



SECTIONS IN DUEL AT LUMBER HEARING

Valley and City Each Sure Other Prospers.

TESTIMONY IS IN CONFLICT

Upper Willamette Mills Seek to Retain Differential.

BOTH SIDES PESSIMISTIC

Effort of Southern Pacific to Build Up Willamette Valley Mills by Giving Rate on Lumber Charged in Testimony.

Lumber business in Portland is good, say the Willamette Valley mills. Lumber business in the Willamette Valley is good, say the Portland mills.

Two conflicting lines of testimony developed at the hearing before Examiner Butler, of the Interstate Commerce Commission, yesterday when the complaint of the Portland mills against the Southern Pacific for maintaining a differential of 4 cents in favor of the Valley mills on California business was heard.

Each side was willing to admit that business in the other fellow's territory is good, while each as readily conceded that business at home is decidedly bad.

Testimony in conflict. The Portland mills contended that their market has been restricted in various ways in the last four or five years; that the new California rates have restricted it still further; and that their production and earnings have diminished in direct proportion with their losses of markets.

At the same time, the Portland witnesses were ready to point out that many new mills have been built in the Willamette Valley within the last decade, that the capacity of existing plants has been increased within the last year, and that the market of the Valley mills has expanded.

On the other hand, the valley men referred sadly to their own lack and loss of business, the while pointing to the improvement in the situation in Portland.

Commissioners Expected to Adjust Rates. From this conflicting mass of testimony the Commission is expected to decide the reasonableness of existing rates and adjust the rate situation between Portland and California and between the Willamette Valley and California accordingly.

In connection with the hearing developed, probably for the first time, the history of the recent decision of the Southern Pacific to establish a rate for the Willamette Valley mills in an effort to build up the lumber business of that territory.

A. C. Dixon, general manager of the Booth-Kelly Lumber Company, told how, about three years ago, the railroad sent a number of investigators through the valley to interview the mill men on the subject of shrinking lumber shipments. These men learned, said Mr. Dixon, that the Valley mills operate under strong competition from all sides; that they are at a natural disadvantage because they cannot ship by water; and that the rates in territory reached exclusively by rail will not permit them to compete effectively with the mills in Portland.

Railroad Aid Fledged. Following the visit of these men, explained Mr. Dixon, officials of the Southern Pacific, including William Sprague, president, and G. W. Luce, freight traffic manager, made a tour through the Valley, also visiting various mills and lumber camps.

Mr. Sprague told us, he added, "that the railroad wanted to help build up our country; that it depended upon our business for its earnings in Oregon, and told us that they would do something to help our mills. These results, I suppose, are the fruits of that promise."

Mr. Dixon detailed the condition of the lumber industry in the Willamette Valley. He pointed out first that the mills in that territory are unable to ship at all by water and for that reason are shut out of the San Francisco market; that Portland has an advantage in the territory served out of Los Angeles as well as in Nevada; that the Valley has an adverse differential of 2 1/2 cents in Idaho and 11 cents in Spokane territory. They are shut out of the Great Northern, Northern Pacific, Burlington and Milwaukee territory by the Washington mills, he continued.

Many Mills Close, in Statement. "In the last five years," he said, "the active facilities of the mills in the Valley have materially decreased. We have rebuilt our plant at Springfield, it is true, but that was to replace the one destroyed by fire."

Mr. Dixon then enumerated numerous mills in various parts of the Valley that are closed entirely or operating on short time, due to lack of market. "On the other hand," he asserted, "at least three Portland mills are running night and day and others have improved their plants and enlarged their capacity."

On cross-examination by James G. Wilson, attorney for the Portland mills, Mr. Dixon admitted that the Monarch, the Standard, the West Oregon and other Portland mills have suspended operations within the last four years.

MAN, 80, IS KILLED BY MOTOR VEHICLE

J. W. ALLEN VICTIM OF AUTO DELIVERY TRUCK.

Drivers of Machine Are Released When Olds, Wortman & King Officially Guarantees Appearance.

