

ALL PORT BILLS PASSED BY SENATE

Commission Membership Increased to Nine.

M. H. HOUSER IS ELIMINATED

T. J. Mahoney, W. L. Thompson and H. L. Corbett Added.

WAN PURCHASE ALLOWED

Acquisition of Island Without Authority of People Permitted; House Passage Likely.

STATE HOUSE, Salem, Or., Jan. 31.

(Special.)—All Port of Portland bills passed the senate this afternoon after a day of conference, committee and debate. The organized fight against these measures in a senate flattened out and little opposition is anticipated to their passage in the lower house.

The principal feature of the main bill is that it increases the membership from seven to nine and that M. H. Houser is eliminated from the commission and three new men, T. J. Mahoney, William L. Thompson and Harry L. Corbett are added thereto. Selection of this trio as distinct selection to the eastern Oregon members.

Island Acquisition Permitted.—The group of bills, the commission has the authority to acquire an island without reference to the people, but it cannot acquire Meek's farm or Guild's lake and fill them with water with spoils for dredging without the approval of the qualified voters.

Also the bills call for an appropriation of \$200,000 for the improvement of North Portland harbor, which shall proceed with all due diligence and care.

Eastern Oregon senators, occupying strategic position, maneuvered for last week until they gained the decision they wanted. The upstate legislators worked for the development of Oregon slough, otherwise known as North Portland harbor, and saw that this development in fact, they wanted members on the committee who would be in sympathy with the desire of the east and cattle country, therefore they backed Mr. Mahoney and Mr. Thompson, formerly eastern Oregon senators, and Harry Corbett, who has extensive stock and land interests in the country.

Joseph Launches Attack.—After a conference at noon, at which Senator Joseph attended and present agreed, Senator Joseph launched into a vicious attack on the bills and called the senate to order when they came up for final passage a few hours later. Then, when he came to vote, Senator Joseph scuttled the bill he tried to scuttle, saving only Senator Hume and Senator Thomas casting negative votes.

It was during the luncheon hour that events moved quickly in the senate matter. Senators Dennis, Ellis, Robertson, Ranka, Moser, Porter, Joseph and F. M. Warren, chairman of the port commission, assembled in the senate chamber to discuss the bill in President Riltner's office.

The port bills, which were set for a special order of business at 11 o'clock, were postponed until 2:30 o'clock, that a few amendments could be taken. The group in the president's office began an informal discussion which quickly developed into something concrete.

Reverse Is Refused.—The eastern Oregon senators desired they wanted Mr. Mahoney and Mr. Thompson on the port commission. Senator Joseph insisted that the port commission be increased from nine, the plan of the eastern Oregon legislators, to 11. He was simply turned down. Various proposals were suggested for the commission, including Ben Selling, Fredrick W. Mulkey, E. V. Houser and Harry L. Corbett.

Finally it was decided to place Mr. Mahoney, Mr. Thompson and Mr. Corbett on the commission, limiting that body to nine. As the old board consists of seven, someone had to be dropped, so Max H. Houser was selected for elimination, this action being predicated on the fact that Mr. Houser has been too busy to attend any meetings for the last four months. The other members of the old commission are George H. Kelly, Phil Metcham, F. M. Warren, J. D. Burworthy, H. A. Sargent and Andrew R. Porter.

Other details were approved, such as increasing the emergency appropriation from \$1,000,000 to \$1,250,000 and providing for having the North Portland harbor improved as expeditiously as engineering problems will allow. The dove of peace has apparently settled over the senate.

Bill Is Attacked.—When the senate considered the port measure after lunch, Senator Joseph explained the several amendments in the chain of interlocking bills, and they were considered favorably. All went well until the bills were up for third reading. It was then that the dove of peace was discovered to be a magpie.

Senator Joseph declared that the

OREGON MESSENGER HAS COOL RECEPTION

VICE-PRESIDENT STIFFLY RECEIVED TOWARD ROBB.

Tardy Carrier of Electoral Votes Has Difficulty in Proving Credentials Are Proper.

