and seventeen new members were voted in, a number being connected with railroads in Mexico.

## MORRIS GUILTY, IS VERDICT OF JURY

Fifth Ballot Convicts Bank Cashier.

## NOTES FOR \$75,000 STOLEN

Charge of Embezzling \$50,000 in Cash Not Sustained.

## COURT'S LENIENCY ASKED

First Vote Shows Ten Convicted of Guilt—Judge Gantenbein Announces He Will Sentence Oregon Trust Official Monday.

**VERDICT OF W. COOPER MORRIS JURY.**

We, the jury, duly empaneled in the above entitled court and cause, find the defendant, W. C. Morris, guilty as charged in the indictment, and find the value of the property embezzled to be \$75,000 in notes; and we, the jury, recommend the defendant, W. C. Morris, to the leniency of the court.

J. F. HILL, Foreman.

W. Cooper Morris was convicted of embezzlement yesterday afternoon. The jury brought in the verdict in Judge Gantenbein's department of the Circuit Court at 2 o'clock, after having been out for four hours. The foreman evidently found insufficient proof that Morris embezzled \$50,000 in cash, but they did find that he appropriated to his own use \$75,000 in notes belonging to the bank.

After the verdict was returned it was learned that only five ballots were taken, the jury standing 10 for conviction and two for acquittal on the first three ballots, 11 for conviction and one for acquittal on the fourth, and much greater interest was shown in the event than had been anticipated.

Work will be begun on the new buildings at once, under the direction of ex-Sheriff Burgen, who is manager of the grounds. The capacity for exhibits of agricultural products, fruit and livestock will be doubled. Substantial prizes for special features will be offered, and a committee has been appointed to provide novelty entertainment stunts.

Premium lists and a speed programme will be issued by the first of June. No change was made this year in the personnel of the officers, except that C. W. Ramsey, secretary of the Klickitat Development League, was elected secretary of the Fair Association instead of W. H. Phelps.

## GOVERNOR ASKS WARSHIPS

Astoria May See Battleships During G. A. R. Encampment.

SALEM, Or., May 12.—(Special.)—Governor Benson has telegraphed the Secretary of the Navy, asking if arrangements can be made to have several battleships and cruisers stationed in the harbor at Astoria, June 21-24, during the annual encampment of the Oregon division of the G. A. R.

## EVERY MAN HIS OWN LEGISLATURE

Morris' face bore the troubled look it had during the last few days of the trial, but otherwise he exhibited no signs of mental distress as the clerk came to the words, "guilty as charged." It is probable that Morris (Concluded on Page 4.)

## INDEX OF TODAY'S NEWS

The Weather. Maximum temperature, 72 degrees; minimum, 41 degrees. TODAY'S—Probably fair; cooler; westerly winds. Page 13.

Foreign. Greed of Governor given as cause of recent outbreaks in Hunan, China. Page 13.

National. Antedating of Wickesham letter to Taft concerning "Civie" charges explained in Ballinger hearing. Page 2. Senate will vote today on long and short-haul clause of rate bill. Page 1.

Domestic. Greatest war craft launched when battleship Florida goes away at Brooklyn Navy-Yard. Page 2. Investigation begun on ground that express companies pay excessive dividends. Page 1. California oil company orders new pipeline; contracts to supply Hill road. Page 1. F. Augustus Heinze acquitted. Page 1. Attorney for Dr. Hyde makes affecting address; four jurors weep at once. Page 1. Immunity granted to Missouri witnesses who wish to confess Lorimer bribery. Page 1.

Sport. Deadlock seen on fight referee; Welch demands harmony. Page 3. Pacific Coast League results: Portland 4, Los Angeles 3; Oakland 11, San Francisco 1; Yuma 4, Sacramento 2. Page 3.

Commercial and Marine. Wool trade anxiously awaits opening of the bank. Page 1. Wheat closes strong and higher at Chicago. Page 21. Store fire, but dull. Page 21. Steamer Bear is scene of elaborate reception. Page 20.

Pacific Northwest. In single-handed crusade against vice, Seattle millionaire's son kills gambler. Page 7. Roseburg's second annual strawberry festival and race show and pageant. Page 13. Oregon State Grand jury addition of Lieutenant and Auditor to state roster. Page 7.

Portland and Vicinity. Mayor to meet committees to discuss public works. Page 13. Judge Bennett censures man accused of derelict duties of the Klickitat County Fair Association, will be held at Goldendale, September 14, 15, 16 and 17. These dates were fixed at a meeting of the officers of the association held at Goldendale. The fair held last year was the first county fair held in Klickitat County since the early '80's, and much greater interest was shown in the event than had been anticipated. Work will be begun on the new buildings at once, under the direction of ex-Sheriff Burgen, who is manager of the grounds. The capacity for exhibits of agricultural products, fruit and livestock will be doubled. Substantial prizes for special features will be offered, and a committee has been appointed to provide novelty entertainment stunts. Premium lists and a speed programme will be issued by the first of June. No change was made this year in the personnel of the officers, except that C. W. Ramsey, secretary of the Klickitat Development League, was elected secretary of the Fair Association instead of W. H. Phelps.

