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SHORT HAUL RATE ORDER IS ENJOINED

Commerce Court to Investigate Facts.

REDUCTION TO BE DELAYED

Interstate Commerce Commission's Action Questioned.

PRESENT RATES TO STAND

Probably Seen That Decision Will Not Be Given for Several Months, and That Appeal Will Follow Then.

WASHINGTON, Nov. 9.—Expected reduction of trans-continental railroad freight rates was held up today when the Court of Commerce granted a temporary injunction against the order of the Interstate Commerce Commission in what popularly are known as the Spokane and other Pacific Coast points rate cases.

The order was made June 23 and was to have become effective next Wednesday.

The cases involve not only the "back haul" freight rates to Spokane and other inter-mountain points from Pacific Coast terminals, but also the application of the long and short-haul clause of the law. The order of the Commission, particularly in the Reno cases, laid down the principles to be followed by the Commission. The effect of the Commission's order was to reduce the freight rates from Atlantic seaboard points to Inter-Rocky Mountain destinations.

Order Is Suspended. In the reduction of the trans-continental rates, the Commission recognized the effect of water competition on the Pacific Coast, but held substantially that the rates from the East to cities like Spokane and Reno should be lower than the existing rates. The trans-continental railroads appealed to the Commerce Court, maintaining that the order was virtually confiscatory.

In the opinion of the members of the Interstate Commerce Commission, the most important feature of the injunction is the court's questioning of the long and short-haul clause. The court intimated that it proposed to make an investigation of the facts on which the order of the Commission was based.

In the circumstances it is regarded as likely that the cases will not be determined by the Commerce Court for several months and that whatever the judgment of that court may be, the controversy will be carried to the Supreme Court.

NATIONAL LAWS RECOGNIZED

Injunction Regarded as Reopening Case for Water Competition.

That recognition of the natural advantages for competitive transportation enjoyed by seaboard cities, such as Portland, is the basis of the Commerce Court's action in granting an injunction in the Spokane and intermountain rate cases, was the belief expressed yesterday by J. N. Teal, traffic attorney of the Portland Chamber of Commerce, as well as traffic officials of the various railroads in Portland.

"These decisions," said Mr. Teal, "involved the order made by the Interstate Commerce Commission in the Spokane, Reno, Phoenix and other cases. The Commission when the order was made, did not undertake to fix any definite scale of rates, but decided wholly on the question of discrimination. This order provided, for example, that the rate from Missouri River points to Spokane should be no higher than the coast rate; from Chicago it could be not more than seven per cent higher; from Pittsburgh not more than 15 per cent higher, and from New York not more than 25 per cent higher.

"It is thus observed that the basis of the case was the coast terminal rate which the Commission itself found to be affected by water competition. It was argued to the Court that the long and short haul section did not authorize the removal of discrimination by the use of compulsory competitive rate. It was contended by the Coast cities that the proposed basis would take away the natural advantages that they enjoyed by reason of their proximity to the ocean and, therefore, that the construction of the law placed in the hands of the Commission the power to nullify this natural competition and establish discrimination. The law in this respect recognizes discrimination, but aims to prevent unjust and undue discrimination.

"It was argued that if the Commission's theory of the law is correct it inevitably will lead to an inflexible long and short haul clause, as it would be constantly contended that certain rates were unjust."

PROFESSOR DENIED HONOR TILL DEATH

BUST OF REVERED TEACHER IS BARRED FROM CAMPUS.

Washington Students in Arms Because Regents Spurn Tribute to Educator Much Beloved.

SEATTLE, Wash., Nov. 9.—(Special.)—If Professor Edmund S. Meany, affectionately called "The Ideal Alum" by hundreds of University of Washington students and alumni, were dead, his bust might be unveiled in Meany Hall, but since he is alive, the regents declare that an old rule preventing the honoring of anyone in this way in his lifetime will be enforced, and that the unveiling cannot take place.

The students behind the movement are not in the least backward in expressing their opinions. Orvis Gladden, manager of the Washingtonian, the varsity literary monthly, says: "There is absolutely no reason why the bust of James J. Hill, who was very much alive when it was erected, should be given precedence over that of Professor Meany. The regents set aside the ruling in the case of the railroad magnate. Why not in that of a man whom all the students love and wish to honor?"