THE OREGONIAN NEWS BUREAU, Washington, Jan. 31.—Oregon's five electoral votes for Harding and Coolidge were presented to Vice-President Marshall today by W. L. Robb, of Portland, who was introduced by Senator McNary.

Mr. Robb, exactly one week late under the law in arriving, was unable to present the proper credentials to the vice-president, who was rather insistent on knowing that the Oregon messenger was the individual actually delegated to bring the state's votes. When he replied that his credentials were probably inside the package, which he had just delivered to the vice-president, the latter said, "Well, you know, I cannot open that."

The vice-president maintained the stiffest reserve toward the Oregon messenger as he had toward all others who have arrived tardily with electoral votes.

When Mr. Robb said: "Now, Mr. Vice-President, I will be pleased to offer to you my alibi if you care to listen," the vice-president replied: "Alibis do not change the law." He was referring to the statute which fixes a penalty of \$1000 for failure of a state messenger to appear here with the electoral vote on, or before the fourth Monday in January following the presidential election.

Vice-President Marshall said, however, that if congress adopts the Smoot resolution, allowing additional time for the arrival of such messengers, it will make a requisition for Mr. Robb's mileage from Portland to Washington and return, and will not enforce payment of the fine.

It was discovered this afternoon that the Smoot resolution might not be sufficient to cover the delay of the Oregon messenger because it authorized the "payment of such messengers as appeared before January 31."

It was held that Mr. Robb had not arrived before January 31, but upon that date, and that the resolution must be amended in the house to read "on or before January 31."

The resolution having already been adopted by the senate, Senator McNary and Representative Sinnott held a conference and the latter arranged for the necessary amendment in the house, not only to cover the case of Mr. Robb who appeared today, but of the Nevada messenger, who will not get in until tomorrow.

RAIL LABOR ASKS WILSON TO DECIDE

Near-Bankruptcy Plea of Lines Challenged.

WAGE-CUT PLAN IS FOUGHT

Graft in Repairs and New Equipment Charged.

BLOW AT UNIONS SEEN

Atterbury's Appeal Is Declared Violation of Proprieties and of Transportation Act.

CHICAGO, Jan. 31.—President Wilson

was asked tonight by representatives of seven labor unions to investigate the statement of Brigadier-General W. W. Atterbury of the Pennsylvania lines that the roads must have wage readjustments or be in danger of bankruptcy, and if the statement were found true, to place the matter before congress and ask that body to enact remedial legislation immediately.

The union leaders, however, in a message to the president, declared they did not believe the roads to be in the financial condition outlined by General Atterbury. They charged that he had, by delivering what they termed "an ultimatum" to the labor board, "violated all decent proprieties, disregarded the transportation act and flouted existing agencies, such as the interstate commerce commission and even congress itself."

Labor Exploitation Charged.—General Atterbury's obvious policy, the telegram said, "was to disrupt labor unions, turn public opinion against the employes and place wages on a pre-war basis so that railway profits may be enhanced when properly returned."

The shipper would have to pay increased rates and the laborer would be exploited, if General Atterbury had his way, the union men declared.

The message was signed by E. M. Jewell, president of the railway employes of America; J. E. Noonan, international president of the International Brotherhood of Electrical Workers; J. W. Kline, president of the International Brotherhood of Blacksmiths, Drop Forgers and Helpers of America; J. A. Franklin, president of the International Brotherhood of Boilermakers, Iron Shipbuilders and Helpers of America; and J. P. Anderson, vice-president of the International Association of Machinists.

The telegram asked the president (Continued on Page 6, Column 1.)

JURY SAYS SEATTLE BUNKOED IN CAR DEAL

TRACTION LINES VALUED AT 5 INSTEAD OF 15 MILLIONS.

City Declared Entitled to Equitable Relief Through Courts; No Evidence of Corruption Found.

