RAILROADS MOVE IN PACIFIC CASES

Commerce Court Asked to Enjoin Enforcement of Reduced Tariffs.

BASIC ISSUE IS RAISED

Authority Under Constitution to Prescribe Rates Is Attacked. Rates Confiscatory, Is Contention of Carriers.

WASHINGTON, Oct. 4.—The transcontinental railways asked the Interstate Commerce Commission today to suspend its orders in what are known as the "Pacific Coast cases," involving the heaviest railroad traffic in the United States, until the Commerce Court has had time to pass upon their merits. The roads also asked the Commerce Court to enjoin the Commission. Neither the Commission nor the court took any action.

It was indicated to the Commission by Attorney Norton, of the Atchison, Topeka & Santa Fe, and Attorney Dillard, of the Union Pacific, representing all the carriers interested in the cases, that the railroads purpose to institute proceedings in injunction before the Commerce Court to restrain the Interstate Commerce Commission from putting into effect its orders reducing the transcontinental freight rates.

The orders of the Commission will not become effective until November 15 and it is considered by the Commission that the Commerce Court would have ample time meanwhile to pass upon the questions involved. Until the Commerce Court has taken up the subject, the Commission will not grant the application of the carriers for a suspension of its order.

The railroads, through Attorneys Norton and Dillard, late today filed with the Commerce Court bills asking for the temporary injunction in all the Pacific Coast cases. These include the Spokane rate case, the Reno case, the Maricopa County Commercial Club case and others.

In every instance the railways complained that the rates fixed by the commission were unreasonably low and that if enforced it would not enable the carriers to make return on their investments and would amount to a confiscation of property. Existing rates were defended and denial was made of the commission's right, under the constitution, to prescribe the rates fixed in its orders of last June.

It is likely the Commerce Court will take up the cases in a few days with a view of determining whether temporary injunction shall be granted. In any event, the probability is that the questions involved will reach the Supreme Court.

MINISTER FOUN DDRUNK

Rev. Owen F. Jones Is Arrested for Annoying Pedestrians.

With but $1.35 in his pockets, and charged by Patrolman Barzee with being drunk and disorderly, Rev. Owen F. Jones, who says he is an Episcopal clergyman, was arrested at Front and Morrison streets, after he refused to stop annoying passers-by. He was taken to the city jail, where, after staying until sober, he was released.

Dr. Jones, who says that he is also a member of leading fraternal orders, was formerly chaplain of a penitentiary in South Dakota, and more recently was a minister in Baker, Or. He has been, according to his statement, 15 years in the ministry. He said he did not remember the cause of his drunkenness.

With his arm about the shoulders of a lumberjack arrested for the same offense, Dr. Jones was an impromptu sermon to tthe occupants of the jail.

IS WRECKED ON RUM.

Too Many Invitations to Drink Forces Jersey Mayor to Resign.

New York Herald.

Wrecked on the rock of rum, the town administration of Dunellen, N. J., went to smash when Mayor William A. Sandford announced his retirement from office on the ground that his limited capacity was unable to cope with the invitations to drink that have been hurled at him from all sides. Few statesmen have been confronted with such a serious problem, but be it said to His Honor's credit he did not flinch in the face of duty. Finding that drinking interfered with his official career, he has decided to retire to private life.

"I'm through with the job," said Mr. Sanford, more in sorrow than in anger. "A man can't be Mayor of this town and be sober. I've tried it for nearly a year, and I know. It started on New Year's day when I was inaugurated. I can't go down the street without hearing, 'Mayor, let's go have a little drink,' from all sides. If I didn't accept I'd lose votes, and—well, I have not lost a friend that I know of. But now I'm done. There are too many 'rummies' in this town. I'm going to move to Westfield. I wish my successor good luck and a good thirst."

When the 2000 residents of the place learned what His Honor had said they started out to make him prove his statements. The men of the town determined to find out if they were on his stagger list. Not finding him in the first saloon, they tried the other, there being only two coaling stations in the town, but they failed to locate him.

