



THRILLING FLIGHT COSTS MAN'S LIFE

Aviator Johnstone Is Hurlled to Death

GRIM MID-AIR BATTLE LOST

Denver Meet Scene of Horrifying Spectacle.

HUMAN VULTURES PREY

Sensation-Mad Men and Women Swarm Over Wreckage and Dead, Fighting for Souvenirs—Frantic Crowd Steals and Flees.

DENVER, Nov. 17.—With one wing-tip of his machine crumpled like a piece of paper, Ralph Johnstone, the brilliant young aviator, holder of the world's altitude record, today dropped like a plummet from a height of 500 feet into the enclosure at Overland Park aviation field, and was instantly killed.

When the spectators crowded about the enclosure, reached him his body lay beneath the engine of the biplane with the white planes that had fallen him in his time of need wrapped about it like a shroud. Nearly every bone in his body was broken.

He had gambled with death once too often, but he played the game to the end, fighting coolly and grimly to the last second to regain control of his broken machine. Fresh from his triumph at Belmont Park, where he had broken the world's record for altitude with a "flight of 214 feet, Johnstone tried to give the spectators an extra thrill with his most daring feat, the spiral glide which had made the Wright aviator famous.

Thrill Costs Life. The spectators got their thrill but it cost Johnstone his life. The fatal flight was the second Johnstone had made this afternoon. In the first flight when he was in the air with Hixsey and Brooks he had gone through his usual programme of dips and glides with his machine apparently under perfect control.

Then Johnstone rose again and after a few circuits of the course to gain height, headed toward the foothills. Still ascending he swept back into a big circle, and as he reached the north end of the enclosure he started his spiral glide. He was then at an altitude of about 500 feet. With his plane tilted at an angle of almost 90 degrees he swooped down in a narrow circle, the aeroplane seeming to turn almost in its own length.

As he started the second circle of the middle spur which braces the left side of the lower plane gave way and the wing tips of both upper and lower planes folded up as though they had been bludgeoned. For a second it seemed to the white-faced spectators almost under him that he might succeed, for the football helmet he wore blew off and fell much more rapidly than the plane.

The hope was only momentary, however, for when only about 300 feet from the ground the machine turned completely over and the spectators fled wildly as the broken plane with the tense-faced boy still fighting grimly in its mesh of wires and stays plunged among them with a thud and crash that could be heard over the big field.

Scarcely had he hit the ground when sensation-mad men and women swarmed over the wreckage fighting with one another for souvenirs of the terrible accident. One of the broken stays had thrust its jagged end almost through Johnstone's body. Before doctors or police could reach the scene one man had torn this splinter from the crushed and mangled body and ran gleefully away, carrying his horrid trophy with the aviator's blood still dripping from its end.

Frantic Crowd Fights. Frantic, the crowd tore away the canvas from over his body and fought for the very gloves that had protected Johnstone's hands from cold. The machine fell on the far side of the field from the grandstand and there were but a few hundred near the spot, but physicians and police were rushed across as soon as possible. Physicians declared death must have been instantaneous, as Johnstone's back, neck and both legs were broken, the bones of his thighs being forced through the flesh and leather garments he wore.

Arch Hoxsey, who in a previous flight today had reached an altitude of 2000 feet, had risen just before Johnstone began his fatal glide and was in the air when the accident took place. As he swung around the other end of the course he

CLOTH SMUGGLING BEATS SUGAR FRAUD

FALSE INVOICES ROB NATION OF IMMENSE SUM.

Federal Attorney at New York Attaches Big Firm to Recover \$206,000 Damages.

NEW YORK, Nov. 17.—United States District Attorney Wise is seemingly determined to recover for the Government all of the money of which it is said to have been defrauded during the last five years by means of alleged false invoices for importations made by Joseph Brooke & Co., manufacturers of woollens, worsteds and linings of Bradford, England, and this city.

Assistant District Attorney Whitney, who has direct charge of the case, said today: "This is the biggest case of its kind the Government has ever had. The frauds involve several woolen manufacturing concerns in England. The total amount of the duties which the Government has lost through the importation frauds is much greater than in the sugar underweighting cases."

TRAVELING SOLE EXPENSE Candidate Says "Too Poor to Buy Cigars, Drinks, Candy or Gum."

DENVER, Nov. 17.—"My traveling expenses were my board and lodging. I gave no cigars, drinks, candy or chewing gum. Was too poor to do more," declared John B. Stephen, defeated Republican candidate for Governor, who today filed his campaign expense account with the Secretary of State. Stephen spent \$1226, divided as follows:

To the Republican state committee \$1250, for traveling expenses \$146.

HILL YIELDS 13 POUNDS Washington Man Shows 12 Potatoes From Single Piece of Seed.