Two years ago, when the fine brick auditorium used at the A-Y-P Exposition was turned over to the University, the students asked that it be named Meany Hall. The regents refused, but the students took up the campaign through their college daily and now Meany Hall is the accepted, though not official, name of the building.

VOTING SCHOOL IS PLAN

Women Socialists to Be Instructed in Mysteries of Citizenship.

LOS ANGELES, Nov. 9.—(Special.)—The latest thing in the educational line is the voting school for women. One will be established by the women of the Socialist party in every voting precinct in the working districts and where the Socialist candidate for Mayor, Job Harrison, has a strong following.

PIONEER KILLED BY CAR

M. J. Gleason Is Run Down at Fifth and Taylor—Ten Children Left.

Unable to hear the approach of a streetcar at Fifth and Taylor streets last night, because of partial deafness due to his advanced age, M. J. Gleason, of 363 Seventh street, a gardener and a pioneer of the Oregon country, was killed by the car. His skull was fractured and he died in the Red Cross ambulance on his way to St. Vincent's Hospital.

Although 67 years old, Mr. Gleason was robust, and his only weakness, a partial loss of hearing, was the cause of his death. He worked at gardening last Summer.

Mr. Gleason came to Oregon in an ex-cart in 1859 and lived in Portland for 40 years. He leaves a widow and ten children. He was a member of the Ancient Order of Hibernians.

POUND DOGS' FUTURE \$AD

Captured House Pets to Be Sold to Doctors and Cut Up.

Any doctor who wants a supply of stray dogs for use in medical research will be liberally supplied by the City Poundmaster at the rate of \$2 a dog. This was the decision yesterday of the street-cleaning committee of the Executive Board.

The question of letting doctors have the dogs was brought up when Dr. E. A. Rich applied for animals to be used in a medical school. He explained to the committee that the animals would not be mistreated or cut up until after they had been chloroformed.

The price of \$2 a dog was set in accordance with the ordinance permitting owners to reclaim their pets.

CLERGY "AMUSE" LUNATICS

State Pays Preachers \$3 Apiece for Exhorting Asylum Inmates.

SALEM, Or., Nov. 9.—(Special.)—Whether the exhorting of four preachers is "amusement" for the inmates of the asylum is a problem that has been puzzling the auditing department of the Secretary of State.

A bill for services of preachers at \$3 apiece has been received. As no special fund is laid aside for special services of this nature, the voucher was marked "amusement expenses." The bill will be paid as such.

PREACHERS SWAY RODGERS

Ministers Protest Against Start of Flight to Beach on Sunday.

PARADENA, Cal., Nov. 9.—Ministerial objections may cause Aviator C. P. Rodgers to start Saturday instead of Sunday on his flight to Long Beach, which technically will complete his coast-to-coast air journey.

GERMAN REICHSTAG SHOWS HOSTILITY

Morocco-Congo Deal Is Plainly Unpopular.

BRITAIN HOTLY ATTACKED

All Four Leading Parties Assail Von Bethmann-Holweg.

SENTIMENT IS BELLICOSE

Commotion Follows Declaration That "German People Will Give German Answer to This English Question."

BERLIN, Nov. 9.—That Chancellor von Bethmann-Holweg's position is badly shaken is the only possible verdict on today's debate in the Reichstag in the Morocco-Congo treaties. After his speech had fallen flat, speakers of the four leading parties, Conservatives, Clericals, Liberals and Socialists, attacked his arguments and vied with each other in criticizing the agreement.

The defection of the Conservatives and the Clericals from the government's bodyguard was an especially severe blow. Every speaker defended Dr. von Lindequist, who recently resigned as Secretary of State for the Colonies. Under demonstrations of approval from the whole house, the speakers all disagreed with the Chancellor's position that the treaties terminated French hostility to Germany and insisted that the Reichstag must have a voice in deciding the fate of the treaties.

Refutation Insisted Upon. Baron von Hertling, Clerical, said the treaties would require the assent of both the Reichstag and Bundesrath.

Herr von Heydebrandt, who was called the "uncrowned king of Prussia," while defending the Emperor's prerogative, said that the treaties must be referred to committee for further discussion.

