

LAND WITHDRAWAL BY TAFT HELD VOID

Ruling Says President Usurped Power.

3,000,000 OIL ACRES INVOLVED

Right of Congress to Allow Entry Remains Supreme.

APPEAL IS NOT EXPECTED

Legal Principles on Which Decision in "Billion-Dollar" Case Is Based Considered Most Important by Judge Doelling.

LOS ANGELES, June 1.—The conservation order of ex-President William H. Taft withdrawing from entry nearly 3,000,000 acres of oil lands in California was declared invalid in a decision rendered by Judge M. T. Doelling, of the United States Court, and placed on file here today. The court held that the President of the United States had no power to withdraw lands from entry.

The question, however, of whether the vast area affected by the order of the former President shall revert to the status of a domain of free exploitation depends upon the decision of the United States Supreme Court in the Midwest Oil Company case, which involves 17,000 acres of oil land in Wyoming. This case has been before the Supreme Court for some time and a final adjudication is expected this month.

Decision Is Climax.

The decision of Judge Doelling today was the climax of what had become famous in Western court annals as the "billion dollar case." In September, 1909, President Taft issued an executive order withdrawing from entry 3,041,000 acres of oil lands in the West. Of this 2,871,000 acres comprised the Midway field of California. The rest was in Wyoming.

In the following January the United States Government began an investigation of operations by oil companies on unpatented land and as a result suits were filed involving scores of oil companies, including the Midway Northern, on which the decision today of Judge Doelling was based; the Standard Oil Company and the General Petroleum Company.

Taft's Order at Issue.

The Government asked for a receiver for the companies involved, and also sought an injunction to restrain further development work. In the suits the Government alleged that the land withdrawn was sought as a source of fuel supply for the Navy but the withdrawal order of Mr. Taft stated merely that its purpose was to aid conservation legislation then in contemplation. A year ago the companies affected filed their answers, holding that the Taft executive order of withdrawal was invalid because it had not been previously sanctioned by Congress. This was the same argument advanced in the Wyoming case, and Judge Doelling's decision today was the same as that rendered by the court in Wyoming.

Appeal Not Expected.

It is not expected, therefore, that the Government will appeal the California case. G. W. Helm, special agent of the Land Office, who was appointed temporary receiver of the oil companies by Judge Doelling, said tonight that the status of the land and corporations involved probably would remain as they were until the Supreme Court hands down the final decision in the Wyoming case.

At the time of the issuance of the withdrawal order and at the time the defendants made entry upon the land there was in force and still is in force, according to the decision, a statutory provision by which all valuable mineral deposits on lands belonging to the United States "are hereby declared free and open to exploration and purchase; and the lands in which they are found, to occupation and purchase."

Congress' Authority Supreme.

"Congress having the executive power to dispose of the land in question," the ruling continues, "and to make all needful rules and regulations in relation thereto, and having declared the minerals therein to be free and open to exploration and purchase and the land itself to occupation and purchase, under the placer mining laws, the operation of such laws should not be interfered with by any other department unless a clear authority exists for such interference."

It was held clear by Judge Doelling, however, after reference was made to several court decisions, that while withdrawal orders have frequently been upheld that "no general power of withdrawal exists."

"I find no case broad enough," he says, "to cover the withdrawal of more than 3,000,000 acres of land from the operation of mineral land laws whether in aid of proposed legislation as stated in the order or for the purpose of securing a supply of fuel oil for the Navy," as stated in the bill.

"I am fully aware of importance of these and kindred cases, because of the magnitude of the interest involved. But they are still more important because of the legal principles upon which they must be determined."

SENATOR CUMMINS IS RENOMINATED

IOWA RUNS UP BIG MAJORITY FOR TOGA WEARER.

Early Returns Also Put Governor Clarke's Plurality Near 15,000 Over His Two Opponents.

DES MOINES, June 1.—Senator Albert B. Cummins, Republican, has been renominated for the United States Senate by a majority ranging between 40,000 and 50,000 over A. C. Savage, according to estimates based upon early returns.

Congressman Connolly, Democrat, should defeat E. T. Meredith by 20,000, and Governor Clarke's plurality over his two opponents for the Republican nomination for Governor is expected to be around 15,000, according to the same estimates.

On the Democratic side John T. Hamilton, of Cedar Rapids, is reported ahead on early returns, though his opponent, V. R. McGinnis, of Leon, is making a strong race.