VANCOUVER, Wash., Nov. 17.—(Special.)—Thirteen pounds in 12 potatoes, all grown in one hill from one seed-piece, is the record of C. G. Shaw, of Fruit Valley.

The potatoes were planted in the hill July 12 and dug November 14, four months later. They were not irrigated.

HOLDER OF WORLD'S ALTITUDE RECORD, WHO WAS KILLED BY FALL OF AEROPLANE.



ABOVE, RALPH JOHNSTONE—BELOW, JOHNSTONE AND HIS BIPLANE.

EARLY ACTION ON TARIFF POSSIBLE

Democrats May Try for Extra Session.

FILIBUSTER PART OF PLAN

Spiking of Appropriation Bills Would Force Issue.

PARTY, HOWEVER, DIVIDED

Grave Doubt Exists Whether Factions Can Agree on Policy, but Taft's Single Schedule Idea May Be Adopted.

BY HARRY J. BROWN. OREGONIAN NEWS BUREAU, Washington, Nov. 17.—The report comes from Democratic sources that a filibuster may be inaugurated during the approaching short session of Congress to prevent the passage of the regular appropriation bills, thus forcing the Congress next Spring. The object of such a move, it is said, is to give the Democratic House of Representatives an early chance to pass a tariff bill, thus putting the tariff question squarely up to the Senate. In the hope that the Democratic minority of that body, aided by the votes of six or more insurgent Republicans, can modify greatly the Payne-Aldrich law and send their substitute to the White House for approval or veto by President Taft.

Democrats Split on Tariff. No such plan as this is likely to be undertaken unless the Democratic leaders, after full and careful consideration of the situation, feel convinced that they can accomplish something. In the first place, it will be necessary to find out just what the Democrats in Congress are willing to do in the way of tariff revision. It was disclosed at the special session more than a year ago that the Democrats are as divided on the tariff as the Republicans. Have they come together since the election? Has Champ Clark, the prospective Democratic speaker, abandoned his idea that the Payne-Aldrich law should be supplanted by a tariff for revenue only act? He said so once on the floor of

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The Weather. YESTERDAY'S—Maximum temperature, 47 degrees; minimum 41 degrees. TODAY'S—Rain; southeast winds. Foreign. British Tories prefer reform of Lords to loss of veto power. Page 16. Miracle alone now all that will save dying Count Tolstol. Page 1. National. Democrats may filibuster to compel extra session and tariff action. Page 1. Vancouver troops ordered to Philippines in April. Page 9. Cloth-smuggling at New York said to rob Waukesha makers larger sum than sugar frauds. Page 1. Government loses \$20,000,000 suit against Standard Oil Company of Indiana. Page 2. President Taft sails from Colon, praising Canal's progress; American employes strike. Page 4. Sixty armed Mexicans march on Texas town. Page 4. Pacific Congress asks for fleet to defend Coast. Page 1. Politics. Governor-elect West's plurality is about 400,000. Page 16. In coming Legislature 83 of 90 members will be Republicans. Page 8. Domestic. Boston society belle is now devout nun. Page 1. Thrilling flight at Denver aviation meet costs life of aviator, Ralph Johnstone. Page 1. Labor unions will show hand in Los Angeles fight. Page 6. Electrical workers' controversy before St. Louis labor convention to be threshed out. Page 2. Sports. Multnomah football team expects victory over Oregon despite defeat by Willamette. Page 8. Commercial and Marine. Flurry in local wheat market, is over. Page 21. Wheat prices advanced at Chicago by manipulation. Page 20. No speculative demand for stocks. Page 21. Hog prices steady at Portland yards. Wheat rates for vessels to San Francisco weaker. Page 20. Feuilleton. Prosecution of Curtis Healey indicates Smith was killed from ambush. Page 7. Sudden sale of 200 cars of wheat at Walla Walla makes farmers jubilant. Page 7. Hood River man's exhibit wins grand sweepstakes at National Apple Show. Page 4. Portland and Vicinity. Portland civic bodies decide to make no protest against official census. Page 14. Jury in damage suit signs verdict for both sides of theater quarrel. Page 16. Police deny "third degree" was administered to counterfeiter. Page 12. Harvey's latest wage when counsel tells story of wrangle. Page 12. Klaw sends sarcastic telegram about Hellig's case of theater quarrel. Page 16. No special Council meeting will be held today to act on O. R. & N. street vacancy. Page 12. Elks vote \$25,000 fund for grand lodge 1912 convention. Page 3. Patrolmen Crawford and Stahl honored for bravery. Page 14.

SEAMEN TO BE PROTECTED

Revenue-Cutters to Patrol Atlantic Through Winter Season.

