OREGON, THURSDAY, OCTOBER 13, 1910.

PRICE FIVE CENTS.

LAWYER BELITTLES PORTLAND TRAFFIC

Other Ways to Orient Better, Says Dunne.

RAILROAD COUNSEL IRONICAL

Southern Pacific Attorney Tells Technical Tale.

MERGER CASE IS ARGUED

Union Pacific Boat Line to Orient Declared to Be Fallure-Business Handled Co-operatively After Discontinuance,

States Circuit Court here today P. F. Dunne, general counsel of the Southern Pacific Railroad, concluded his argument on behalf of the railroads in the ger of the Southern Pacific and Union Pacific Railroads. Mr. Dunne's argu sent teday was devoted to percentages of revenues and tonnage and was largely technical. He contended that the Portland route except for common points was an impossible and wholly Hlogical route. Speaking of lumber, he said it entered largely into the case in connection with the alleged closing of the Roseville gateway and the opening of the Portland gateway to the business of the Williamette Valley.

Portland Gateway Opened.

"For the reason that traffic will fol-"the Roseville gateway was closed, not because there was any active competition. The expenses of opwere such that the sum of the locals on through reting would have closed the Oregon gateway to Union Pacific and for this reason he Roseville gateway was closed in 1961 and the Portland gateway reached ever the Short Line was opened."

Judge Dunne treated frontcally at times the Oriental busine r as bandled from Portland and its relation to the Oriental business from San Francisco. Asiatic Business Belittled.

The bulk of the Asiatic business moved through the Port of Portland was not great," he said. "Such as moved eastward over the Union Pacific was a mere incident to the local traffic outbound for the Orient.

"The wheat and flour of Eastern Ore-gon and Washington, if there had been no ship service out of Portland, would have been handled by the Northern Pacific and Great Northern from points common to them with the O. R. & N. to the Puget Sound ports, where vessels are plenty. The navigation company, controlled by the Union Pacific, would have lost this traffic entirely.

"Or if the point of tonnage origin had local to the navigation company it would have been short hauled to the nearest junction with the Northern lines and thence to Puget Sound.

Oregon Outlet Demanded.

"If the wheat had been manufactured at interior points, the result would have been the same. Oregon wheat and flour Cemanded an Oregon outlet by water to the Orient or the Portland mills would have had to shut down. It was to take care of this business that the Union Pacific established its boat line to China and

After citing that the line had been a fallure in the hands of several managements and was always operated at a loss,

The sailings from San Prancisco were and more satisfactory

than from Portland. The Union Pacific did the greater part of its business and practically all of the transcontinental business through San Francisco. The principal business of the Union Pacific vessels was such as they picked up in the

Orient for west-bound shipmentsome local, some transcontinental, Business Handled Co-operatively.

"It is plain that the Portland-Orlental shipments, never satisfactory, were discontinued for economic rea operatively. It was better that the Oriental tonnage should pass through entirely satisfactory channels of transportation to San Francisco than that the Northern Pacific and Great North-

ern should monopolize it entirely." Speaking of the Southern Pacific purchase of stock in the Northern Paciffe and Santa Fe, Judge Dunne made the only distinct allusion in the trial to the Hill-Harriman fight of a few

I am not here to cast any aspersions upon Mr. Hill," he said. "I have no doubt that with the lapse of time and the death of one, the old bitterness is stilled, but at the time to which I refer it was keen and poignant. It was only to give a color to this case that these two roads were brought in

at all." Ex-Senator Spooner then took up the final arguments for the railroads and president of the Argentine Republic. will conclude tomorrow. Frank B. President Pena declared in his mes-Kellogg, of St. Paul, will follow with sage that his international policy would the argument in rebuttal for the Gov-

PEEP AT DIARY IS CAUSE OF DIVORCE

HUSBAND'S RECORD OF "SOUL-MATES" HIS DOWNFALL.

Writing in Greek and Spanish Fails to Blind Wife of Charles F. Lummis, Author.

