

HEYBURN BLOCKS BORAH'S PURPOSE

Vote on Direct Election Is Delayed, but Senate May Test Strength.

FIGHT CONTINUES TODAY

Taft, Asked to Aid in Securing Action, Fails—Rayner and Carter Have Word-Duel and Drag in Name of Theodore Roosevelt.

WASHINGTON, Feb. 17.—Emmeshed in an apparently hopeless tangle over the joint resolution providing for the election of United States Senators by direct vote, the Senate adjourned a few minutes before 8 o'clock today, notwithstanding opposition by the champions of the measure.

It had been hoped by friends of the resolution that a night session might be held and that at least a vote would be taken on the Sutherland amendment retaining the control of Senatorial elections in Congress. No progress was made save that Rayner spoke in opposition to the Sutherland provision and Carter and Heyburn spoke in support of it.

While Heyburn, the last speaker, was on the floor, several Senators engaged in an active propaganda in favor of an agreement on a definite time for a vote, and the announcement was made later that Heyburn was the only Senator whose assent to this arrangement had not been obtained. When he was approached on the subject he declined.

Heyburn Prevents Vote.
When Borah asked for unanimous agreement for a vote, Heyburn promptly objected. Because of the attitude of his colleague no course was left to Borah except that of pressing the measure by asking the Senate to stay for a night session.

Gallinger moved an adjournment. The friends of the measure rallied and on a rollcall voted the motion down, 44 to 34, but when, a few minutes later, Nelson, who had waited patiently all day to get an opportunity to speak, made a plea for a night session before beginning the objection to closing the session today, adjournment came soon afterward.

It was understood the election question would be taken up early tomorrow. In view of the fact that another order of business had been arranged for 12:30 o'clock, there may be a change of programme.

Taft Cannot Help.
President Taft was appealed to for assistance in getting a night session on the resolution in the interest of general business, but late in the day word came that he had been unable to do anything in that direction.

At the close of the session the friends of the resolution were not so hopeful of getting a vote during the present session as they had been. Rayner contended that even without the Sutherland provision, the Federal Government would have the right to protect voters against fraud or intimidation.

He, therefore, appealed to supporters of the original proposition not to burden it with an amendment which, like the pending proposition, would imperil the success of the resolution itself.

Rayner contended that the amendment would have the effect of injecting a new provision into the Constitution because, he said, election of Senators by the people is a very different proposition from election by the state legislatures.

Differences between Rayner and Carter terminated in a discussion of ex-President Roosevelt. Quoting from Mr. Roosevelt's Grand Rapids speech in advocacy of the principle involved in the Sutherland provision, Rayner expressed the opinion that Carter's views had been influenced by those of the ex-President.

Roosevelt Learns From Carter.
The suggestion apparently was meant to be sarcastic, and replying, Carter said:

"The views of the ex-President are always powerful and persuasive, but in view of the fact that I expressed my opinion in a published speech long before he did, I think it probable that my speech may have contributed to his enlightenment on the subject."

Rayner hoped that the Montana Senator would continue to enlighten the ex-President, because with "all of the ex-President's familiarity with every topic that has ever been advanced from the creation of the universe, if there is anything that he does not know anything about, and on which he needs enlightenment from the Senator from Montana, it is the constitution."

Replying to an inquiry from Rayner, Carter declared that under the Constitution as it stands the Senate could go behind the returns concerning the election of a Senator, while with the Constitution as amended by the Sutherland amendment, it could not do so.

States Supreme Over Suffrage.
Rayner next turned to Root's speech and undertook to convince the New York Senator that he had been wrong in saying that with the Sutherland amendment incorporated in the Constitution, Congress would have the right to annul state laws and control the suffrage of the people.

"The right of suffrage is in the states," he declared, "and Congress cannot take it away except by constitutional amendment. The state is the judge of the qualifications of its electors and not the Federal Government. Therefore there is nothing to the Sutherland amendment."