The race between S. H. Bashor, of Waterloo, and Casper Schenk, of Des Moines, for the Progressive nomination for the United States Senate is close, with the advantage said to be slightly in favor of Bashor.

George C. White, of Nevada, is the Progressive nominee for Governor, having no opposition.

PITCHED BALLS KILL THREE

Connecticut, Kentucky and Texas Players Meet Untimely Ends.

TOMPKINSVILLE, Ky., June 1.—While playing a ball game here yesterday Bill Hamner, 21, a school teacher, was struck on the head by a pitched ball while batting, causing the rupture of a blood vessel of the brain, from the effects of which he died today.

ROCKVILLE, Conn., June 1.—Frank Boucher, 25, died here yesterday as the result of being struck on the forehead by a pitched ball during a baseball game yesterday.

FORT WORTH, Tex., June 1.—Roy Mimms died yesterday a few minutes after he had been struck over the heart by a ball while at bat in a game between amateur teams.

FUNSTON BARS REBEL PESO

Vera Cruz Plans to Prevent Circulation of 300,000 in Bank Notes.

VERA CRUZ, June 1.—Brigadier General Funston began plans today to prevent an attempt to place in circulation here 300,000 pesos in constitutional banknotes.

It is conceded generally by business men that the constitutionalist printed money will be refused, but should it get into circulation, it would seriously disturb the ratio of exchange, which at the present time is about \$2.75 Mexican for \$1.

CITY MAY CENSOR FILMS

Chicago Federal Judge Denies Injunction to Movies Promoters.

CHICAGO, June 1.—The right of the city to censor motion pictures was upheld today by United States District Judge Seaman, who denied an injunction sought by three film manufacturers.

His decision, the court said, was based on recent action in similar cases. An appeal will be taken, it is said.

NEGRO COLONY SHIP SAILS

Chief Sam Starts Voyage for Gold Coast of Africa.

PORTLAND, Me., June 1.—Chief Sam's steamer Liberia cleared today for Salt Pond, on the Gold Coast of Africa, where it is planned to found a colony of American negroes. The ship will call at Galveston, Tex., for 100 Oklahoma negroes.

Chief Sam and many of his followers are members of the Holy Ghost and U. S. Society.

MRS. M'ADOO IS INDISPOSED

Wife of Secretary of Treasury Suffers Slight Sore Throat.

WASHINGTON, June 1.—Mrs. McAdoo is suffering from sore throat, according to advices to the White House today from Cornish, N. H. The slight illness is expected to delay the return of the McAdoos to the Capital until the end of the week.

Mrs. W. J. Bryan will give a garden party for them Saturday.

MRS. BUSCH WINS CONTEST

Claim of \$2,112,000 Against Late Husband's Estate Allowed.

ST. LOUIS, June 1.—Mrs. Lillie Busch, widow of Adolphus Busch, was allowed a claim of \$2,112,000 against the estate of her husband, according to a decision of the Probate Court today.

The claim represented sums from time to time placed with Adolphus Busch on open account for care, investment and use by him.

BEDPOST POISON FATAL

St. Louis Man Scratches Neck as Head Catches Between Bars.

ST. LOUIS, June 1.—John Elsie died today of blood poisoning, the result of catching his head between the brass bars of his bed.

The poisoning was caused by rubbing his neck against the bars in an attempt to free himself.

EMPRESS DISASTER INQUIRY UNDER WAY

Storstad's Crew Is Examined as Step.

ROYAL COMMISSION IS NAMED

Government Hearing to Fix Blame Opens June 9.

MORE BODIES IDENTIFIED

Legal Battle to Have Collier Released Under \$240,000 Bond to Begin Today—Sum Held to Be Maximum Liability.

MONTREAL, June 1.—Now that the first burst of excitement and grief over the sinking of the liner Empress of Ireland has partially spent itself, the public is awaiting the result of the government's inquiry to fix the responsibility for the disaster that resulted in the loss of nearly 1000 lives. A royal commission of three was appointed today to investigate the cause of the disaster.

The three men who will comprise the investigating tribunal are: Sir Adolph Routhier, Judge of the Court of Admiralty of Quebec; the Hon. Ezekiel McLeod, Chief Justice and Judge of the Admiralty Court of New Brunswick, appointed by the Canadian government, and George L. Vaux, of the legal staff of the British Board of Trade. Mr. Vaux sailed from England today to be present at the hearings, which will begin June 9.

Storstad's Crew Examined.