SAN FRANCISCO, Oct. 12-(Special.)-The wife of Charles F. Lummis, of Los angeles, author, archaeologist and authority on Indians of the Southwest, is here

suit in a few days. The wife herself is a well-known writer of this Coast, and her reason for seeking a divorce is said to be found in the pages of an erratic diary Lummis kept of his affinities. The book was written in Spanish and Greek. If he had written it en tirely in Greek or some cipher, it would have been safe, but the wife reads Span-

sh. Hence the separation. Mrs. Lummis left their fine home in Los Angeles and came to San Francisco with her only daughter and her 6-yearold son. Lummis kept an elder son aged 14. Mrs. Lummis says she did everything to make a good home, and it is not her fault that the separation occurred. She declares she will have the other child, as

the father is not fit to bring up the boy. The career of Lummis has been spec tacular. He came West in 1884, walking across the country, and wrote an enter he became city editor of the Los Angeles ST. PAUL, Oct. 12.-In the United Times, but work broke his health. He was married to a young woman doctor, but in New Mexico, where he regained his health, he met Eva Douglas, a young school teacher, and fell in love. His first wife agreed to a divorce and she even invited the ex-husband to her home to be married to the other woman there. Lummis made a big reputation by work among the Indians, and he had valuable collections recently given to the Southwestern museum. He is a picturesque figure, as he always dresses in corduroy, with a sombrero bat trimmed with snake rattles on the band.

REVOLT SCHEME SCENTED

Mexico Authorities Seize Gustave Madeiro for Alleged Plot.

MEXICO CITY, Oct. 12.-Gustave Madeiro, a brother of Francisco Madeiro, is in prison here, charged with having tried to induce a number of Army officers to inaugurate a revolution in Mexico against the government.

General Militon Hurtado complained to the authorities that Madeiro had made revolutionary suggestions to him a few days ago and said that several other officers had been approached. Madelro's arrest became known today. He was placed in fall Monday and today was examined behind closed doors by the judge of the second district

Two friends of Madeiro, Margareito Leane and Jesus Higurea Seivilla, are also in prison under similar charges. The three men deny the allegations.

The imprisonment of the defeated candidate for the Presidency of Mexi-

MOTHER ILL: CHILD DYING

Lad Stricken Suddenly, Parents' Whereabouts Unknown.

Unique and sad is the case of Charles Howland, Jr., 14 years old, who lice dying directly. at Good Samaritan Hospital away from his parents and brothers and sisters of whose whereabouts friends of the family in Portland are not informed.

Last Monday young Howland was attacked by severe pains and examination at the hospital showed he was suffering from gangrene polsoning of the appendix. Adding pathos to the lad's plight, only three days before he was stricken his father was called East owing to the sudden illness of the boy's mother and his uncle. Howland, Sr., dld not say for what city he was bound and hospital authorities are at a loss to know what to'do to locate the Howlands to acquaint em with their young son's critical con ditton.

When Howland, Sr., departed for the East the boy was carged for by friends at 460 Holliday avenue. They also are in ignorance of the father's Eastern ad-

CAR UPTURNS, RACER DIES Aviator Also Probably Fatally Hurt

AMARILLO, Texas, Oct. 12,-T. H. Skaggs, of Decatur, Ala., was killed instantly today when the 96-horsepower

in Amarillo, Tex., Meet.

Simplex car he was driving in a 200mile automobile race turned turtle. the course, one of the inner wheels was The car turned completely over, pinning Skaggs under it. Skaggs had lost two laps because of tire trouble and was driving desperately to

regain the lost ground. An hour later, Thomas Benoist, a St. Louis aviator, after making two successful flights in a Curtiss biplane, was struck by the propeller while ada local hospital in a critical condition.

ARGENTINE HEADS SWORN

Pena and De La Plaza Are Made President and Vice-President-

BUENOS AYRES, Oct. 12.-Senor Reque Senza Pena and Dr. Victorino de la Plaza were inaugurated today respectively as president and vicebe directed with friendship Europe and fraternity for America.

NUN WINS PRAISE FROM ROOSEVEL

Colonel Commends the Work of Missionary.

PLEA FOR TOLERANCE MADE

Protestant Example Set for Future Catholic President.

PEORIA CROWDS CORDIAL

"Jackpotters" in Ilinois Legislative Scandal Attacked With Old-Time Vigor - Condoners of In-

iquity Are Infamous.