## HEINZE, ACQUITTED, SEES PLOT TO RUIN

Delay in Trial Has Cost Him Millions.

## JURY MAKES QUICK DECISION

Charge of Misapplying Funds of New York Bank Fails.

## ACTS HELD TO BE LEGAL

Copper Man in Statement Declares He Still Has Mining Properties Left and Will Devote Himself to Them in Future.

NEW YORK, May 12.—Frederick Augustus Heinze was acquitted at 9:50 tonight of charges of misapplication of the funds of the Mercantile National Bank, when he was president of the institution in 1907; and he was cleared of the charge of over-certification of checks of his brother's firm, Otto Helms & Co.

Thus failed the Government's attempt to hold Heinze responsible for the alleged illegal financing in the panic three years ago. Heinze's transactions were held legal notwithstanding the prosecution's vigorous attempt to prove him a gambler with millions not his own.

Argument Is Ended.

John R. Stanchfield summed up for the defense this morning and United States Attorney Henry A. Wise denounced the defendant for three hours and 35 minutes this afternoon.

Heinze issued this statement tonight: "I have been ready for trial every day since the first indictment was returned two years and a half ago. This delay has cost me between \$4,000,000 and \$5,000,000. The ruination of my credit seems to have been the object most viciously aimed at.

Some Property Left.

"However, I still have some of the best copper properties in the world, and I intend to devote my whole attention to them."

Arthur P. Heinze, a brother of the defendant, called Mr. Wise a liar in court this afternoon, thereby furnishing the only spectacular incident of the trial. For this remark he was ejected from the courtroom.

In lashing Heinze during his summing up, Mr. Wise compared the crime the defendant was charged with to a hypothetical case of burglary, where the burglar had pried open the window to effect an entrance to the house.

A sensation was created during the summing up when Arthur P. Heinze, brother of the defendant, was ejected from the courtroom for having, it was alleged, disturbed the proceedings by passing the lie to Wise during the argument.

More Missionaries to Be Sent.

ST. LOUIS, May 12.—Five missionaries will be put in the field by the Women's General Missionary Society of the Presbyterian Church, according to the decision reached at today's session of the 27th annual conference, Greeley, Colo., was selected as the next meeting place.

## EXPRESS CHARGES HELD EXORBITANT

FOUR BIG COMPANIES SAID TO PAY ENORMOUSLY.

New York Merchants' Association Will Ask Interstate Commerce Commission to Investigate.

NEW YORK, May 12.—(Special.)—That the four great express companies get net returns of from 43 to 115 per cent or more, on the capital employed in actual express operations, was stated in a report issued today by the Merchants' Protective Association of New York.

The association and other commercial bodies representing business interests throughout the country are about to ask the Interstate Commerce Commission to investigate the matter, with a view to compelling a reduction of existing rates.

The report, prepared by Frederick B. Deberard, deals in great detail with resources and operations of Adams, American, United States and Wells Fargo Companies.

The conclusion is reached that the greater part of the assets of the express companies is devoted to investment, and that the capital actually employed in the express business is but a little more than the value of equipment, plus a very moderate working fund.

## EIGHT STUDENTS DROWN TOGETHER

Boat, Overloaded, Sunk in Mill Pond.

## SIX GIRLS ARE AMONG VICTIMS

Youth, After Reaching Safety, Dies Attempting Rescue.

## OTHER BOYS SAVE SELVES

Pennsylvania High School Party Crowds One Craft Beyond Capacity When Other Springs Leak Far From Shore.

WILKESBARRE, Pa., May 12.—Eight high school students, six girls and two boys, lost their lives today while boating on the paper mill dam at Huntington Mills, about 20 miles below this city.

The dead:

Maud Sullifer, 17 years old, of Townline.

Caroline Koons, 18 years, Harveyville.

Ruth Bonham, 18 years, Townline.

Iris Davenport, 16 years, Watertown.

Rachael Thompson, 16 years, Town Hill.

Madeline Good, 17 years, Watertown.

Robert Minnich, 18 years, Koonsville.

Ray Hodson, 17 years, Fairmount.

Boat Starts to Sink.

Twelve students of the Huntington High School secured two boats at the noon hour and started for a row. The dam is nearly half a mile wide and when the two craft had reached the center it was noticed one of them had sprung a leak. The two boats then were pulled together by the young men in the party and an effort was made to transfer the girls from the leaky boat to the safer one. The last one of the party had scarcely set foot in the boat when it began to sink.

The girls were helpless and the boys, who, with the exception of Bodson, were expert swimmers, struck out for the shore, which they reached in safety.

Boy Proves Himself Hero.