J. W. Allen, 80, fell in front of an automobile truck at Sixteenth and Marshall streets early last night and was killed almost instantly. The truck belonged to Olds, Wortman & King, and was occupied by Paul LaMar and W. Lucas, employees of the company.

Mr. Allen was going from the office of the Portland Cordage Company, where he was employed, to his home at 428 Second street. He stepped off the curb, behind a wagon. When he saw the machine bearing down on him he appeared to become confused, slipped and fell.

The left front wheel of the truck passed over his chest. The driver stopped the car immediately. Dr. R. E. Ashby, 2115 North Sixteenth street, picked up the injured man and carried him to the Good Samaritan Hospital. Mr. Allen died before he reached the hospital.

Deputy Coroner Smith took charge of the body. Motorcycle Patrolmen Tully and Morris questioned the boys in charge of the machine, and then released them in care of the superintendent of Olds, Wortman & King. Mr. Allen is survived by a wife and two children, aged 6 and 9 years. Mrs. Allen had not been informed of her husband's death at a late hour last night. LaMar was held on a charge of involuntary manslaughter.

9 HOURS PASSED IN WELL

Worker at Enterprise Pinned in Cribbing Suffers No Injury.

ENTERPRISE, Or., Nov. 19.—(Special.)—After being buried for nine hours under a pile of debris in the bottom of a well, Charles C. Colgate was rescued at 1 A. M. Wednesday with only a few bruises to show for his experience.

Colgate was working alone at the bottom of the well, on the John T. Trajor farm five miles north of Enterprise, when the cribbing began to move and finally pinned him in, while the dirt fell about him but did not quite cover him up.

Neighbors who heard his cries telephoned to town, and three auto loads of recruits responded.

IRVINGTON PROPERTY TO GO

City to Sell on December 23 Tracts for Amounts of Assessments.

Irvington property delinquent to the extent of \$15,000 in the assessments for the Irvington district sewers constructed nine years ago will be sold by the city December 23, according to announcement yesterday of City Treasurer Adams. The property will go for the amounts of assessments standing against it.

Sale of about \$5000 worth of assessments in other parts of the city will take place on November 26. Out of 160 pieces of property advertised for sale at that time about half have paid up since and thereby stayed off the sale.

BUS HITS JITNEY DRIVER

Hugh Palmer, at Hospital, Believed to Have Fractured Skull.

Hugh Palmer, a jitney driver, was struck by a jitney bus at Union avenue and Shaver street early last night and was taken to the Good Samaritan Hospital unconscious. It was feared his skull was fractured.

Palmer was crossing the street when the jitney stopped to pick up passengers. Ralph Stern, the driver, started slowly. Palmer was struck from behind and thrown to the pavement. He sustained his injury when his head struck on the pavement. The Ambulance Service Company took Palmer to the hospital.

FAIRY GODFATHER FOUND

M. Biven Will Pay Freight on Free Rabbits for Women.

The 47 women who are on the city employment bureau's list of day workers are to have choice jackrabbits for Thanksgiving. M. Biven, of 313 Water street, yesterday agreed with Mrs. C. M. Ryerson, who has charge of the employment bureau, to pay the express on 100 rabbits which have been offered free by a man in Laidlaw, Or.

The rabbits will be shipped to Portland and distributed at the City Hall.

POSTOFFICE WILL CLOSE

Mr. Burleson Grants Permit to Men at Eugene to Go to Football Game.

EUGENE, Or., Nov. 19.—(Special.)—Postmaster-General Burleson took sufficient interest in the Oregon-Oregon Aggie game, to be played here tomorrow, to telegraph the employees of the Eugene postoffice a part holiday that they may attend the game tomorrow. More than 20 will attend, leaving only a sufficient force to keep the stamp window open.

