



## SCHIFFS WANT TO TELL THEIR SIDE

Lawyers for State in Brandt Case Object.

## COMMISSIONER IN DOUBT

Hand Will Confer With Governor Dix About It.

## INQUIRY WILL NOT DROP

New York Executive May Yet Pardon Valet—District Attorney Fights to Prevent ex-Employers Getting Immunity.

NEW YORK, Feb. 20.—(Special.)—With Delaney Nicol, counsel for Howard S. Gane, insisting that Mortimer L. Schiff, Mrs. Schiff and Mr. Gane have an opportunity to testify and Attorney-General Thomas F. Carmody and District Attorney Whitman declaring that it would be highly improper to allow any of them to take the witness stand because of the immunity it might afford from prosecution is any conspiracy action that might follow, the first hearing before Richard L. Hand, the commissioner appointed by Governor Dix to inquire into the case of Foulke E. Brandt, ex-valet to Schiff, who seeks freedom from a 30-year term for burglary, came to an end this afternoon.

It was a stormy session throughout, with Mr. Nicol persistently dragging the name of Mrs. Schiff and maintaining that Brandt had based his appeal for executive clemency on a lying story to the Governor.

Brandt would spare women. With equal vigor Mr. Carmody and Mr. Whitman insisted that Brandt had never asked consideration from anybody on such a plea, and Mirabeau L. Towne produced a statement from Brandt in which the prisoner declared that he would rather go back to prison and serve out his term than have the name of any woman member of the Schiff household dragged into the case. Commissioner Hand wavered back and forth in trying to decide just what he ought to do. It was plain that his own interpretation of his duty as a commissioner hearing evidence to support a plea for pardon from a convict, was that he should hear all witnesses that presented themselves.

Commissioner Hand Wavers. So forceful and persistent were the arguments of Mr. Carmody and Mr. Whitman against such a course, however, that Mr. Hand wavered at a time when it seemed certain he was about to rule in favor of Mr. Nicol and decided that the matter was of such great moment that he would not decide it without first going over the situation with Governor Dix himself. He accordingly adjourned the hearing for a week but it is doubtful if there will ever be another hearing in the case.

Justice Gerard announced late this afternoon that he has completed his decision on the writ of habeas corpus sworn out for Brandt by Mr. Towne and that he will hand it down tomorrow.

Dix May Yet Grant Pardon. The Hand decision, it is believed, will sustain the writ. With it will come an end of any hearing on an appeal for executive clemency because it will automatically place Brandt in the position of a man under indictment who has never been tried and therefore not a subject for the exercise of the Governor's pardoning power. Unless Justice Gerard hands down his decision early tomorrow, however, there is a chance that the Governor will forestall him by granting the full pardon, although without the testimony of Mr. and Mrs. Schiff and Mr. Gane before him, he has nothing further on which to act than he had two weeks ago when he denied the appeal for a commutation of sentence and nixed the papers in the case.

Inquiry Will Not Be Dropped. District Attorney Whitman has his plans made for either contingency. If a writ is sustained by Justice Gerard, Mr. Whitman will go before Judge Rosalesky and move the quashing of the two indictments against Brandt. One of these is for burglary in the first degree, the other for felonious assault.

If Governor Dix hands down a pardon for Brandt before the writ is decided, the prisoner will immediately be set free. Mr. Whitman will take charge of it, it is said, and will use him as a witness in the grand jury inquiry into the charge that he was the victim of a conspiracy. In either event, the District Attorney has no idea of abandoning his inquiry.

Explosion Panic Fatal. 29 Hurt, One of Whom Will Die, in Picture Show Disaster.

WHEELING, W. Va., Feb. 20.—In an explosion and panic in a moving-picture show at Albrightsville, Preston County, West Virginia, 29 persons were injured tonight, one fatally.

Some of the 29 injured are said to be fatally hurt.

## ATHLETIC CO-ED LANDS KNOCKOUT

WHITMAN GIRL FRESHMAN PUTS ASSAILANT TO SLEEP.

Georgia McManus Swings Hard Right to Jaw and Ruffian Who Accosts Her Takes Count.