PEORIA, Ill., Oct. 12 .- Ex-President toosevelt came up from the South into Illinois today, denounced corrupt Leg-

islatures and commended the work which the Roman Catholic Church is doing. Leaving St. Louis early, he traveled across the southern end of Illinois, speaking at several places on the way. Peoria he was the guest of the

Knights of Columbus, to whom he made a speech at a dinner tonight. It was Colonel Roosevelt's first publie utterances to Roman Catholics since the Vatican incident last Spring. He said that he favored the broadest

easure of religious toleration. Illinois Bribers Denounced.

In a brief speech to the crowd at the rallway station in Springfield, Col-onel Roosevelt made what was contrued as a reference to the allegations of corruption in the Illinois Legislature. Hardly had be begun to speak when a man in the crowd called out:

"Give it to the jackpotters, Colonel." The others in the crowd, to whom the expression had become familiar, since the confession of members of the Illinois Legislature that they shared in a corruption fund which was called "Jackpot," applauded.

Colonel Roosevelt took it up and attacked the men involved in the legislative scandal as vigorously as he did in his speech last month at the Hamilton Club banquet in Chicago, from which Senator Lorimer was excluded after the Colonel had refused to attend the dinner unless the invitation to the Senator was withdrawn.

Briber Is Traitor.

"Good, my friends! I am glad to hear you say that," he said. "No man who co caused comment in the capital. The is worth his sait will have anything testimony now being given is kept to do with any one of the creatures who secret by the court officials. is worth his sait will have anything were tainted in that scandal. The most important thing, before us as a people tionist, the bribe-taker, the bribe-giver The men whom you speak of as jackpotters are traitors of the basest kind and it is infamous in any one to condone their iniquity or to support them and stand behind them, directly or in-

"The presence in public life of such men is a shame and a scandal and I do not care a rap whether they belong to my party or to some other party. hold it my duty to be equaly hostile to them in either event."

When Colonel Roosevelt arrived in luncheon with Representative Gardner Peoria he went to the Country Club at a hotel.

The President's left foot is still giv-Bishop Spaulding. A public reception (Concluded on Page 2.)

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DALLAS COLLEGE IS TOPIC United Evangelical Conference Dis-

cusses \$25,000 Endowment. CANTON, O., Oct. 12 .- Warm discus sion over a proposition to raise \$25,-000 additional engowment for the Dallas College, at Dallas, Or., took much time of the United Evangelical Conference today, but no conclusion was

Interest centers in the election of officers Thrusday morning. The bish-ops, a publisher and the director of the church organs will be selected. Both Bishops Hell and Hartzler will retire, having served two terms, the limit, according to the church disci-

The report of the statistical committee showed a membership of 73,551.

TAFT'S FOOT IN SLIPPER President Nurses Member as He Re-

views Boiler Parade. BEVERLY, Mass., Oct. 12.-President Taft, after reviewing a parade in Boston today, returned to Beverly and had

ing him some trouble, and he wore a carpet slipper to Boston.

THE VOICE OF WHICH PEOPLE FOR HIM?

DR. MORRISON IS REBUKED BY VOTE

Church Accepts Bible as Word of God.

THREATS TO RESIGN HEARD

Episcopal Delegates Take Issue With Portland Rector.

NO WORD GIVEN IN SUPPORT

House of Delegates Adopts Resolution in Opposition to Radical Stand of Oregon Man. Emanuel Movement Stirs.

CINCINNATI, O., Oct. 12 .- (Special.) By a vote which might be called manimous in the ordinary sense of the word, but which was not unanimou because several ministers and laymen refused to vote the way the majority did, the Protestant Episcopal house of deputies here this afternoon refused to abide by the statement made from the platform in Music Hall a few days ago to the effect that the Bible is not the

word of God. It was the Rev. A. A. Morrison, rec tor of Trinity Church, Portland, who, in the course of his speech before the house of deputies, said that to con-sider the Bible as the word of God was to open up the church to the crit-icism of hundreds of thousands of people, and that no thinking man today considers the Bible in any such a light. He was vigorous in saying that the time has passed when the Bible is to be taken for all it has been said to be

Threats to Resign Heard. The session today which voted down that to which he made his original tatement. The Rev. J. R. Winchester, of Memphis, Tenn.. told the gathering in the course of his speech that if the house of deputies did not vote down the opinion as expressed by Dr. Morrison, he would resign from his rectorship and from the church. He offered

a resolution with this ending: "Resolved, That this house place itself on record as accepting the fact that the Holy Scripture as accepted by

Dr. Morrison said nothing in opposition to the resolution; in fact, he did not speak at all. Rev. John Williams, of Omaha, said it was but common morality to pass this resolution, and indorsed it. Several other ministers spoke on the matter, and all indorsed

when it came to a vote. It passed. Dr. Morrison, when asked by the rep-resentative of The Oregonian how he oted, replied: "I do not care to answer that question at this time."