Noted Indian Chief Dying

CHICAGO, Nov. 19.—Ogallala Fire, a noted Indian chief and a survivor of Custer's last fight, is reported today to be dying here at the home of his friend, Chief Little Bear. Chief Ogallala Fire is 87 years old. For nearly 40 years he has been exhibited throughout the country as an attraction in circuses and museums. His home is on a reservation in Idaho.

TRUNK MURDER IS MYSTERY OF RIVER

Body of Unidentified Man Is Found.

CRIME IS APPARENTLY RECENT

Buggy Tracks to Edge of Water Furnish Sole Clue.

VICTIM'S GARB REMOVED

Fred Hartman Finds Trunk Floating in Willamette—Inside Is Wet, but Belief Is Box Was in Water Only Few Hours.

An old trunk picked up in the Willamette River at the foot of Flanders street last night when opened revealed the body of a man who had been practically stripped of his clothes. The trunk was discovered by Fred Hartman, 251 1/2 First street, at 6 o'clock, when he brought to mooring a rowboat which he had had out during the afternoon.

The identity of the man had not been established at midnight. The body was turned face downward in the trunk. His hat and coat and a few other effects had been carefully laid on the till of the trunk.

The police believe it is a clear case of murder, and detectives were immediately put to work.

Buggy Tracks Sole Clue.

Buggy tracks leading to and from the scene were the only clue the authorities had to work on up to midnight.

When the body was taken from the trunk by the coroner, it was discovered the man had a deep gash in his head, exposing the brain. Around his neck were welts as if from a cord or rope.

There were evidences that the man had been dead several days, but had only recently been placed in the trunk. The trunk was wet inside, although the police believe the trunk could have been in the river only a short time when found. They believe the trunk would have sunk within a few hours.

Victim Wrapped in Old Clothes.

The body was carefully swathed in old clothes although the man wore only an undershirt.

The victim appeared to be about 40 years old. He was slightly bald headed and the most pronounced marking about him was a deep scar on his lip.

Mr. Hartman, who made the discovery and notified the police, said he had gone to his boat mooring early in the afternoon to take his boat to Guilds Lake. He was away several hours, returning at 6 o'clock. He had not noticed the trunk in the afternoon. When he returned in the evening he bumped into the trunk as he was tying up the boat.

Trunk Securely Locked.

The trunk was heavy and after turning it in vain for a time he went (Continued on Page 1, Column 2.)

TURKEYS THIS YEAR TEND TO COST LESS

DEALERS EXPECT SUPPLY AS LARGE AS EVER.

Top Price for Best Birds at Retail Is Predicted at 25 Cents—Oregon Crop About Average.

Thanksgiving turkey prices in Portland will be no higher than last year's, and may be cheaper. Poultry dealers look for a supply as large as a year ago, and they do not believe the demand will be any heavier. Therefore, they predict that 25 cents will be the top price for the best birds at retail.

Last year the bulk of the turkeys sold in the Portland stores at 25 cents, only a few dealers asking 27 1/2 and 30 cents.

Other kinds of poultry, chickens especially, are lower in price than usual, and this will also tend to hold down turkey prices to a reasonable level.

The turkey crop in Oregon this year is about of average size. The supply in Idaho is less, shippers up there estimating it at only about 40 per cent of last year's. Nevada, however, has a large production, and that state will take care of the San Francisco market this year, therefore the Southern Oregon turkeys that have to be marketed in this city.

Several tons of Oregon turkeys were sent to San Francisco some time ago, there to be forwarded by Army transport to Manila, where they will arrive before Thanksgiving.

WIFE TRIES RESCUE IN FIRE

Mrs. Dan Moran Fights Police to Save Husband, Who Is Safe.

To rescue her husband, who, she thought, was upstairs in a burning house at 221 Thirteenth street, Mrs. Dan Moran, a pretty young woman, fought with the firemen and police last night and tried to enter the building. She fainted when she found that her husband was not in the building. Mr. Moran was downtown.