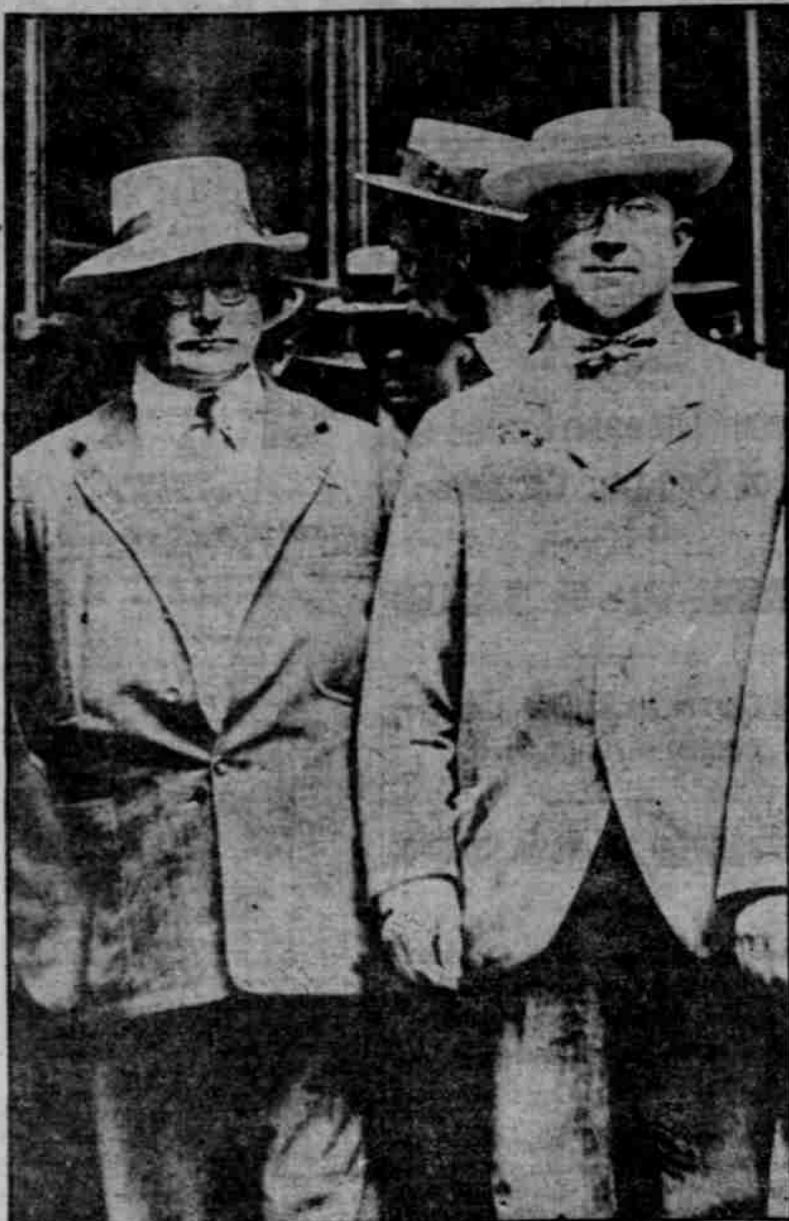
Rayner warned the Senate against any interference with the franchise regulations of the Southern states, which insure the supremacy of the white race in the South.

"It is for your own welfare and for the welfare of the Union," he said, "that the South should maintain her institutions from the invader's touch and that you should keep your hands off the pillars of the temple."

Carter followed with an argument to prove that with a change in the manner of senatorial elections, the Sutherland amendment was necessary to preserve the perpetuity of Congress itself.

Caucus Call Out at Denver.
DENVER, Feb. 17.—Majority members of the Legislature who favor a caucus to decide on a candidate for United States Senator are renewing activity in this direction. Prospects are not considered bright, however, for success. Unless a caucus is effected, it is unlikely that the deadlock will be broken in the near future. The ballot today was without result.

MURPHY LIEUTENANT WHOSE ASSUMPTION OF INITIATIVE HAS CREATED DEADLOCK, AND HIS CHIEF WHO CHECKED HIS COURSE.



—Photo Copyright by George Grantham Bain.
J. SERGEANT CRAM AND CHARLES F. MURPHY.

MILLIONS IN FIGHT

Cause of Split Between Cram and Murphy Shown.

RAILROAD IS AT BASIS

Tammany Leader Resents Action of Lieutenant in Urging Shepard, Pennsylvania System's Candidate for Senator.