This was all he would say.

The House of Bishops this afternoon ot only reversed its decision of a few days ago when it refused to pass an amendment to the Constitution of the Church providing for suffragan bishops but, shortly after creating the new suffragan bishops, passed a resolution call ing for a committee to investigate faith healing by means of prayer or sugges-

The question of suffragan bishop came before the house of bishops last (Concluded on Page 4.)

YOUTH LOSES DUEL BUT WINS MAIDEN

TACOMA GIRL IS REFEREE OF FIGHT OVER HER.

Swain Who Fared Worse in Contest Then Chosen by Lass. Pair Arrested.

TACOMA, Wash, Oct. 15 -- (Special.) -A fight which resen. I to a great degree the duels of the older times. ok place on McKinley Hit' late last night, when two young men fought it out for the girl they loved, while she coked on and acted as referee. The hit-as-you-can duel came

Hight today, when two contestants, William P. Tarbell, of 38c. East J street, and Gaylord Kelley, . Thirty-sevents and J streets, were halled before the Police Court. No disposition of the case was made by the courts, being held over until tomorrow

The two young men, it is said, have been bitter rivals for the hand of a certain maid on McKinley Hill, for many months. Last night Tarbell took the young woman to church. On the way home from church . elley is said to have met them and ~ his rival that they "would har it out then and there."

Tarbell got the worst of it and instead of resulting as the historic duels did, where the fair maiden drew the winner of the contest, the Mckinley Hill damsel chose the young man who fared worse in the contest

SUFFRAGISTS ARE ACTIVE Storm in Woman's Clubs Convention Is Expected Today.

WALLA WALLA, Wash., Oct. 12-(Special.)-Politics is playing an important part in the convention of the State Federation of Women's Clubs here and about tomorrow the storm that has been gathering is expected to break. The suffragists have been lobbying hard to gain control of the meeting and to secure the Federation's indorsement of woman suffrage. will be brought up tomorrow and if it is passed, the anti-suffragists, it is said, are planning to bolt.

The fight centers about the election of officers. The president is not elected presidents, recording secretary, auditor and second trustee are. Both factions are trying to fill these officer candidates from the other side, so as to bring their own candidates to success next year. Tacoma and Seattle are potent factors in the fight. The ballot, which is secret, was taken tonight, but will not be counted until morning.

Besides the suffrage issue, conservation also comes up tomorrow and lively time is expected.

HUNTER LOOKS LIKE TREE

Idea Borrowed From Macbeth Used In Stalking Geese.

Harold Jensen, a State University stu-dent, will hunt geese this Fall dis-after the close of the season of the this Fall disguised as a tree. The disguise, or- league to which they are under redered recently from a theatrical scenic painter, arrived today.

When Jensen is inclosed in the thing he looks like a scrub oak. He expects to be able to stalk wild geese and get close up to them by means of the painted tree.

Jensen says he got the idea from Shakespeare's account of how soldiers attacking the army of Macbeth approached while concealed under tree branches carried in their hands.

SENATOR DOLLIVER BETTER

Physicians Express Hone for His Recovery-Danger Not Over.

FORT DODGE, In., Oct. 12,-Physicians attending Senator Jonathan P. Dolliver, who has been seriously ill for several days, said tonight that he was

the severe pain in his stomach had The swelling in that organ has also been reduced and there is now games must be considered in the "win" no interference with his heart action Physicians announced today that his Illness was due to stomach trouble. which affected the heart's action. It is admitted that the Senator's condition is serious, though not necessarily

MONSTER EAGLE IS FELLED Bird Puts Up Flerce Fight Before It Capitulates.