Pending the convening of the commission of inquiry, Captain Lindsay, Dominion Wreck Commissioner, will continue the preliminary investigation, begun today, by taking testimony of survivors and the members of the crew of the collier Storstad which rammed the liner.

The second step in the legal battle existing out of the sinking of the Empress of Ireland will be taken tomorrow when attorneys for the owners of the Storstad will appear in the admiralty division of the exchequer court and offer a bond of \$240,000 and ask that the collier be released from arrest. The \$240,000 represents, according to the contention of counsel, the maximum liability of the Storstad for the damage accruing to the Canadian Pacific Railway.

Place for Inquiry Not Set.

Until the arrival of Mr. Vaux, a decision as to whether the inquiry is to be held in Quebec or Montreal will not be made. It is probable that a representative of the British admiralty will (Continued on Page 2.)

INDEX OF TODAY'S NEWS

The Weather. YESTERDAY'S—Maximum temperature, 74 degrees; minimum, 56 degrees. TODAY'S—Probably fair; westerly winds.

Mexico. New hitch halts progress of mediators' proceedings. Page 2. Carranza asks mediators what they can do without him. Page 1.

Foreign. Empress disaster inquiry under way. Page 1. National. President Taft's order withdrawing 3,000,000 oil acres from entry held invalid. Page 1. Oregon-California land grant case sent to United States Supreme Court. Page 2. Labor and farmers' unions not to be concerned as "trust" in bill, House decides. Page 1. Senate expected to vote on tolls repeal Saturday night. Page 2. President says conservation bills not likely to pass this session. Page 13.

Domestic. Mount Lassen quiet after volcanic outburst. Page 2. Portland woman may be called as witness in Captain Lindsay's case. Page 2. Senator Cummins, of Iowa, is renominated by big majority. Page 1. Roosevelt's failure to criticize Republican party regarded as significant. Page 13. 35,000 engineers on 18 railways west of Chicago order strike vote. Page 2.

Sport. Northwestern League results: Vancouver 4, Portland 2; Spokane 5, Tacoma 1; Victoria 7, Seattle 6. Page 8. Yachts ready for cup defender try-out today. Page 7. Buddy Ryan climbs up Coast League ladder. Page 10. Sacramento opens today with "Kid" Mahler and Klavitter in company. Page 7. Helms held in girl point-vincent at Jefferson High's field meet. Page 7. "Passing Show" girl, too-dancer, to try for record around ball diamond today. Page 6.

Pacific Northwest. Republicans at Chehalis County convention denounce Democracy. Page 5. Queen Theima and party are entertained royally in Spokane. Page 3. Commercial and Marine. Wheat dealers not disposed to contract for new crop. Page 17. Chicago market breaks because of higher estimate of Kansas yield. Page 17. Stock speculation retarded by uncertainty as to Missouri Pacific's affairs. Page 17. Heavy run of livestock and lower prices at North Portland. Page 17. Liner Horde arrives with cargo from the Orient. Page 12.

Portland and Vicinity. Ethel Davis and baby dolls have one of popular acts at Pantages this week. Page 16. Mrs. Edith Hawley, who confessed sending poisoned candy to stepchildren, is declared insane. Page 11. Francis B. Sayre, president's son-in-law, Commissioner Daily has plan for cheaper telephones. Page 11. Christian stewardship conference opens session here. Page 16. "The Passing Show of 1913" at Hellig last night is full of gaiety. Page 4. Weather report, data and forecast. Page 12.

BRYAN TO LECTURE AGAIN

Secretary of State to Attend Chautauquas if Time Permits.

WASHINGTON, June 1.—Secretary Bryan announced today that if public business permitted he would spend part of his vacation this year lecturing on the Chautauqua circuit as he did last. Mr. Bryan's first lecture will be delivered in North Carolina July 4.

QUAKE AT ECUADOR HEAVY

Guayaquil and Quito Terror-Stricken and Houses Are Damaged.

GUAYAQUIL, Ecuador, June 1.—A heavy earthquake occurred here yesterday morning and was also felt severely at Quito.

Many houses were damaged and the people were terror-stricken.

CARRANZA, PIQUED, WARNS MEDIATORS

"What Can You Do Without Me?" He Asks.

CONQUEROR'S ATTITUDE TAKEN

"Who Will Force Me to Abide by Plan?" Another Query.

LAND SOLUTION SCOFFED

Semi-Official Statement to Press and A. B. C. Board "Wonders" if Peace Conference Will Resort to Strife to Gain End.

POINTED REMARKS IN CARRANZA'S STATEMENT CHITING MEDIATION BOARD.