(Continued from First Page.)

fix it up? Who is running Tammany Hall, anyway?

Cram—Why, you let me fix it up that other matter.

Murphy—Because I used you as a messenger boy once is no reason for you to think you are boss. I have agreed to send Sheehan.

Now there was really no loud public clamor for either of these men. The general public realized that the nomination would go to any man that Murphy might select. All they hoped was that he might select himself, and name a man who would strengthen the party. There was a little crowd of men, mostly mugwumps, mentioned among a number of others, but when active in public life had always been a David B. Hill man, and therefore not regarded as having a show. But Murphy backed him. And here is the answer.

It is a foregone conclusion that the "subway crowd" will build more tubes before long, either those planned by the city, or extensions to the existing line. And Murphy is interested in the line. Also the subway magnates came out for Sheehan. Therefore—well, Murphy sunk Tammany's personal dislike of Hill's old lieutenant, and threw the Legislature for him.

The Pennsylvania interests and J. Sargent Cram went out to make trouble. On the surface it looked like a fight in the caucus only and Murphy had no objection to that. But under the surface, there were other influences at work.

This brings us to the aforesaid Maurice Milton. He has shown himself to be a clever press agent, and somebody paid him liberally to bombard the legislature with literature, calling for a "rebuke to Tammany." Also these same legislators were seen and argued with.

The result was that when the Legislature met, 23 Senators and Assemblymen signed a caustic agreement that they would never under any circumstances vote for Sheehan. And up to the present time they have kept their word.

The strength of the revolt was not realized until it was too late to do any work that would stop it. These men had signed, and it was impossible to get them to back out. They were against Sheehan, and no arguments could change them.

It is said, and undoubtedly with truth, that not one cent was spent in the way of bribe money in organizing the revolt. Some of the "insurgents" are men who honestly believe that the kind of inducement and influence, avenged; others have minor grievances; but the bulk of them are anti-Tammany men, who were won over to their side by the convincing words of the skillful Milton.

During the past few weeks this little band has been subjected to every possible kind of inducement and influence, except money, but they outwardly stand as firm as on the opening day of the session.

They have been bombarded with letters and telegrams, scored at mass meetings and cursed by leaders, but no one has offered them a cent.

When I asked a well-known Tammany man why this was so, he replied: "We would use a million or two million. If that would end the fight, the fact is that we are afraid to offer any money, for fear we would be exposed. And the insurgents are afraid to take it. Also they are afraid to offer any money, for fear people would think they had taken it."

On the surface, the insurgents stand as firm today as they ever did. It is learned that four of their

number are ready to bolt at the proper moment. They have given their word to Murphy that they will flop for Sheehan at any time their votes will elect him.

But Sheehan needs 13 insurgent votes. The four would-be traitors are ready to enter into an agreement with the missing nine, but it is up to Murphy to find them. Also their signatures must be secured before the caucus will go on record.

It is an interesting fact that the men who have started the present political fire have tried of late to put it out, but vainly. The voice of J. Sargent Cram is no longer heard as the voice of one crying out in the wilderness. Maurice Milton's typewriter is silent, and there are long faces in the private offices of the Pennsylvania Railroad.

The men who first cheered the bolters on are now pleading with them to "stop this foolishness, and be good." And many men who are the warmest friends of Edward M. Shepard have gone on record as saying that Sheehan must be elected, "because he is the choice of the majority of duly elected legislators."

The majority of the insurgents would like to let go of the political battle, but they are afraid to. No matter how pure their motives might be, they would go down in history as bribe-takers. So, with tears in their eyes, they stick to their colors.

There is more sorrow than anger at Albany.

The Tammany men are sorry that Murphy ever made a deal with the subway crowd. Governor Dix is sorry that his administration should be discredited from the start; the Pennsylvania Railroad is sorry that it ever consulted J. Sargent Cram, or ever thought he was a boss; Cram is sorry that he gave his friend, Murphy, a chance to show him up; Murphy is sorry that he did not have better stage manners at Albany; Milton is sorry that he ever learned to play the typewriter; and the insurgents are sorry that they permitted themselves to be the monkeys who tried to pull a railroad's chain out of the fire.

But the Republicans? Why, they laugh, and laugh and laugh.