WALLA WALLA, Wash., Feb. 21.—(Special.)—When a well-dressed ruffian stepped from behind a tree on Thayer avenue last night and seized Georgia McManus, a college student, by the arm, she swung a heavy right to the point of his jaw and he went down. And he stayed down, too, until Miss McManus was out of striking distance. She was not out of striking distance, however, with the gloves and takes gymnasium lessons at the college. And when the man grabbed her he made the mistake of taking hold of her left arm, leaving her right free.

Miss McManus has a good right, as her assailant ascertained, and she caught him unprepared for such vigorous resistance. She had just passed Clinton street and the darkness is emphasized there by tall locust trees. When the man, who appeared to be well dressed, stepped out and took hold of her arm she lost no time but struck and struck forcibly. No clue to the assailant was found, as it was so dark Miss McManus could not see his face, and she did not wait for him to recover from his shock.

Miss McManus is a freshman in the college and her home is in Odessa, Wash.

## CLARK IS FOR BORAH BILL

Speaker Enlisted in Fight to Make Better Homestead Terms.

OREGONIAN NEWS BUREAU, Washington, Feb. 20.—Speaker Clark today became interested in the Borah-Jones three-year homestead bill and gave his promise to use his best efforts to have it favorably reported by the public lands committee and passed by the House.

Senator Borah this afternoon had a long conference with Mr. Clark with reference to this bill, explained fully the hardships now encountered by the homesteader and told him of the interest exhibited by the entire West in shortening the homestead period and granting leave of absence to settlers during winter months.

Speaker Clark was quickly convinced of the merits of the bill, and not only promised to give it his attention and support, but said that he probably would make a speech in its behalf while it was under consideration in the House. With these assurances from the Speaker, Senator Borah feels there is now a good prospect of getting his bill enacted in substantially its present form at the present session, notwithstanding the adverse report of Secretary Fisher.

## LEAP YEAR PROPOSAL WINS

Rich Man Falls in Love With Hello Girl's Voice—She Pops Question.

SANTA BARBARA, Cal., Feb. 20.—(Special.)—Caesar Latilade, aged 53, one of the heirs to property valued at nearly \$2,000,000, is one of Santa Barbara's victims of leap year proposals. Latilade was a bachelor and often remarked that Cupid would never ensnare him.

When telephoning in Ventura during a visit there a few weeks ago, he was completely hypnotized by the voice that answered his request for a number. He could not resist the temptation to go to the central office to see the possessor of the musical voice. He admits that he fell deeply in love at first sight, the "hello" girl being Miss Cassie Ruiz, a beautiful young woman of 26 years.

Friends say Miss Ruiz, a short time later, proposed marriage, and the confirmed bachelor assented. The couple were married this afternoon at Ventura and left at once for San Diego and the Grand Canyon.

## Y. M. C. A. INDORSES POOL

Whitman Association Would Put Tables in College Dormitories.

WALLA WALLA, Wash., Feb. 20.—(Special.)—That the college students may not have to frequent poolhalls in order to play the game, the Y. M. C. A. of Whitman has taken up a movement to have billiard and pool tables put in the Billings Hall dormitory for the use of the boys. This movement is finding a hearty response and it is believed there will be no opposition. Local men are donating money for the purpose.

George Cole, student manager, who last year was expelled from the Methodist conference for dancing and upholding card playing, but who was later reinstated, is at the head of the movement for the billiard and pool tables. He is a senior, chairman of the managerial board, one of the best athletes in school and one of the most popular men of the institution.

## COMMISSION RULE GAINS

Three South Dakota Towns Vote in Favor of New Form Government.

MADISON, S. D., Feb. 20.—The commission form of government was adopted at a special election today. The vote was 365 for to 70 against.

LEAD, S. D., Feb. 20.—In an election in which a light vote was cast, the commission form of government was adopted here today.

At Belle Fourche the commission plan was also adopted.

## HOOSAC TUNNEL IS COLLISION SCENE

Famous Portal Will Be Blocked for Days.

## FOUR TRAINMEN ARE KILLED

Express Train Is Warned, but Brakes May Have Failed.

## PASSENGERS ARE SAVED

Freight Cars Catch Fire and Heat Is So Intense It Causes Roof to Crack and Fall—Locomotive Not Injured.

NORTH ADAMS, Mass., Feb. 20.—Four trainmen are dead and Hoosac Tunnel is blocked so effectively that it may be several days before the tracks are cleared, as the result of a rear-end collision between a freight train and a Boston-bound express on the Boston & Maine Railroad late today.