Herr Bebel, the Socialist leader, demanded a constitutional amendment specifying that all colonial treaties shall be subject to the decision of the Reichstag.

The debate called out many sharp attacks upon England, which were greeted with applause. The chief attack was made by Herr von Heydebrandt and was astonishingly bellicose.

Lloyd-George Hotly Answered. Referring to Chancellor Lloyd-George's well-remembered speech, he

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The Weather. YESTERDAY'S—Maximum temperature, 41 degrees; minimum, 25 degrees.

TODAY'S—Rain or snow; continued low temperatures; changeable winds; brisk southwestly blasts local.

Foreign. German Reichstag hostile to Chancellor, who explains Morocco-Congo settlement. Page 1.

Forbidden City and Peking legations preparing for expected siege. Page 1.

Italy accuses Turks and Arabs of violating rules of war. Page 4.

Physician takes office as Lord Mayor of London. Page 6.

National. Injunction delays indefinitely reduced freight rates in "Pacific Coast cases." Page 1.

Lincoln's birthplace accepted by Taft as National preserve. Page 2.

Enormous deposits of rock phosphate discovered in Western States. Page 7.

Domestic. Jury accepts Lee Shubert's word against Home Industry League charges that Federal bureau ignores Pacific Coast. Page 1.

Opponents of Owens bill declare doctors seek monopoly. Page 3.

Banker, capitalist and retired farmer passed for cause on McNamara jury. Page 3.

Witness in Lorimer case tells of suggestion to "sprinkle a little change." Page 3.

Mormon missionaries testify to ugly orders; leaders deny. Page 7.

Rail men gloomy because of liability law. Page 7.

Sports. Washington betting favorite in game with Oregon. Page 8.

Cruiser Philadelphia eleven will arrive today for game with Multnomah. Page 9.

Northern. Young engineer, with dual mind, says he fears return of "other man." Page 1.

Northern Pacific heads in Washington to go to Indiana, rules Federal Circuit Court of Appeals. Page 6.

Angrry Idaho citizens put to rest collectors of obnoxious poll tax. Page 10.

Vancouver young woman sits as Judge in case of request of attorneys. Page 10.

Commercial and Marine. Fort of Portland Commission cancels \$50,000 block of bonds. Page 20.

Probable course of sugar prices later in season. Page 21.

Wheat higher at Chicago because of snow and cold in Canada. Page 21.

Stocks rise rapidly on enormous transactions. Page 21.

Portland and Vicinity. Official charter commission files draft of proposed new city laws. Page 4.

O-W. R. & N. extension from North Yakima to Pagar Sound is hope of Robert E. Struborn. Page 14.

Ex-Mayor Simon and ex-City Engineer Morris testify in suit against Hessian Ferry Company. Page 14.

Portland has first snowfall of season. Page 14.

SIEGE IS AWAITED IN FORBIDDEN CITY

Princes Believe End Is Drawing Near.

LEGATIONS ARE PREPARED

Excesses Feared if Uprising Is General in Peking.

REBELS DISTRUST CONSULS

Attitude of Foreign Governments Toward Movements of Troops Is Criticised—Head of Murdered General Stolen.

PEKING, Nov. 10, 8:53 A. M.—Peking is still awaiting the approach of the rebels. The Forbidden City is filled with Princes, high officials and others who are entitled to entry within its gates.

Yeast stores of provisions have been transported to that place, which is strongly guarded, is ready for a siege.

Active preparations for what is considered the inevitable assault upon the capital are going on within the legation quarter, for it is now conceded that the Manchus will be turned out. Foreigners, it is asserted, will be fully protected, but experience has taught them that the temper of the people is not to be trusted when revolutionary movements are in progress.

Relief Army Not All Loyal. While reinforcements have reached Peking, reports have been received of numerous defections of the Manchu soldiers to the rebel side.

The rebel leaders are an uncertain quantity, but there are still loyal regiments fighting for the dynasty.

At Nanking, where the revolutionists outnumber the imperialists five to one, the latter still hold Purple Mountain. They are strongly entrenched and are said to have abundant supplies.

An American who is in close touch with the Tien-tsin rebels says they are divided into two factions. The conservative faction probably will control and wait until there is a material force behind it before taking over the city.