Others who did not spare Mayor Sandford were John Henry Lawrence Peters, village barber and Town Assessor; Henry S. Garretson, the village postmaster, and John F. Penner, the leading hardware merchant of the place.

Mr. Peters' planing mill, opposite the railroad station, is the place where most of the weighty questions are discussed, and ten minutes after Mr. Sandford's statement reached the public an indignation meeting was in full blast. In their excitement some of the participants permitted Mr. Peters to shave them three or four times.

"Called us 'rummies,' eh!" repeated Mr. Peters as he swung the brush against Mr. Penner's face. "He's got a fine nerve. And we wouldn't mind, but he's been the 'bummest' Mayor we've ever had, and when it comes to 'bum' Mayors, Dunellen has had a few. Him, above all men, calling us rummies," he resumed. "I never allow him to go in the room where I keep the turpentine."

"I'm sorry in one way," sobbed Mr. Garretson. "He's the first Republican Mayor we've had in years, and in a way his conduct reflects on President Taft's Administration."

Mayor Sandford returned to Dunellen, but denied that he had purposely delayed his return until it was dark. He is a jovial, well-spoken man of 65 or thereabouts, and laughed until his teeth rattled when he heard of the indignation his statement had aroused. He stood by every word of it, and by way of proving that he was not a prohibitionist, invited the reporters to split a bottle of wine with him. He lives in a fine old house, and is said to have plenty of money.

Jews Flock to Palestine.

London Cor. Detroit Free Press.

In a blue book dealing with the conditions and prospects of trade in Syria, Ernest Weakley, the special commissioner of the advisory council of the Board of Trade, gives details as to Jewish colonies in Palestine.

"The influx of Jews," he says, "is the noticeable feature in Palestine. They have been steadily coming into the country in increasing numbers since 1882, driven away from Russia and Poland by persecution, and although measures were taken by the Turkish government in 1887 to prevent the settlement of foreign Jews in Palestine, the restrictions imposed have been ineffective, and have not stemmed the current of immigration. From a total of about 500 Jew residents in Palestine a century ago, their numbers were about 6000 in Jerusalem in 1861, out of a total town population of 12,000.

"In 1897 it was computed that the population of the city was about 45,000, of which 28,000 alone were Jews. The population in 1900 was about 50,000, the Jewish element then being close upon 30,000, and since then both population and arrivals of Jews have increased rapidly, Jerusalem having today about 94,000 inhabitants, of whom no less than 55,000 to 60,000 are Jews."

METHODISM IN SESSION

WOMEN TAKE PART FOR FIRST TIME IN HISTORY.

Ecumenical Conference at Toronto Is First Ever Held on American Side of Atlantic.

TORONTO, Ont., Oct. 4.—The fourth ecumenical conference of Methodism, which convened today in the Metropolitan Church, in this city, is a most important gathering. Nearly 500 delegates were present when Rev. Henry Haigh, president of the British Wesleyan Conference, preached the opening sermon. Of the delegates to the conference about half are from the American Methodist Church, including Canada.

The conference may prepare a pastoral address to be read from every Methodist pulpit in the world, in all languages of the world.

This is the first time this conference has been held on this side of the Atlantic. Two prominent delegates are from Ireland, Rev. G. R. Wedgwood, of Belfast, and Rev. S. T. Boyd, of Dublin. Mr. Wedgwood is connected with the Irish Christian Advocate.

For the first time in the history of Methodism women will take part in the conference. Mrs. Lucy Ryder Meyer, of Chicago, a leader of the deaconess movement in the United States, will speak.

Bibles in Eight More Tongues.

Christian Science Monitor.

The annual report of the British and Foreign Bible Society has been lately issued, and it shows the income of the society during the last year to be $1,219,955, and the expenditure $1,249,976.

Bibles and portions of the Scriptures are issued in 432 languages, eight new translations having been issued during the past year, including three Central African, and three Asiatic dialects.

The total issues of the society are nearly 7,000,000 copies.

Battleship Oregon Ordered Out.