The fire started in the basement. Mrs. Moran and Miss Carolyn Simpson, who were asleep in Miss Simpson's room on the first floor, were awakened by the smoke. Their screams aroused the other residents.

RACING BICYCLIST KILLED

Louis Kuehl Rides to Death to Avoid Hitting Opponent.

CHICAGO, Nov. 19.—In the first heat of the amateur handicap at the opening of the six-day bicycle races tonight, Louis Kuehl was killed instantly on his third lap when he flew over the rail on the north turn and tumbled 20 feet to the concrete floor below.

Herman Hoffman, who was leading, started to slip, and Kuehl swung high to avoid him, skidding over the rail.

ARMY OF "TURKS" COMING

Caldwell Ships 40,000 Pounds to Portland and Seattle Markets.

CALDWELL, Idaho, Nov. 19.—(Special.)—Forty thousand pounds of dressed turkeys were expressed from here today consigned to Portland and Seattle dealers. The average price paid was 20 cents a pound.

CASES STILL PENDING IN ELECTION FRAUDS

Effort To Dismiss Indictments Fails.

TWO REFUSE TO AGREE

A. L. Clark and D. B. Culhane, of Precinct 37, Still Held.

BAD BLOOD IS ENGENDERED

Two Trials Held, Third Ordered and District Attorney Fears There Would Be Little Chance of Procuring Conviction Now.

Deputy District Attorney John A. Collier tried to write the last chapter in the famous Precinct 37 election fraud case yesterday, but did not succeed. Judge Gantenbein and Judge Gatens both declined to sign an order dismissing the indictments against Albin L. Clark and Daniel B. Culhane, after Mr. Collier had decided to drop the cases, and had prepared an order which set out his reasons.

And there the matter rests. In spite of vigorous efforts on the part of District Attorney Evans and his deputies; in spite of the widespread protest against the wholesale ballot frauds, no body has been brought to justice for the crime. Albin L. Clark was convicted once, but Judge Gatens granted him a new trial. It would have been his third one.

Case Badly Tangled.

It is a tangled mess, the authorities concede. Briefly, this is its history: Precinct 37 is that territory on the West Side bounded by Tenth, Washington, Sixteenth and Burdette streets, forming a triangle. Albin L. Clark was chairman of the day election board at the election November 3, 1914. Daniel B. Culhane was an election judge. James N. Linn was a Democratic watcher, hired by a man who was a deputy sheriff under Tom M. Word. The night election board showed about 49 ballots, which clearly carried overtures in the shirley column. Votes in favor of Thomas M. Hurlburt had been changed to favor Tom M. Word. A brief investigation resulted in the ballots being thrown out.

Contest Exposed Frauds.

Mr. Hurlburt was elected Sheriff by 171 votes in the entire county. Mr. Word, incumbent, filed a contest suit in Circuit Court. The trial and recount was a big affair. When precinct 37 was reached, it was found that the day election board had passed over a lot of ballots bearing erasures similar to those discarded by the night board. After several days of sensational delving into the precinct 37 scandal, Mr. Word dropped his contest. Mr. Hurlburt had gained scores of votes over the official results. The grand jury then started to investigate. After several months Clark, Culhane and Linn

(Continued on Page 2, Column 2.)

CITY TO PUT ON AIR OF FESTIVITY

CEDAR GARLANDS WILL GRACE BUSINESS DISTRICT.

Extra Lighting Promised and Band Concerts Will Be Given Down Town Each Evening.

The City of Portland appropriated \$150 yesterday to assist the retail merchants' bureau of the Chamber of Commerce in its plan to decorate the entire business section for the holiday season, and the preliminary work has been begun. The decorations will be completed by November 23, and will remain until after New Year's day.

There will be eight miles of cedar garlands stretching from pole to pole through the business section in a zone lying between Morrison and Oak streets and between Third and Tenth streets. On Washington street the decorations will run from Second to Fifteenth streets.