DIX PROPOSED FOR SENATOR

Some Sheehan Men Propose Compromise—Leaders Say "No."

ALBANY, N. Y., Feb. 17.—Governor Dix's name was brought into the Senatorial contest today again, when it was reported that a quiet movement was under way to put the Governor forward as a compromise candidate.

The long deadlock, with no apparent relief in sight, has caused supporters of William F. Sheehan to say that they would gladly return to a compromise candidate if they could be relieved of the caucus action. Organization leaders, however, say a party principle, that of major rule, is at stake, and to give in to a minority opposition would have a bad effect on the party management.

DANVILLE FUNDS LOW

GRAND JURORS IN VOTE-BUYING PROBE MAY NOT GET PAY.

Many of Them Agree to Continue Investigation, Taking Chances on Getting Money Later.

DANVILLE, Ill., Feb. 17.—County Treasurer Wilson announced today that the appropriation for paying grand jurors would last but two days, and that he would discontinue cashing grand jury warrants when the fund was gone.

Members of the grand jury said they would serve without pay if it was found that warrants could not be issued, anticipating the next appropriation.

Judge Kimbrough said the checks were perfectly good, and should be cashed at their face value.

A clash between the grand jury and the Sheriff's office is among the probabilities of the next few hours in the election fraud investigation. Ever since the election of the grand jury, since the returns of the election held February 9 cannot be canvassed and certified under the law, time to time has been wasted by the grand jury, and second, because Congress is opposed to the constitution as drawn.

Such is the view hitherto expressed by Delegate Ralph Cameron from that territory and today reiterated.

CHINA GRANTS RUSSIA'S DEMANDS

Empire Too Weak to Contest Either With Arms or Diplomacy.

OLD TREATY DENOUNCED

Russia Accuses China of Violation and Insists on Prompt Action.

Regent Delays and Officials Shirk Responsibility.

PEKING, Feb. 17.—The Chinese Foreign Board declines to make a statement concerning Russia's representations with regard to the ill territory in Chinese Turkistan, saying that a reply to M. Korotkov, Russian minister to China, has not been determined upon.

It is not doubted here, however, that China's surrender will be complete. It is reported that the Chinese are ranking under what are considered unfair clauses in the Russo-Chinese treaty of 1881 and oftentimes have not added by its conditions declaring their interpretation of the treaty differed from that taken by the Russians.

China Denounces Treaty.

The Chinese Foreign Board recently informed the Russian minister that it considered the treaty of 1881 one-sided and intended to denounce it after February 2, that being the termination of a decade, the treaty providing that it can be renounced at the end of any decade.

Thereupon M. Korotkov protested to China a list of claims, including demands for a delimitation of the frontier in two places where the boundary was disputed. The Foreign Office, when pressed by the Russian Minister, replied it would discuss these points at a conference over a new treaty which China would propose. M. Korotkov then pointed out that the claims he presented referred to breaches in the present treaty, which had not yet expired. The foreign office, however, has not further communicated with M. Korotkov, who has repeatedly warned it that the St. Petersburg Government's patience will not last indefinitely.

Chinese Play for Delay.

The Chinese, not being sufficiently strong to cope either with arms or diplomatically with Russia, have indulged in their customary procrastinations, no member of the Government desiring to incur responsibility for a contest from which there could be but one issue.

Therefore, as the regent is in sole authority, the reply to Russia will be his, but framed on the advice of the counselors.

The Russian and Japanese legations here are regularly in consultation on the Russo-Chinese situation.

HOUSE WORK TIED UP

MANN PREVENTS ACTION ON WAR CLAIMS BY FILIBUSTER.

Quorum Disappears and While Absentees Are Sought House Has Merry Time in Talkfest.

WASHINGTON, Feb. 17.—With only 11 legislative days remaining, the House of Representatives was held at a standstill today by a filibuster planned and conducted by Mann of Illinois.

It was private calendar day under the rules and the business in order was the consideration of the omnibus war claims bill, which already had been passed by the Senate. The bill largely affects Southern claimants and the Democrats, with the assistance of many Republicans, endeavored to pass it.

At times the majority in favor of the bill was as high as 30. Mann was considered the best and by dilatory tactics succeeded in preventing action, although the House was in session from 10 A. M. until 2:25 o'clock tonight.