SEATTLE, Wash., Oct. 4.—For the first time in six years the battleship Oregon has been ordered made ready for sea, orders received at the Puget Sound Navy Yard yesterday directing that the famous old warship and the cruiser St. Louis be made ready for a cruise by October 24. The Oregon was recently put in commission as a part of the Pacific reserve squadron, after having been rebuilt at a cost of more than $1,000,000.

Hillsboro Paving Mile of Streets.

HILLSBORO, Or., Oct. 4.—(Special.)—Within two days the curb for practically one mile of paving will have been laid for Hillsboo's streets. The paving contractors will start laying rock as soon as the weather settles, and they expect that three weeks of day and night labor will complete the rains, the city will plank a narrow roadway through the business section for Winter use.

DETECTIVES FIRST TO ATTACK NAMES

Burns Agency Men Open Portland Hearing of Evidence in Referendum Case.

FRAUDS BY SCORE CITED

Regent Is Plaintiff in Suit to Keep Fight Against University Fund Off Ballot—Defense May Test Every Signature.

C. M. Felton, G. J. Hasson and Frank Dane, employed by the Burns Detective Agency, were the principal witnesses yesterday in the first day's hearing of the referendum petitions case in Portland. The question came up in the shape of a suit by S. H. Friendly, a regent of the University of Oregon, for an injunction restraining Secretary of State Olcott from placing the referendum against the University of Oregon appropriation on the ballot to be printed for the next state election, in November, 1912.

The three men told of scores of forged signatures, names of fictitious persons and names of persons who, if not fictitious, had at least fictitious addresses which they had found on the petitions. Mr. Friendly is represented by W. T. Slater and M. L. Pipes, while on the other side are arrayed several attorneys, including W. S. U'Ren, C. E. S. Wood, E. S. J. McAllister, H. J. Parkison and Harry Yanckwich. The last-named is appearing as personal representative of his former law partner, H. J. Parkison, who is taking no direct part in the proceedings other than in an advisory capacity. Mr. U'Ren was employed as special counsel to assist Attorney-General Crawford, who is defending the suit on behalf of the state.

Stipulation Not Accepted.

Attempts on the part of Attorney Slater to stipulate with the other side and thus be relieved of the monotony of proving the forgery or non-existence of the owner of each individual name by itself came to naught, and the result was that the hearing narrowed down into a monotonous grind. The theory of Attorney Slater is that if he can prove one forged or fictitious name on a sheet it will be sufficient to knock out the whole sheet of 20 names. The sheets are certified to separately on the back by the petition circulators.

Mr. U'Ren takes the position that this idea is absurd as, if such were the case, he declared, it would be easy for designing persons to knock out every initiative and referendum petition circulated, thus making Oregon's direct legislation statutes of no effect. Attorney Parkison, who had charge of the circulation of the petitions, declares that at best no more than 2000 names have been brought into question as yet and that several thousand can be knocked out and there will be still enough left. He says that between 13,000 and 14,000 signatures were filed with the Secretary of State while only 8168 were necessary.

Suspected Names Picked.

Attorney-General Crawford devoted his efforts on cross-examination yesterday to an attempt to show that the detectives had selected only these names which they had reason to believe would prove forgeries. The evidence being given by the Burns men relates only to the names which they found to be forged or fictitious and no mention is made of the names found to be genuine. The trend of Mr. Crawford's examination was such as to bring this fact sharply to the attention of the court.

Parkison is bitter in his feeling against the "Eugene crowd." He declares that the enemies of the referendum commenced their fight against it while the petitions were being circulated and is confident that a large percentage of the forged and fictitious names were put in his lists by "detectives" employed to go to work for him as circulators. When he left for California a few months ago to regain his health Burns detectives, he declared, took advantage of his absence to imprison his circulators and to tell them that he had "skipped" and that they had better "fess up" and to release them after stipulating what they were to testify. As proof of this he points to testimony of Charles F. Matthews, one of the petition circulators, who, at Salem Friday failed to testify as expected.

Fear of Jail Pleaded.