SALEM, Or., Oct. 12 .- (Special.) -- One of the finest specimens of a baldheaded eagle ever shot in Oregon was brought down by C. A. H. Fisher, while hunting on Pation Island, a short way north of the city.

The eagle fell into the Willamette River when shot and the hunter succeeded in capturing him only aft r the bird had developed remarkable tendencles to fight and a battle royal ensued after the quarry was brought to bay.

O'CONNOR TRAVELS WEST

Irish Parliamentary Leader to Be in Portland Next Week.

WINNIPEG, Man., Oct. 12-T. P. O'Connor departed today for the Pacific Coast after a successful tour in Canada in the stands until it is reversed. party. He will speak at Seattle, Tacoma, Portland and Spokane next week. cannot plead that he was not warned Then he departs for Chicago and New of the impending decision and the in-

York, sailing from Quebec November 4.

GAMES TO DAKLAND

Judge Graham Gives All to Californians.

OAKS NOW LEADING LEAGUE

President of Coast Also Declares Hetlng Ineligible.

DECISION GOES INTO DETAIL

Protest of Harry Wolverton Over Games in Which Hetling Played Holds on Ground Spokans Contract Was Good.

SAN FRANCISCO, Oct. 12.—(Special) -Judge Thomas F. Graham, president of the Pacific Coast League, today rendered his decision, in which he sustained the protest of the Oakland club against the playing of Gus Hetling with Portland and declared the three games in question of September 28, 29 and 30 forfeited to the Commuters.

This decision, with the subsequent change in the games won and lost, gives Oakland a slight lead in the pennant race, although it is so small that the clubs can be said, practically speaking, to be tied.

Pitchers' Averages Change.

In addition to changing the standing of the clubs, it will also affect the pitchers' averages. Krapp pitched two of the protested games and will now be charged in the official averages with two defeats. Steen and Seaton pitched the other and Steen, as the first pitcher, will be

charged with the defeat.

Many of the fans with whom the writer has talked relative to the deof forfeiting games, but say they cannot see where Judge Graham could have ruled otherwise. The decision by Judge Graham, con-

sisting of some 1000 words, is typewritten and goes fully into the facts as they have been presented to him also citing reasons for declaring Hetling an ineligible player.

Details Are Covered.

The Judge first of al cites the pro test as entered by Wolverton, the Oakland manager. He then quotes from the rules of the National Association, in which players are prohibited from CHICO, Cal., Oct. 12.-(Special.)- joining and club for the purpose of serve, the penalty being the forfeiture

of such games. He goes on to state that there is no question but that Hetling signed a ontract with Spokane and played ball with that club during the champion-

The defense of Judge McCredie is given in the decision to the effect that Hetling had been with the Portland team during the season and that Portland had no knowledge of the player signing with Spokane.

Graham Sees No Alternative.

The president of the Coast League adds that Portland knew that Hetling had participated in games in the Coast League and that he does not believe that Hetling would have laid himself open to blacklist by signing with Spokane while still under reserve to Portland. The league executive deplores the necessity of declaring the games forfeited, but At the Dolliver home it was said that admits that under his view there is no other way of looking at the case. For that reason he holds that all three

> olumn of Oakland. The decision, as might be expected, has generally been approved so far as the San Francisco public and the newspapers are concerned. The press of San Francisco has with one ac stated that Judge Graham has taken the right view of the situation.

> A majority of the baseball writers have acknowledged that the fans abhor the forfelture of games, but they add that if organized baseball is to be upheld the rules must be obeyed. Naturally the press of Oakland says that the decision was expected and that there was nothing else for Graham to

Portland Had Time, Graham Says. Replying to W. W. McCredle's state-

ment that he was not fairly treated and that he was rushed in the matter of sending in his evidence, Judge Graham says that the Portland club had plenty of warning and ample time to file its defense. "My duty lay plainly before me," said Judge Graham today, "and I rendered my decision in line with that duty. Mc-

Credid may appeal and I expected that

he would appeal. But I expected that

he would appeal to the higher court of baseball and not resort to abuse to bolster up his case "Further than this I have nothing to say. McCredie has chosen his wea-pons. I have none. My decision reversed, I would be the first to concede my error. McCredie certainly cannot plead that he was not warned

(Concluded on Page 5.)