That hour the advocates of the measure secured a recess until 11 A. M. tomorrow under the assumption that the legislative day would be held at that time. It developed after this action, however, that they probably defeated their own purpose, for 11 o'clock now is the regular hour for meeting and it is solely the Speaker Cannon who holds that tomorrow's sitting is a new legislative day. If he is successful in maintaining this ruling, the omnibus claims bill is dead for this session of Congress.

Today's filibuster was largely a one-man affair and one of the most remarkable in the history of the House. At one time the order to secure a quorum, the sergeant-at-arms was directed to arrest all absentees. With assistants, that official started in pursuit of the missing members. But before any arrests were made enough drifted into the chamber to make a quorum and further proceedings under the order were dispensed with.

There will be no movement made to merge with the Centralia Canning Company and incorporate both concerns under a new name.

The re-incorporation of the organization is more than a local investment, as it aims at expanding the fruitgrowing industry and making a larger bid for the market in building up one of Centralia's important centers of industry.

ARIZONA MUST WAIT AGAIN

Congress Cannot Act on Statehood This Session.

WASHINGTON, Feb. 17.—Statehood for Arizona is impossible at this session of Congress for two reasons: first, because the returns of the election held February 9 cannot be canvassed and certified under the law, and time to time has been wasted by the grand jury, and second, because Congress is opposed to the constitution as drawn.

Such is the view hitherto expressed by Delegate Ralph Cameron from that territory and today reiterated.

\$4
DUCHESS
TROUSERS
\$2.65

SUITS

\$6
DUCHESS
TROUSERS
\$3.85

OVERCOATS RAINCOATS

400 Men's Suits, Overcoats and Raincoats have been thrown into two lots and arranged for rapid Saturday selling.

\$15 and \$18 Values Now

\$20, \$25 and \$30 Values Now

\$10

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The Lion Special
Man's Shoe \$4.00

LION CLOTHING CO.
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THE "BEAVER"
HAT AT \$3.00

FOELKER ADHERES TO HIS CHARGES

Funds Acquired After Race-track Vote Were Wife's Aunt's, He Says.

IMPERSONATION IS DENIED

Sosinsky Only Coached Him for Bar Examinations, Says He—Elder Says Hyde and Gardner Distributed Boogie Fund.

NEW YORK, Feb. 17.—Otto E. Foelker underwent cross-examination by Max Steur today at the trial of State Senator Frank J. Gardner on a charge of bribery, and stood by his story that Foelker offered him \$25,000 to vote against the anti-race-track bill in 1908.

"On the train Gardner said to you: 'I will give you \$25,000 more than the other Senators are getting,' didn't he?" he was asked.

"Yes," answered Foelker. "And you did not ask him who the money was?"

"It did not interest me," declared the witness.

Foelker admitted that he had not considered it his duty to report to the Senate or to the District Attorney an attempt to bribe for the reason "that he lacked corroboration."

"Right after the vote on the race-track bill," resumed Mr. Steur, "didn't you come into funds?"

Witness identified a mortgage showing that on May 14, 1908, he had made a loan of \$30,000, but he explained that the money came out of the estate of his wife's aunt, Mrs. William H. Watson.

Sosinsky Only Coached Him. Further testimony brought out that Foelker had given \$75 to James Radigan, a partner of Max Sosinsky, who coached him for his repulse examination, because Radigan "told me his office furniture was mortgaged and he owed his stenographer a month's salary."

The witness denied that a man named James Ray had ever approached him for voting for the Hart-Agnew bill, after he had "been liberally paid" by the other side.

On re-direct examination, Foelker swore that Sosinsky, who is now in prison for impersonating others at repulse examinations, had not impersonated him, but had merely coached him.

Thomas Maxwell, a private detective, testified that Gardner called him to his office in May, 1908.

"Now," said Gardner, "I want you to go over to see Floyd Adams. Tell him I'll give him \$25,000 to vote against the race-track bill."

Maxwell further swore that he delivered the message to Adams and, on Adams' failure to repeat it, went to see Foelker himself.