On cross-examination Matthews declared that he had told Manager Kulper, of the Burns Agency, that he had forged signatures to his petition merely for the purpose of obtaining his release from jail, where he was held in default of $1500 bail until he "came through." Harry Koler made similar statements on the witness stand at Salem. In fact practically all the circulators put on the stand declared that they had been promised immunity, the promises coming, they say, from the Burns agency. Several of them were jailed and later released. Matthews was certain that his release was a reward for his "confession."

The decision in the present case will have an immense influence on the future circulating of initiative and referendum petitions and for this reason is almost certain to be fought to the Supreme Court. The principal question involved is: Does the fact that a forged or fictitious signature is proved to be on a petition invalidate all the names on that sheet, generally 20 in number?

If the attorneys appearing in favor of the referendum insist upon forcing the plaintiffs to prove every alleged forged or fictitious signature by itself the case is likely to occupy weeks and possibly months before being finished.

Test May Include All.

As an example of the tensity of the situation Attorney U'Ren objected yesterday when Frank Dane, one of the Burns men, produced what he declared was the genuine signature of a man whose name appeared on the petitions. This man, Dane said, had denied signing. Mr. U'Ren objected on the ground that there was nothing to prove the authenticity of the signature and it went in as an exhibit over his objections. Were this course to be pursued it would be necessary to call as a witness every man whose name the Burns agents declare was forged.

POLICEMAN FACES TRIAL

WARRANT FOLLOWS DISMISSAL IN LOS ANGELES.

Women to Be Extradited as Part of Effort to Ferret Out Corruption in Department.

LOS ANGELES, Oct. 4.—William M. Fitzpatrick, a patrolman, was dismissed from the Los Angeles police force yesterday and held today for trial, charged with having influenced Maud Merrill and Mabel Young, accused of bribery, to leave the state.

He was arraigned in the police court today, pleaded not guilty and asked for a jury trial, which was set for November.

SACRAMENTO, Oct. 4.—As a part of the movement to ferret out the corruption said to exist in the Los Angeles police department, extradition papers were obtained at the office of Governor Johnson today for the return to this state of Maud Merrill and Mabel Young, charged with bribing R. R. Herbert, Philip Marks, Sidney Sweetman and P. Fitzpatrick, former patrolmen under arrest in the Southern city.

The women are under arrest in Seattle. Louis Duni and F. E. Hitchcock left Sacramento this afternoon for Seattle to bring back the women.

TIMES TRIALS DIVIDED

JOHN J. M'NAMARA PROBABLY TO FACE JURY FIRST.

Defense Will Elect Separation and Prosecution Makes Its Choice in Dynamiting Cases.

LOS ANGELES, Oct. 4.—It was said authoritatively today that the McNamara brothers would be tried separately. John J. McNamara will probably be the first to go on trial next Wednesday, according to a statement of one of his counsel.

It is the privilege of the defense to decide whether the accused men shall be tried singly, and in case separate trial be demanded it is the province of the prosecution to specify which shall face the jury first.

Counsel for the defense said today it would ask for separate trials. District Attorney Fredericks admitted today that he was trying to obtain possession of the dynamite, clockwork, correspondence and other alleged evidence found in the possession of John J. McNamara in Indianapolis.

"We may not want the actual dynamite," he said, "but I don't know who could oppose our having the other evidence. If the defense claims these things, it must explain how it came into possession of them."

John J. McNamara will be tried for the alleged murder of Charles Haggerty, a machinist who was killed in the Times disaster on October 1, 1910, when 19 lives were lost.

Alleged Horsethief Caught.

HILLSBORO, Or., Oct. 4.—(Special.)—Sheriff Chester Park of Albion, Idaho, arrived here this morning and started east of the mountains with Fred Moxley, charged with stealing horses. Moxley was under $2000 bonds to answer court at Twin Falls, and jumped his bail. He was captured by Sheriff Hancock a few days ago while visiting with his wife and child near Gaston. Moxley waived extradition, although Sheriff Park had the necessary papers ready for Governor West's signature.