WASHINGTON, Nov. 17.—The winter toll of shipwrecks and deaths along the Atlantic Coast probably will be lessened this year because of an order President Taft has given for the protection of seafaring men. On December 1, 19 of the revenue cutters on the Atlantic side will go to sea from their home stations to a general patrol of the coast from Cape Cod to Cape Canaveral, Fla. Last year the revenue cutters brought relief to 150 vessels and saved many lives. The cargoes of saved ships alone were valued at more than \$10,200,000.

WOMAN, 92, SWEET SINGER

"Aunt Polly" Smith Delights Guests at Birthday Celebration.

DAYTON, Wash., Nov. 17.—(Special.) Despite her 92 years, the completion of which she celebrated on Wednesday night, "Aunt Polly" Smith, pioneer of the Pacific Northwest, showed that she still possessed, in a remarkable degree, her old-time charm as a vocalist. Before a company of guests she sang in a voice which was at once clear, strong and vibrant, "Silver Threads Among the Gold." In her younger days "Aunt Polly" was a singer of more than usual talent. Mrs. Smith is the oldest woman living in this part of the state. She lives alone, does her own housework and enjoys life to the fullest measure.

RANCHER KILLED BY KICK

Wealthy Wheatgrower Found Dead in Stable Near Horses.

PENDLETON, Or., Nov. 17.—(Special.)—John Timmerman, one of the wealthiest wheatgrowers in Umatilla County, was kicked to death by one of his horses today. His body was found lying behind the heels of the horses in the stable at his farm home, a mile east of Helix. He had apparently been kicked more than once, for his skull was fractured and the imprint of a hoof on his abdomen showed he had also been struck there. Either blow might have caused death. Timmerman was 65 years old and leaves a wife and several children.

TAXI DRIVERS HURL ACID

Policeman Stands Off Strikers Despite Burns—Draws Revolver.

NEW YORK, Nov. 17.—A mob in sympathy with the taxicab chauffeurs who went out with the express drivers and helpers and then formulated demands of their own which the major companies have not yet granted, attacked a strikebreaker this evening and threw a bottle half filled with acerbic acid at the policeman who was trying to take him home. The acid burned the officers' front and one arm but he stuck to his charge until brother officers came to his aid.

PACIFIC CONGRESS ASKS FOR FLEET

Country Declared Unprepared for War.

COAST'S CONDITION HELPLESS

General Morton Asks Mobile Army for City Defense.

GILLETT SPEAKS OF FAIR

Plea Made for Greater Merchant Marine That Panama Canal May Be Used by American Vessels. Japanese Competition Cited.

SAN FRANCISCO, Nov. 17.—The defenseless condition of the Pacific Coast and the unpreparedness of this country, as a whole, for war was the most important feature of the addresses made today at the opening of the Pacific Congress.

The roll call of delegates showed representatives from Washington, Oregon, Idaho, Nevada, Utah, Arizona, New Mexico and California. After an automobile ride through the city and to surrounding points, during which an inspection was made of the sites offered for the Panama Pacific International Exposition in 1915, the delegates assembled in the convention hall and were formally welcomed to the city by Mayor P. H. McCarthy.

Governor Gillett then outlined the purposes of the conference, saying that besides giving impetus to a movement for the establishment of a fleet in Pacific waters and the creation of a closer commercial communication with the Far East by providing American ships to handle the American cargoes, the congress could, at this session, more fully discuss the prospects and plans for the holding of the world's fair here in 1915 and effect a permanent organization that would forever prove beneficial to the states on this side of the continent.

The most important speaker of the day was Brigadier-General Charles F. Morton, U. S. A., retired, of Seattle, representative of Senator Piles. He made a plea for the establishment of a fleet for the sole protection of this

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SOCIETY BELLE IS NOW DEVOUT NUN

MISS HENRIETTA DUSTIN, OF BOSTON, TAKES VOWS.

As Sister Theresa, She Takes Place in Carmelite Order at What Was Once R. L. Stevenson's Home.

SAN FRANCISCO, Nov. 17.—(Special.)—When the brown-robed Carmelites filed into the chapel this morning at their home on Hyde and Lombard streets, a new nun, who, until 24 hours ago was known to the world as Miss Henrietta Dustin, took her place with them with as much simplicity and unassuming as if it were not only six months since she renounced the life of a society belle of Boston to enter the strictest of religious orders. Her reception into the Carmelite community took place with elaborate ceremony, Bishop D. J. O'Connell officiating. She has taken the name of Sister Theresa.

At her first entrance into the chapel Miss Dustin was gown in white satin, with a long tulle veil and wreath of orange blossoms in her hair. Her sister, Miss Mildred Dustin, who attended her, was also in white. On her second appearance in the chapel, when she received the name of Sister Theresa, she was in the usual Carmelite habit.

Miss Dustin is the first girl who has entered the Carmelite convent since the establishment of the order in the house that was formerly the Robert Louis Stevenson home.