At present only 2500 police within the city support the rebels.

Distrust of Foreigners Shown. The attitude of foreigners is causing anxiety and distrust among the rebels.

The rebel leaders point out that the Consul has permitted the government to bring in soldiers, contrary to the protocol of 1910, and have objected to General Chang's bringing in troops.

Foreign railway officials, they say, (Concluded on Page 5.)

JURY DISBELIEVES LILLIAN RUSSELL

SHUBERT'S VERSION OF CONTRACT ACCEPTED.

Modistes Sue on Bill for Costumes, Which Actress May Have to Pay Out of Own Funds.

NEW YORK, Nov. 9.—(Special.)—In a further hearing in the suit brought by the Osborne Company, modistes, against the Shuberts, theatrical producers, for the recovery of \$1117 for costumes in the musical comedy "Lady Teazle," in 1904, Lee Shubert was chief witness today, replacing Miss Lillian Russell, who previously had occupied the witness stand.

Shubert denied Miss Russell's statement that he or the Shuberts had agreed to pay for her costumes in "Lady Teazle" and said that when he and his brother Sam suggested that \$10,000 was insufficient to reimburse them for the cost of the production, Miss Russell said:

"Why, I shall furnish my own costumes, and that will relieve you of a large item of expense."

The jury was out about 15 minutes and returned a verdict for the defendants.

DOG'S BITE IS JUSTIFIED

Judge Decries Animal Blameless When Man Steps on Tail.

SEATTLE, Wash., Nov. 9.—A dog has a right to bite a man who steps on the dog's tail.

This, in effect, is the ruling made by Judge Ronald today, when he found for the defendant in a suit involving a claim for \$4500 damages for a dog bite.

It appeared from the testimony that the dog sank his teeth in Samuel Lavagnburg's leg only after Lavagnburg stepped on his tail. In addition there was no showing that the dog was a vicious animal. "Spot," a well-groomed setter, occupied a prominent position in a corner of the courtroom and aided in the defense by allowing people to walk around him without offering to bite.

TWENTY PAROLES GRANTED

None of 25 Applications Through Executive Office Allowed.

SALEM, Or., Nov. 9.—(Special.)—After passing on 25 cases, the Parole Board adjourned today, deciding to allow 20 paroles under the indeterminate sentence law. Under the new ruling of the Governor, which places in the hands of the Parole Board all applications for paroles and commutations which come to the executive offices, the Board passed on 25 such applications and refused to grant any of them.

The second Tuesday of each month was placed as the regular meeting date for the Board. Superintendent James, of the penitentiary, and James R. Lynn, of this city, were the only members present. John F. Logan, the newly-appointed member, is in the East.

MORE PUBLISHERS IN JAIL

Secretary and Director of Columbian-Sterling Company Arrested.

NEW YORK, Nov. 9.—(Special.)—Two more arrests were made today in connection with the alleged misuse of the mails by officers of the Columbian-Sterling Publishing Company, publisher of the Hampton-Columbian Magazine. The prisoners are Lee Sidwell, secretary, and Eugene A. Yates, director.

Wilson, arrested before Commissioner Shields, Sidwell and Yates were placed, at the request of Assistant United States Attorney Brown, under \$10,000 bail each for examination November 14.

Frank Orr, president, and John F. B. Atkin, general counsel of the company, are in the Tombs in default of \$10,000 bail.

MONTHLY PAYROLL GROWS

Portland Postmaster Disburses Total of \$65,000 Every 30 Days.

The payroll that Postmaster Merrick disburses monthly amounts to an average of \$65,000, and totals annually nearly \$800,000. In connection with the Postoffice directly are 483 employees, segregated as follows: Officers and clerks, 197; regular city carriers, 165; laborers, 8; clerks in charge of contract stations, 34; rural carriers, 2; building employees, 18; substitute city letter-carriers, 22; substitute clerks, 25; substitute rural carriers, 2.

In addition to these are 125 railway mail clerks, all living in Portland, who are paid by Postmaster Merrick and this is the distributing point for the salaries of 220 rural letter-carriers for the entire State of Oregon.