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Thousands are getting rid of indigestion by using MI-O-NA. Here is what one man writes: "I want to speak a good word for MI-O-NA and what it has done for me. I suffered something terrible with dyspepsia and indigestion. It was almost impossible for me to eat anything. Day after day I would go without eating. One day I read your advertisment in the Bangor Daily News. I got a box, and before it was gone I could sit down to the table and eat anything, thanks to MI-O-NA."—Herbert L. Patterson, Brewer, (Bangor), Me.

MI-O-NA stomach tablets are made from the best prescription ever written—they cure to stay cured. They relieve distressed stomach in a few minutes. They are sold by druggists in every town in America. A large box of MI-O-NA costs but 50 cents. Test samples free from Booth's Mi-o-na, Buffalo, N. Y. A post card will do.

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SAPPINGTON IS TREASURER

Forest Grove Man Has Filed Bond for $40,000—Is Native Son.

HILLSBORO, Or., Oct. 4.—(Special.)—E. B. Sappington, of Forest Grove, was today appointed County Treasurer, vice W. M. Jackson, who died September 28. Sappington has been employed by the City of Forest Grove for some months. He is a native son of Oregon and his father, the late J. W. Sappington, was Treasurer in the early '90s. He assumes the duties of the office as soon as his bond is approved.

The new appointee will hold office until January, 1913, and has filed surety in the sum of $40,000.

Husband in Case Found Guilty.

ASTORIA, Or., Oct. 4.—(Special.)—After being out about 20 minutes last night the Circuit Court jury returned a verdict of guilty in the case against Walter A. Vance, on a charge of placing his wife in a house of ill repute. M. S. Mayfield was arraigned today on an indictment charging him with the larceny of an overcoat. E. E. Gray was appointed to defend him and he was allowed until tomorrow to plead. Sidney H. Fletcher, who had been indicted on a serious charge, was arraigned and entered a plea of not guilty.

Judge Eakin to Hold Court Monday.

ASTORIA, Or., Oct. 4.—(Special.)—Judge Eakin will open a regular term of the Circuit Court next Monday. The Astoria court will be adjourned next Saturday, probably until Monday, October 23, although no definite date has been decided upon. There are several criminal as well as a few civil cases to be tried before juries, and this will necessitate an adjourned session of the court that will continue for at least two weeks. Tomorrow the case against Peter Demeteris on a charge of assault with a dangerous weapon will be commenced.

Ashland Changes Pastors.

ASHLAND, Or., Oct. 4.—(Special.)—Rev. H. J. Van Fossen, who has been the pastor of the Methodist Episcopal Church at Ashland for five years past, left today for his new station at Astoria. During his term here a fine new church was built and the pastor and his flock became greatly attached to each other. Monday evening a farewell reception was tendered to the departing minister and a welcome extended by the church to the new pastor, Rev. Mr. Poor, with whom Mr. Van Fossen exchanges charges.

Oregon Gets Three Postal Banks.

WASHINGTON, Oct. 4.—Postoffices at Moro, Amity and Freewater, Or., have been designated as postal savings banks to open for business October 31.

MEN FIGURING PROMINENTLY IN UNIVERSITY REFERENDUM CASE BEING HEARD AT COURTHOUSE.

On Bench, Circuit Judge Galloway, of Salem; Seated, Beginning With Man on Stand and Continuing Around From Left to Right, G. J. Hasson, Burns Detective; A. W. Person, Official Reporter; C. M. Felton, of the Burns' Agency; A. M. Crawford, Attorney-General; Attorneys Harry Yanckwich and E. S. J. McAllister, W. S. U'Ren, H. J. Parkison, M. L. Pipes and W. T. Slater; W. J. Wright, of the Burns' Agency.

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Pape's Diapepsin costs only 50 cents for a large case at any drug store here, and will relieve the most obstinate case of Indigestion and Upset Stomach in five minutes.

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When Diapepsin works, your stomach rests—gets itself in order, cleans up—and then you feel like eating when you come to the table, and what you eat will do you good.

Absolute relief from all Stomach Misery is waiting for you as soon as you decide to take a little Diapepsin. Tell your druggist that you want Pape's Diapepsin, because you want to become thoroughly cured this time.

Remember, if your stomach feels out of order and uncomfortable now, you can get relief in five minutes.

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