Dominant sentiment of Carranza conference is "astonishing." They do not seem to be aware of the Constitutionalists are conquerors. The recent success of the Constitutionalists is proof conclusive Huerta's power is practically ended. Who will force Constitutionalists to abide by plan of mediators? The conference seems to consider the Constitutionalists a negligible quantity. Commander-in-chief of the Constitutional army will be provisional President of Mexico during the elections. If let alone Constitutionalists will settle the entire Mexican problem. How can A. B. C. powers who have failed to settle the land problems in their own respective countries hope to settle that of Mexico? Conquerors are not wont to permit the conquered to dictate terms. Villa officially denies "ambition" is driving him on.

EL PASO, Tex., June 1.—A semi-official statement from General Carranza's headquarters at Durango criticizing the actions of the A. B. C. mediators at Niagara Falls and an announcement from General Villa reiterating his allegiance as a military leader to Carranza were the developments today of the Mexican situation here. Villa arrived today at Chihuahua City from Torreon on his way for a visit to Juarez, on the border here. Carranza was reported as having begun preparations to move by way of Torreon to Saltillo, where he will perfect his provisional government. The statement from Durango, where Carranza's provisional government has been established, was addressed to the American press, with a note to the effect that it had official sanction. (Continued on Page 2.)

SENATE DUE TO VOTE ON TOLLS SATURDAY

SIMMONS SAYS SURVEY SHOWS REPEAL WILL WIN BY NINE.

Faction Fighting Administration Measure Forces Plan to Bring Up Bill Each Day at 1 P. M.

WASHINGTON, June 1.—Developments in the Senate today encouraged leaders in the belief that the vote on the canal tolls exemption bill will be taken Saturday night.

Although an effort to secure unanimous consent for a vote at 4 o'clock Friday failed, Senator O'Gorman, leader of the forces opposing repeal, announced that, beginning Wednesday, the bill would be kept constantly before the Senate until it was disposed of.

With the adoption of this plan the bill will come up automatically at 1 o'clock each day and will not be displaced by appropriation bills or other measures.

During the day a conference between Senators Kern, Simmons and Lodge at which the forces for and against repeal were reckoned, led to an announcement by Senator Simmons that he expected the bill to receive 52 votes. Senator Simmons asserted he did not include any Senators counted as doubtful. If his prediction is fulfilled the repeal bill will have a majority of nine.

Senator Pittman introduced an amendment which would empower the President to reduce the tolls rate on American coastwise ships or exempt them when necessary to prevent discrimination.

FACTORY FOLK AFFECTED

Minimum Wage Likely to Be Fixed Today at \$8.90 a Week.

OLYMPIA, Wash., June 1.—(Special.)—Following the unanimous recommendation of the recent factory conference, it is conceded that the Industrial Welfare Commission, when it meets here tomorrow, will establish \$8.90 a week as the minimum wage for female factory workers, effective August 1.

Whether fruit canneries and drying establishments are factories will be a question of definition upon which the Commission will have to rule. An apprenticeship policy in regard to factories also must be determined. It is quite likely that the Commission may fix different apprenticeship periods for different industries, such as candy-making, garment working, box manufacturing, etc.

LABOR MEN ASK CLEMENCY

President Fails to Indicate Views in Dynamiting Cases.

WASHINGTON, June 1.—A delegation of labor representatives, headed by Representatives Gorman and Sabbath, of Illinois, presented to President Wilson today a petition signed by 1,000,000 laboring men, asking executive clemency for Thomas M. Ryan, ex-president of the Structural Ironworkers, and 29 others convicted in the dynamite conspiracy.

E. N. Zollie, of Chicago, attorney for the convicted men, presented the case to the President, who listened carefully, but did not indicate whether he would interfere.

WHEAT "CORNER" PROBED

"Squeeze" in May Corn Also Undergo Federal Inquiry.

CHICAGO, June 1.—An investigation of the alleged corner in wheat and the "squeeze" in May corn was begun here today by Garfield Charles and David B. Stanbury, assistants in the office of the United States District Attorney. For the present efforts will be continued in assembling the facts in the case.

Eighty-seven brokers are said to have entered complaint against the Armour Grain Company in connection with the wheat deal.

LA GRANDE HENS PROLIFIC

Four Campines Lay 100 Eggs in May and Hatch Is 95 Per Cent.

LA GRANDE, Or., June 1.—(Special.)—One hundred eggs from four hens in one month, with each contributing two eggs the last day, is the performance of four Silver Campines owned by C. A. Nichols, of this city.