The passenger train was not damaged seriously, with the exception of the electric engine which was drawing it, but several cars of the freight were demolished and the wreckage took fire.

Heat in Tunnel Cracks Roof. The heat in the portal was so great that portions of the tunnel roof were cracked off and fell to the tracks. The dead are Archer L. Simmonds and Henry Gregg, engineer and assistant on the electric engine; Luther Davis, a "learner" on the motor, and Reuben Kemp, flagman on the freight train.

The accident happened 2500 feet from the east portal of the tunnel. The freight train had been stopped near the farther end of the four-mile shaft and Kemp went back to warn the express. He succeeded in stopping the express and then got aboard the engine, which proceeded cautiously toward the freight.

Freight Cars Catch Fire. For some unexplained reason, possibly because the brakes refused to work, the electric engine failed to stop as it neared the rear of the freight train and a moment later there was a crash.

This was followed by an electric display and a burst of flames and then the rear freight cars took fire. A steam locomotive attached to the passenger train behind the electric engine escaped injury. To save the passengers from suffocation the engineer immediately backed away.

Wreckage Still Burning. It was not until 7 o'clock, however, that the train finally emerged into the open air.

Later tonight the wreckage was burned.

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## TORNADO FATAL TO EIGHT

Fifty Others Injured in Great Wind Storm in Louisiana.

SHREVEPORT, La., Feb. 20.—Eight persons are dead and about 50 injured as the result of a tornado which swept through the western outskirts of Shreveport late today.

The dead are negroes, with the exception of the 3-month-old baby of A. J. Mathews, whose home was demolished. In the city proper no damage was done.

## SEATTLE CHOOSES GILL BY BIG VOTE

Renomination of Ex-Mayor Is Certain.

## COTTERILL AND PARISH CLOSE

Recalled Official's Vote Large in Every Section.

## WOMEN RUSH TO POLLS

Single-Tax Candidate Makes Hard Race—Socialist Carries Some Districts—Election to Be Held March 5.

SEATTLE, Feb. 20.—Hiram C. Gill, elected Mayor two years ago and removed by the recall in less than a year, finished at the head of the poll in the nominating primary for city officers today. It is estimated that he polled 25,000 votes.

Late returns show Parish and Cotterill running neck and neck and there is doubt as to which will oppose Gill in the election. Complete returns from 135 out of 231 precincts give Gill 11,574, Parish 8564, Cotterill 5702, Wells 4149.

Socialist H. H. Himmelman. Hulet M. Wells, Socialist, was eliminated. The Socialists polled nearly as large a vote as they expected, about 10,000. These figures are based on an estimate that 60,000 votes were cast.

Gill's vote is so very large that politicians tonight say there is small chance of beating him in the final election, March 5.

The result today is taken to foreshadow defeat of the single-tax and all other reform proposals to be voted on March 5, both Gill and Parish being opposed to them.

Heavy and fast voting was reported from all precincts, the women voters being almost as numerous as the men.

Gill's Success Conceded. The primary will eliminate all but two candidates, and it is conceded that Gill is one of the two successful men. Gill was removed from office a year ago by the recall, the petition for which accused him of making Seattle a resort for criminals. Gill's Chief of Police, Wapenstein, is under sentence to serve two years in State Prison for accepting a bribe.

Cotterill is the National head of the Independent Order of Good Templars, Parish was until recently State Tax Commissioner.

The contest was one of the most hotly fought in the history of the city, and the newspapers played a prominent role in the campaign.

## AVIATOR FLITS O'ER ERIE; IS INJURED

SANDT FALLS WHEN TEN MILES OUT ON GREAT LAKE.

## BURDEN PUT ON HOSIERY

Democrats in Quandary Over Deficit Caused by Free Sugar.

## FREIGHT TO BE CHECKED

Railroads Make Concession for "Clean Bills of Lading."

SAN FRANCISCO, Feb. 20.—Attorneys representing 35 railroads agreed before the State Railroad Commission today, to meet the demand of shippers for the issuance of "clean bills of lading."

Heretofore the railroads have refused to be accountable for shortages in freight wagons, the carriers' agents had not checked personally the goods to be shipped. Shipping interests insisted that all freight should be so checked off, and this demand was acceded to today by the railroad attorneys.

The companies refused, however, to be held responsible for goods shipped from sidings or spur tracks between stations.