TIDE FLOODS BASEMENTS

Sea Rises to Ten-Foot Stage, Highest of Season, at Astoria.

ASTORIA, Or., Nov. 17.—(Special.)—The highest tide of the season, thus far, took place this afternoon, when a 10-foot stage was reached, but aside from the flooding of a few basements no damage has been reported.

Another similar tide will occur tomorrow afternoon, but no trouble is anticipated unless a gale should come up.

"SALOON" IS NOW "CAFE"

Jersey City Liquormen Also Substitute "Server" for "Bartender."

NEW YORK, Nov. 17.—"Saloon" has gone out of existence in Jersey City. By edict of the Hudson County Liquor Dealers' Association it became known today the word "cafe" is hereafter to be substituted.

Further, it is said, the term "bartender" has been done away with, now being known officially as "server."

FOUR PORTLANDERS AMONG DELEGATES AT PACIFIC COAST CONFERENCE.



ABOVE, EX-SENATOR C. W. FULTON AND HARRY LADD CORBETT—BELOW, WILLIAM D. WHEELW RIGHT AND C. W. HODSON.

MIRACLE ONLY CAN SAVE TOLSTOI NOW

Heart Responds Feebly to Restoratives.

LIFE IS HANGING IN BALANCE

Aged Russian Is Delirious During Long Day.

CHURCH RUSHES TO RESCUE

Greek Synod Hurries Bishop Cyril to Dying Man to Gather Him Into Fold—Countess Cannot See Aged Husband Now.

ASTAPOVA, Russia, Nov. 17.—Although hope has not yet been given up, the attendants of Count Tolstol recognize his life is in the balance and that, although the strong constitution of the great Russian has carried him through other grave struggles against disease, his system has become so weakened and his heart has responded so feebly to restoratives, that it will be almost a miracle if he recovers.

In the early stages of the inflammation of the lung, from which he is suffering, it was the temperature that gave cause for anxiety; now it is the heart.

Patient Often Delirious. The patient's temperature was not particularly high today, but the heart action was extremely bad. Tolstol alternated part of the time between unconsciousness and delirium.

Early tonight it was announced the inflammation had been confined to a comparatively small section of the lung and that expectation was free.

The heart, however, caused constant anxiety. Strophanthin, a powerful stimulant, was administered. Oxygen was not resorted to at any time.

The physicians have issued frequent bulletins, in which they refer to the persistent temperature. A cluster was administered as a means of relieving this, and as an immediate result the patient's temperature fell from 101.5 to 100, less, however, than was expected.

Critical Night Foreseen.

Temporarily there was easier breathing and the pulse dropped slightly. The patient faces a critical night.

An exhortatory telegram addressed to Tolstol by Antonius, metropolitan of St. Petersburg, presiding over the synod, and the departure of Bishop Cyril for Astapova marks the extreme solicitude of the church to gather Tolstol into its folds.

The text of the telegram from Antonius is as follows: "Since the first moment of your rupture with the church I incessantly prayed and pray now that God may restore you to the judgment seat. I implore you in your sickness now to reconcile yourself with the Church and the orthodox Russian people. May God bless you."

Count Tcherkoff and the other able to submit the telegram to Tolstol in his present condition.

At the time of the writer's serious illness at Crimea in 1900 a similar exhortation was sent to him and secret orders were dispatched to Crimea to allow only the representatives of the church entrance to the bedroom during his dying minutes, as the synod had determined in any case to bury him.

Answer Is Typical.

On that occasion, when he regained consciousness, Tolstol directed this answer to the clericals: "Even in the face of death, twice two makes four."

Countess Tolstol has not been admitted to the sick chamber, and even the fact of her arrival has been concealed from Tolstol, lest knowledge of her coming should excite him.

The Count was not pleased when the presence of his son Sergius was made known to him. When Sergius entered the room and was recognized by his father, Tolstol was plainly angry, and showed his annoyance by asking: "Why did you come? How did you know that I was here?"

The younger Tolstol pretended he had learned of his father's whereabouts from railroad conductors, but the Count was not satisfied with this explanation.

At the same time Tolstol was delighted at the arrival of his friend, Count Vladimir Tcherkoff. The latter remains constantly at the bedside with the physicians and Tolstol's daughter, Alexandra.

As he is, his physicians have humored him by allowing him to read newspapers and look over his latest and favorite book, Hadji Murat.

He had been permitted even to dictate to Alexandra a part of a new article. A crowd of press correspondents occupy the platform of the railway station at Astapova.

Maxim Gorki Hears News, Faints. NAPLES, Nov. 17.—Reports from Capri say that when Maxim Gorki heard of the rumored death of Tolstol, he fainted. It was considerable time before he was revived, and his condition is considered serious. He explained his emotion by saying the death of Tolstol to Russians could only be compared to the death of Dante to Italians.