Minnich had no sooner reached the bank than he noticed two girls clinging to the sinking boat. He dashed into the water and swam swiftly to the water-filled boat. The girls were clinging to the boat, the others having gone down. Seizing Miss Davenport, Minnich again started for the shore but the exertion was too much for the lad and they went down together when they were within a stone's throw of the bank.

As soon as the accident became known grappling parties began a search for the bodies, all of which were recovered.

## BLAST KILLS 137 MINERS

Fire Breaks Out Cutting Off Rescue Work; Four Saved.

MANCHESTER, Eng., May 12.—One hundred and thirty-seven miners lost their lives today in an explosion in the Wellington coal mine at White Haven. Rescue parties succeeded in saving four men, but fire has broken out in the workings, leaving practically no hope for those still entombed.

By the day the rescue parties made considerable progress in the mine, but their work was stopped tonight by the collapse of the roof.

It is said a warning was published in many newspapers of the mining districts of the kingdom yesterday to the effect that unusually high barometric conditions made fire damp explosions probable and that all underground workers should be on the alert. The barometer reached its highest reading in the White Haven district.

## BABE FORGOTTEN IN FIRE

Excited Father Carries Milk Bottle to Place of Safety.

VANCOUVER, Wash., May 12.—(Special.)—Aroused at 2 A. M. from sound sleep by the burning of a building next door, Morris Josefowitz grabbed the baby's milk bottle from the dresser and followed his wife, who had two children with her, down stairs, leaving the baby in the cradle. After hiding the milk bottle under a neighbor's porch Josefowitz happened to remember his baby in its crib and hastened back to rescue it.

The fire destroyed the old Stevens residence on Fifth street, one of the landmarks of Vancouver. It was valued at \$1500, with \$1000 insurance. It is thought some one poured oil on the floor of the building and set fire to it.

## SUTHERLAND WILL FIGHT

Removed Alaska Official to Fight for Reinstatement.

OREGONIAN NEWS BUREAU, Washington, May 12.—Dan A. Sutherland, recently removed from office of United States Marshal at Juneau, Alaska, arranged to fight for reinstatement.

Sutherland not only asks for a Congressional investigation into the causes leading up to his removal, but has issued a challenge to Governor Clark and ex-Governor Hogkatt, of Alaska, to whom he attributes his removal, to meet him in the field.

If this is done, he is willing to abide by the Attorney-General's decision, he says. It is probable the challenge will not be accepted, but that the case will be settled by the Senate committee.

## FATHER-IN-LAW ARRESTED

John Penlan Threatened to Kill, Says Guy Gilbert.

VANCOUVER, Wash., May 12.—(Special.)—Charged with threatening to kill his son-in-law, Guy Gilbert, and his daughters, Mrs. Gilbert and Miss Leona Penlan, John A. Penlan, 67 years old, was arrested today by Sheriff Sappington. He was released on \$500 bail and his trial will be held Tuesday.

It appears that his son-in-law two years ago and since that time has cleared and improved it, until it is worth much more than the price set then. Penlan says Gilbert refused to give him the deed he promised and has been causing him trouble lately, so he ordered him off the place. The women are both said to be deaf.

Penlan has an excellent reputation in his neighborhood.

## WOMEN OF COUNTRY MEET

American Federation of Clubs Is in Session at Cincinnati.

CINCINNATI, May 12.—Before the convention of the American Federation of Women's Clubs today, Harry Turner Bailey, of Boston, gave an illustrated lecture on "Practical Art Work for Women's Clubs."

This afternoon state presidents and the general federation officers and secretaries met at Hotel Sinton. Tonight Albert Davidson, Ph. D., of Lafayette College, Pennsylvania, lectured on "The Relation of the Public Drinking Cup to Health," and the Rev. Dana W. Bartlett, of Low Jangle, spoke on "Progress in Civic Betterment."

## OFFICERS IN FROM RIDE

No Ill Effects Suffered From 90-Mile Test.

VANCOUVER, Wash., May 12.—(Special.)—Officers taking the riding test of 90 miles from Sandy, Or., have returned to the post, all in the best of form. They suffered no inconvenience from the ride of 30 miles a day.

Major Cabell, Captain Bradley and Captain Lacey went to Seattle and Tacoma today to make arrangements for the annual maneuvers to be held at American Lake in August.

About \$25,000 was disbursed yesterday to the soldiers of the post and at the target range at Probert by the paymaster, Major Conby, of Portland.

## COHEN IS NOT INDICTED

Kidnaping of Roberta De Janon Has Its Last Echo.

PHILADELPHIA, May 12.—The last echo of a sensational escapade was heard here this afternoon when the grand jury ignored a bill of indictment charging Ferdinand Cohen, a hotel waiter, with kidnaping Robert De Janon, 18 years old.

The two, after being missing a week, were found in Chicago.

**THE BALLOT NEXT NOVEMBER**

WHAT DO YOU KNOW ABOUT THIS?

I DON'T KNOW, BUT I WANT TO KNOW MORE.

NOTE ON: 324,657,980 MORE VOTES