Whole State Urges Selling. With the elimination of Mr. Fulton and Mr. Garin as possible candidates, those seeking the retirement of Mr. Bourne directed additional pressure on Mr. Selling, who late yesterday concluded to comply with their requests. More than a month ago Mr. Selling was besieged by personal friends from over all the state to become a candidate against Mr. Bourne and, although he took the subject under serious consideration, it was not until yesterday that the insistence of the demands became so imperative that they could no longer be resisted.

When these personal appeals, which could only be numbered in the hundreds, became so numerous, Mr. Selling three weeks ago concluded, before reaching a decision to ascertain to his own satisfaction and first-hand from the voters, the extent to which the demand for his candidacy existed. Accordingly he mailed a circular letter to every registered Republican voter in the state, requesting an expression as to whether he should contest with Bourne for the Senate.

Response Is Flattering. The response from these circular letters was surprising both to Mr. Selling and his friends. They were a flattering tribute to the Portland man and the high regard in which he is held throughout the state, both as a progressive Republican and a business man, whose integrity is and always has been unquestioned. In all Mr. Selling received between 11,000 and 12,000 replies. Others are continuing to arrive at the rate of from 500 to 600 a day. Of these 85 per cent of the authors urged Mr. Selling to enter the contest and pledged him their active and enthusiastic support.

Bourne Generally Disliked. The letters almost uniformly expressed dissatisfaction with Mr. Bourne. Between 3000 and 4000 of the Republicans writing declared emphatically they would support a Democrat in the election in preference to Bourne, if the senior Senator should receive the Republican nomination. The sentiment most generally expressed was an aversion to having longer a "non-resident, non-taxpaying" Senator from this state. Those registering their opposition to Mr. Bourne were just as pronounced in their declaration that they would support a "progressive" Republican to succeed him, and for that reason urged Mr. Selling to get into the contest.

"Oregon today is represented at Washington by two Senators, one a Republican and the other a Democrat," said Mr. Selling, last night. "The prospect is not bright."

## STORK IS EYEING ASTORS

Visit Is Expected by Colonel and His Bride in July.

NEWPORT, R. I., Feb. 20.—(Special.)—Society circles heard today that the stork was expected to make a visit in July to Colonel John Jacob Astor and his bride, who was Miss Madeline Force, of New York. Colonel and Mrs. Astor are now in Egypt.

The servants at the Astor place have received instructions to close up the big "cottage" in this city and go to New York to make the Fifth-avenue mansion ready for the return of their master and mistress, who will come home late in May.

## SELLING DECIDES TO OPPOSE BOURNE

Portland Man Heeds Pleas of Voters.

## THOUSANDS PLEDGE SUPPORT

Candidate Is to Resign From Taft Body to Campaign.

## PLATFORM READY SOON

Oregon Lawmaker Receiving Flattering Response From Citizens Over All State Makes Up Mind to Seek Congress Post.

Responding to a state-wide demand, Ben Selling, State Senator from Multnomah County and for 40 years a business man of Portland, announced yesterday that he would be a candidate for United States Senator to succeed Jonathan Bourne. Mr. Selling will retire immediately, not only as chairman but as a member of the Portland Taft committee and will devote his personal attention to the Senatorial candidacy. In a few days, Mr. Selling will issue a formal statement of the principles on which he seeks the office of Senator.

Entrance of Mr. Selling into the Senatorial contest is the result of important developments in the Republican political of the state in the last month. From all sections of the state came a demand from the party voters for a candidate who could represent the state and its great and growing interests at Washington properly.

Several Decline to Run. A number of prominent Republicans were approached and urged to become candidates, but they declined. Friends of C. W. Fulton, ex-United States Senator, pleaded with him to oppose Bourne, but after mature deliberation he declined to become a candidate. In doing so, he issued a statement, expressing the belief that he did not consider himself the most available man for the office and for that reason did not desire in any way to jeopardize the interests of the Republican party and the people of the state by contesting for the nomination.

Democratic Friends of John M. Garin, also ex-United States Senator, urged him to seek his party's nomination, in the belief that he was not only eminently qualified to represent the state in the Senate, but that he would be able to defeat Bourne should the senior Republican Senator be successful in the Republican primaries. Mr. Garin also declined, however, and would not qualify as a candidate.

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