Elder Tells of Fund Raised. When Foelker left the stand, the state began calling witnesses who testified to Gardner's alleged attempt at bribery. The last examined was Robert Elder, Assistant District Attorney of Kings County (Brooklyn), whose original testimony before the graft committee resulted in Gardner's indictment.

Elder told of his coming to his office in March, 1910, at his request.

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Cures all blood humors, all eruptions, clears the complexion, creates an appetite, aids digestion, relieves that tired feeling, gives vigor and vim.

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Get it today in usual liquid form or chocolate tablets called Sarsatabs.

THIS WILL INTEREST MOTHERS.

Mother Gray's Sweet Powders for Children, a Certain Relief for Feverishness, Headache, Bad Stomach, Teething Disorders, move and regulate bowels, destroy Worms. They break up Colds in 24 hours. They are so pleasant to the taste children like them. Over 10,000 testimonials. Used by Mothers for 23 years. They never fail. Sold by all Druggists, etc. Sample mailed FREE. Address, Allen S. Umsted, Le Roy, N. Y.

and speaking of alleged meetings at Delmonico's of men interested in racing, who contributed to a fund to defeat the pending legislation. "He mentioned the names of the men," Elder testified, "including J. R. Keene, Harry Payne Whitney, Charles H. Hyde (the city chamberlain) and Mr. Parsons."

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Absolutely Free—An Extra Pair of Trousers or an English Silk Raincoat



When I started my special sale, the beginning of January, a large number of patrons took advantage of this great reduction sale, but I still find that I am overstocked with imported woolsens. I therefore will make it worth your while in purchasing a suit this last dull month of the season.

ANY SUIT OR OVERCOAT YOU MAY ORDER DURING THIS SALE I WILL GIVE ONE THIRD OFF, AND WILL ALSO GIVE ABSOLUTELY FREE AN ENGLISH SILK RAINCOAT OR AN EXTRA PAIR OF HIGH-CLASS IMPORTED TROUSERS. You can select a coat for yourself, your wife or any member of the family. Much of these woolsens are in stable colors and of such weights that it will do for either a Spring or Summer suit; gray, West of England blue serge predominates. While I was abroad last Summer purchasing my woolsens I anticipated a mild Winter, so I purchased only such woolsens as could be worn the whole year around. \$25.00 Suits or Overcoats to Order. \$27.50. \$45.00 Suits or Overcoats to Order. \$30.00. Special reduction on Full Dress and Tuxedo Suits.

I do not have to brag on my reputation for making clothes. The years I have been in business in Portland and the thousands of suits that I have made is enough to testify to my integrity in doing business. Bear in mind that my store is one of the largest tailoring establishments in Portland and carries the largest stock of imported woolsens in the city. All garments are cut by me personally and every detail is carefully watched and all our goods are made on the premises, under my personal supervision. Sincerely yours, MAXWELL, The Tailor and Woolen Merchant, 246 Washington street, between Second and Third.

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Your out-of-order Stomach feels fine five minutes after taking a little Diapiespin.

There would not be a case of indigestion here if readers who are subject to Stomach trouble knew the tremendous anti-ferment and digestive virtue contained in Diapiespin. This harmless preparation will digest a heavy meal without the slightest fuss or discomfort, and relieve the sourness, acid stomach in five minutes, besides all other ailments, and all our goods are made on the premises, under my personal supervision. Sincerely yours, MAXWELL, The Tailor and Woolen Merchant, 246 Washington street, between Second and Third.

Ask your pharmacist to show you the formula, plainly printed on each 50-cent case of Pope's Diapiespin, then you will readily understand why this promptly cures Indigestion and removes such symptoms as Heartburn, a feeling like a lump of lead in the stomach, Belching of Gas and Eructations of undigested food, water, brash, Nausea, Headache, Bloatingness and many other bad symptoms; and, besides, you will not need laxatives to keep your stomach liver and intestines clean and free.

If your Stomach is sour and full of gas, or your food doesn't digest, and your meals don't seem to fit, why not try a 50-cent case from your drugist and make life worth living? Absolute relief from Stomach misery and perfect digestion of anything you eat in 5 to 10 minutes after taking Diapiespin. Surely, a harmless, inexpensive preparation like Diapiespin, which will always either at daytime or during night, relieve your stomach misery and digest your meals, is about as handy and valuable a thing as you could have in the house.

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