RAILWAY MERGER HINTED

New York Central Lines Will Be Consolidated, Is Rumor.

CHICAGO, Nov. 9.—Rumors of a merger of all the New York Central lines, under one general financial and operating management attended the visit to Chicago today of William C. Brown, president of the lines and W. K. Vanderbilt, Jr., Harold Vanderbilt, W. N. Newman, Marvin Haight, H. B. Leonard, C. E. Daly and C. P. Schaef.

None of the visitors would discuss the report.

Such a reorganization of the railroads mentioned would be one of the largest readjustments of railroad finances ever made in America.

DUAL MAN FEARS RETURN OF 'OTHER'

"Mistaken" Mother Object of His Sorrow.

YOUNG ENGINEER YET BAFFLES

Mrs. Leiberg Says Her Son Was Youthful Prodigy.

LOGGER'S LEARNING DEEP

Physician Who Examines Wanderer at Eugene Says Identity Has Been Lost, but May Be Restored.

EUGENE, Or., Nov. 9.—(Special.)—"Someday, the real Bernard Marvin will hear of all this fuss that is being stirred up here about dual personalities and lost memories, and come back to this town, and then there will be an awful row," was the statement made today by the man who in the face of all the entreaties of his almost heart-broken mother, maintains that he is George A. Lewis, a working man, and not Bernard Marvin, the son of Mrs. Leiberg, and a Berkeley graduate.

"He will be one of the maddest men in the United States," he continued. "I am mighty glad that I have kept clear in the matter, all the way through. He can't have anything on me when he does come back. They have asked me a lot of questions about where I have been since this man disappeared, but I have kept still. I have been around over the country a good deal, and I may have been somewhere that he was. This woman connects me with the case in spite of myself."

Mother Positive of Son. His case is a complete puzzle to all who have spoken to him. It is beyond human belief that a mother could be mistaken in her own child, when she had seen him less than two months ago. Mrs. Leiberg is a practicing physician, and a woman of brilliant education and wide knowledge of the world. She does not even attempt to verify her knowledge, because she is positive.

On the other hand, Marvin, who pretends that his name is Lewis, is equally positive that he is a strange victim of a case of mistaken identity. He talks rationally and clearly, and when listening it is almost impossible not to believe him, for he is so unmistakably sincere. His hair, as it is, is the same as it was two months ago, is the only fractional mark about him.

"If there is a man in the world whom I would like to meet more than any other," said he today, "it is this Bernard Marvin. Imagine yourself being taken for her son by a woman you never saw before. I read a story not long ago where a woman mistook a man for her husband, and was positive for a long time that she couldn't be mistaken, but I never supposed that I would find myself in almost the same position. It is unheard of. I sometimes get to wondering, myself, if it could be true, but I know who I am."

Marvin to Return, He Says. "Of course it is all a strange and unusual case of mistaken identity. It can't be anything else," Dr. Leiberg is entirely sincere, and honestly thinks I am her son. I am mighty sorry for her, and wish I could help her. She is simply mistaken. I don't blame her for anything, and she has treated me well.

"It is my opinion that this man Marvin has gone to Portland, and that something has happened to him there. It is likely that he has been shanghaied, and shoved onto some ship. Such things are done. In that case, as soon as he can get to some port, he will cable his mother. I expect to hear of some such thing. There is no reason to think even if he has been shanghaied, that he will be badly treated. I was talking to a seafaring man not long ago, and he said that in all his experience, he had never known a man before the mast to be struck by an officer.

Scholarly Studies Attract. "I am going to keep close track of this case. If anyone is interested in knowing about this man Marvin, I am, I have taken good care to establish the fact that I am not trying to pass myself off for him, so he can have nothing against me. I hope he may be heard from before long."

Marvin is anxious to get to work again, and is tired of the inactivity of the past week. He is very favorably impressed with Eugene as a pretty town, but deplores the publicity that his peculiar situation has brought him.

"I would like to find an opening for work here in this town," he said, "but of course it is impossible now. I am a marked man after this, and people turn around and point me out on the street."

"I am going to look for something better than just working with my hands, anyway. There is nothing in it for the plain working man. I am going to get into something that takes headwork, and that has some future to it."

He would like to go into either (Concluded on Page 6.)