Arrangements will be made to have the circuit patrolled twice each day and all necessary repairs made to keep the decorations in good condition.

Besides the garlands there will be two eight-foot Christmas trees at each post along the entire circuit, and additional electrical features will be worked out, with festoons of lights at every street intersection.

The first week after the decorations go up will be "Prosperity Week," and there will be special band concerts downtown each evening.

The city is arranging to have the lights kept on all the bridges during the time the decorations are up, and will bear a portion of the expense of the downtown lighting.

TINA LERNER AGAIN WEDS

Pianist, Direct From Reno With Decree, Marries Girlhood Suitor.

SAN FRANCISCO, Nov. 19.—(Special.)—Tina Lerner, world-famous pianist, arrived from Reno at 4 o'clock this afternoon. Tucked away in one of her trips was a decree of divorce presented by a Nevada judge a day or two ago giving her the right to drop "Bachner" from her name.

At 5 o'clock in the San Francisco City Hall, still attired in her traveling dress, the noted artist took the hand of Vladimir Shavitch, a sweetheart of her girlhood, and they were pronounced man and wife by a Justice of the Peace.

POOR TO SEE FAIR FREE

Attendance Figures Pass 17,000,000 Mark With 16 Days to Go.

SAN FRANCISCO, Nov. 19.—The attendance figures for the Panama-Pacific Exposition passed the 17,000,000 mark today. There remain practically 16 days in which the exposition may reach the 18,000,000 mark set for it by officials some time ago.

Every person in San Francisco too poor to afford to buy a ticket to the exposition will be admitted free on a day set apart. Patrons on every beat today began talking the names of such as have not seen the exposition.

POLICEMEN MAKE PROTEST

Five Men to Be Dropped December 1 Charge Unfair Treatment.

Appearing before the Council at the City Hall yesterday in a body, five policemen who are scheduled to be dropped from the service December 1 by reason of the cutting of the force entered their protest.

They declared that they were only appointed recently and were put to the expense of about \$150 each for uniforms and equipment. They contend it is unfair to force them out at this time.

INDEX OF TODAY'S NEWS

- The Weather. YESTERDAY'S—Maximum temperature, 49 degrees; minimum, 45 degrees. TODAY'S—Uncertain with occasional rains; winds mostly southerly.
- National. Allies ask China to join port. Page 4. Department of Justice to have charge of investigation of Wilson. Page 5. Speaker Clark tells Wilson he favors National defense. Page 7. American contraband protest to go to all belligerent nations. Page 7.
- Domestic. Maker of Affidavit in Hillstrom case believed tool of I. W. W. Page 6. McCormick hints many Moons will vote for Wilson. If Republicans nominate Root. Page 5.
- Jury of physicians finds no evidence baby was mentally defective, but does not criticize physician. Page 17.
- Sport. Oregon and Aggies play at Eugene today. Page 12. Odds shorten on Harvard. Page 12. Oregon men nervous on eve of battle. Page 12.
- Pacific Northwest. Aggies praying for dry field. Page 12.
- Commercial and Marine. Washington mine disaster necessitates extra competition assessment. Page 12. Governor Lister will hear women's report on Ross case today. Page 6.
- Lighter buying of wheat in Northwest, but prices remain firm. Page 17.
- Difficulties in shipping to Mediterranean lower wheat at Chicago. Page 17.
- Coming of Yessan. Mars believed to work resumption of Royal Mail service. Page 16.
- Wall street stocks decline with lack of demand. Page 17.
- Further progress in trade and industry more active. Page 17.
- Portland and Vicinity. Body of unidentified man found in trunk in river. Page 1.
- City to take on holiday aspect. Page 1.
- Turkeys this year tend to cost less. Page 1.
- Bishop Earl Cranston is Portland visitor. Page 12.
- William S. Newbury, ex-Mayor of Portland, is dead. Page 12.
- J. W. Allen, 80, is killed by automobile. Portland and Valley lumber interests say other is doing all the business. Page 1.
- Weather report, date and forecast. Page 17.