The eggs are so fertile that an average of 95 per cent of chicks have been hatched from a recent brood.

These are the first Campines in this section of the Grand Ronde Valley.

MOB SETS TOWN ABLAZE

Sulphur Mines Strike in Sicily Reaches Destructive Stage.

PALERMO, Sicily, June 1.—A strike at the sulphur mines reached a climax today when a mob at Porto Empedocle destroyed half the town.

The rioters set fire to the sulphur stores, destroyed the depots, tore up railway tracks and cut telephone and telegraph wires. Troops and police were dispatched to re-establish order.

WILSON TO SEE OLD MATES

President to Attend Reunion of '79 Class of Princeton.

WASHINGTON, June 1.—President Wilson plans to attend the reunion of the Princeton class of '79, of which he is a member, on June 13.

He will leave Washington at midnight June 13.

UNIONS NOT VIEWED AS "TRUST" IN BILL

Labor Wins Fight for Exemption.

HOUSE INSERTS PARAGRAPH

Clause Says Organized Trade Doesn't Mean Restraint.

LONG LEGAL WAR FEARED

Progressive Leader Murdock Avers It Will Take Years for Courts to Define Law if Passed.

WASHINGTON, June 1.—Trade unions and farmers' unions would be legalized in their existence and declared not to be combinations in restraint of trade by a paragraph which the House today incorporated in the Clayton bill to supplement the anti-trust laws.

Although it is designed only to clarify existing law, organized labor leaders assert the final passage of this amendment will mark the culmination of a fight waged by them for 14 years—since the passage of the Sherman anti-trust law—for exemption from prosecution under the laws against monopolies and restraints of trade. On a vote to perfect the labor provision the House was recorded 297 for and none against.

Provision Is Supplemented.

As adopted the provision sets forth that "nothing in the anti-trust law shall be construed to forbid the existence or operation of labor unions or farmers' co-operative associations or to forbid or restrain members of such organizations from 'carrying out the legitimate objects thereof.'"

Supplemental to this provision the House adopted an amendment proposed by Representative Webb, in charge of the bill, and agreed on by organized labor representatives and the Administration, which would provide that such organizations and their members shall not be "held or construed to be illegal combinations or conspiracies in restraint of trade under the anti-trust laws."

Long Court Controversy Feared.

Although the provision was passed without a dissenting vote, there was considerable debate as to just what the effects of the legislation would be. Democratic leaders say that the provision would give labor the exemption it desired, and asserted that officials of organized labor had distorted the phraseology. Progressive Leader Murdock and others asserted that it would be years before the courts could finally define just how far the exemption went and what it meant.

A clause to legalize such conferences and agreements among railroads as are now subject to the control of the Interstate Commerce Commission was passed by the House. The section confirms and protects the jurisdiction of the Commission over such agreements and confirms existing laws against joint agreements to maintain rates.

Representative Ferris, of Oklahoma, unsuccessfully sought to insert a provision making oil and gas pipelines and hydroelectric power transmission lines engaged in interstate commerce common carriers under the jurisdiction of the Interstate Commerce Commission.

Recess for Dinner Denied.

Determined to hasten consideration of the measure, Democratic leaders pressed the detailed debate and kept the House in session tonight without even allowing a recess for dinner. The holding companies section was taken up and a substitute proposed by Representative Volstead, of Minnesota, was defeated. Representative Volstead said the pending holding company provision would practically destroy the effectiveness of the Sherman anti-trust law. Senator Newlands, chairman of the interstate commerce committee, which has charge of the drafting of anti-trust legislation, announced to the Senate today that he expected to make this legislation the unfinished business before that body after it votes on the Panama tolls exemption repeal bill.

WHITMAN ENTERS RACE

Republican Gubernatorial Candidate May Be Progressives', Too.

NEW YORK, June 1.—District Attorney Charles S. Whitman, of New York, tonight announced his candidacy for the Republican nomination for Governor.

It was learned that a movement had been launched with the design of procuring Mr. Whitman's nomination on both the Republican and Progressive tickets.

Charles H. Duell, Jr., who was active in the Progressive campaign of 1912, said tonight that Colonel Roosevelt had given him positive assurance that he would support the plan.

Americans Visit Pope.

ROME, June 1.—The Right Rev. Matthias C. Lenihan, Bishop of Great Falls, Mont., was received today by the Pope, and presented a party of American pilgrims.