NO MENTAL DEFECT IN CHILD INDICATED

Doctors on Coroner's Jury Find Verdict.

PHYSICIAN IS NOT CRITICISED

Consulation Urged, However, in Doubtful Cases.

DUTY HELD TO SAVE LIFE

Morally and Ethically, Official Findings Declare, Surgeon Is Fully Within Rights in Refusing Operation.

CHICAGO, Nov. 19.—Six physicians comprising a Coroner's jury, today held that Dr. H. J. Haiselden, who permitted an infant, Allan John Bollinger, to die when an operation might have saved him to a life of unhappiness as a defective, was morally and ethically justified in refusing to perform the operation which his conscience did not sanction.

An implied disapproval of a course wherein a physician might determine whether it was or was not desirable for a patient to live was contained in the concluding paragraph of the verdict.

"We believe that the physician's highest duty is to relieve suffering and to save or prolong life."

Jury Composed of Physicians.

The jury was composed of the following physicians: John F. Golden, Mercy Hospital; Arthur Rankin, professor of anatomy, Loyola University; Howard Chislett, dean of Hahnemann College; D. A. K. Steel, dean of the Physicians and Surgeons College of the University of Illinois; Henry F. Lewis, professor of obstetrics, Cook County Hospital; Ludwig Helman, professor of pathology, Rush Medical College, of the University of Chicago.

Dr. Haiselden in his testimony said he did not reach his final decision not to operate until he had consulted 15 practicing physicians, 14 of whom approved his course of letting the little life expire, he said. The mother of the child, wife of a well-to-do workman, mother of three other children, all physically and mentally normal, also agreed that the baby would be better off dead, he declared.

Advice Not Urged on Parents.

"I did not operate, first, because of the deformity of the child, and secondly, because of the seriousness of the case," he declared. "I did not urge the parents to follow my advice. I simply gave my opinion as a consulting surgeon. I was morally certain the child would be a defective."

"On what did you base your opinion?" asked Dr. Chislett.

"On the actions of the child."

"Was the brain normal?"

"No, it was not."

"Was the child blind?"

"Well, it—I could not exactly say. Its eyes would not respond to light."

Child's Hearing in Doubt.

"Was the child deaf?"

"One of the ears was gone and I could not determine whether there was an auditory nerve."

Dr. Haiselden showed several X-ray pictures of the child's anatomy.

Dr. John Dill Robertson, City Health Commissioner, who testified that there was no evidence of mental defect, issued a statement, in part as follows:

"A question of tremendous importance is at once raised as to whether the right of any child to live should rest wholly on the judgment of any physician. I do not want to be understood as questioning the right of any physician to act as his conscience or judgment in any particular case would dictate, and to operate or not to operate in accordance therewith."

Safeguard Is Demanded.

"At the same time the life of every child should be safeguarded by the community that it would not have to depend upon the judgment of any one or two physicians."

"If we are going to depart from the recognized duty of the physician to save life regardless of what that life shall be afterward, then the state must provide some tribunal to which the right of every child to live until it had been passed upon by this tribunal."

The verdict read in part as follows:

"We find no evidence from the physical defects in the child that it would have become mentally or morally defective. Several of the physical defects might have been improved by plastic operations."

"We believe that morally and ethically, a surgeon is fully within his rights in refusing to perform any operation which his conscience will not sanction. We find no reason to believe that the parents of John Bollinger were deprived of the privilege of consultation."

"We recommend strongly that in all doubtful cases of this character, a consultation of two or more surgeons of known reputation for skill, ethical standing and broad experience should be held to decide upon the advisability or inadvisability of operative measures."

"We believe that the physician's highest duty is to relieve suffering and to save or prolong life."