SEATTLE, Wash., Jan. 31.—The terms of the contract by which the city of Seattle purchased the municipal street railway system from the Puget Sound Traction, Light & Power company for \$15,000,000 in municipal bonds, cannot be fulfilled and the city is entitled to equitable relief through the courts, the special grand jury investigating the purchase declared in its report made public today. The report asserts the lines are worth approximately \$5,000,000.

Mayor Caldwell will ask the city council tomorrow to take action in line with the recommendation of the special grand jury investigating the purchase of the municipal street railway system, that the city seek relief in the courts from the terms of its contract with the Puget Sound Traction, Light & Power company, he announced today.

The report says the grand jury found no evidence of corruption, or that any city official profited by the deal which was completed in March, 1913. It did find, however, according to the report, that the "negotiations leading up to the deal were characterized by slack business methods on the part of the mayor and city council. No indictments were returned."

The grand jury began investigation of the purchase of the lines last November, following publication of charges by Mayor Caldwell that the city had been "bunkoed" out of several million dollars.

The grand jury in conducting an investigation, results of which were submitted to the grand jury. After asserting that the value is approximately \$5,000,000, the report declared that if the city of Seattle completes the purchase according to the contract, the people will pay a total of \$23,752,550 in principal and interest and that by the time the payments are completed, it will be practically necessary to reproduce the system.

An additional loss of \$3,750,000 will result from the discontinuance of the 26 per cent gross paid to the city under private ownership and in taxes, \$4,601,280, making a total over all of \$2,148,830, the report asserts.

The contract for the purchase of the lines, whereby the city was to pay \$15,000,000 in municipal utility bonds, was completed in March, 1913. The grand jury, in its report made public today, asserted that at the time of the transfer the lines were worth at an actual physical valuation, \$7,843,900 and that considered an investment they were worth not to exceed \$5,000,000.

The report charged that the terms of the contract were never agreed upon or made public until long after the special election, November 5, 1913, when the people voted to purchase the lines, and that the vote was therefore taken "without authority of law." The terms, as finally negotiated, it adds, are "incapable of performance by the city."

Officials of the United States shipping board and the emergency fleet corporation, described the transaction to go through in order to obtain (Continued on Page 2, Column 4.)

ESCAPED PRISONER RUNS INTO LAW'S ARM

MAN WHO GOT AWAY IN WYOMING CAUGHT IN MEDFORD.

Deputy United States Marshal Has Luck on Trip to Take Two Bootleggers to Trial.

Luck played into the hands of Deputy United States Marshal Pace yesterday, luck so bountiful that he lost no time in burning the telegraph wires between Medford and Portland to get the glad tidings to his chief.

For as Mr. Pace strolled through the streets of Medford taking an early morning airing before proceeding to Jacksonville to bring two bootleggers to Portland from the Jackson county jail, he met an old friend, the old friend was L. S. Dean of Shreveport, La.

Mr. Pace greeted him with a warm handclasp, backed up by a pair of handcuffs. For his last glimpse of Dean had been gained as he disappeared through the window of a moving train at Rawlins, Wyo., late in October, 1920. At the time of his escape, Dean was being returned to Shreveport to face a charge of violation of the national motor vehicle act.

Since then Dean had disappeared completely. The meeting yesterday with the man from whom he made his escape was wholly by chance, for Mr. Pace had been sent to Jackson county for the sole purpose of bringing back two federal prisoners recently arrested at Gold Hill, Dean, according to the information received at the United States marshal's office, has been working as a traveling salesman. He was standing in front of a cigar store when Mr. Pace recognized him.

Dean was alleged to have stolen an automobile in Shreveport and transported it to Los Angeles, where he disposed of it. He was arrested last October in Astoria in company with a woman. Mr. Pace was taking him back to Louisiana to face a charge in federal court when he leaped from the train at Rawlins, Wyo. Details of his whereabouts since then have not been learned.

PAIR ADMIT THEFT OF BANKER'S WIFE

Los Angeles Kidnapers Enter Guilty Plea.

MEN PLAN FIGHT IN COURT

Evidence to Be Produced in "Mitigation" of Offense.

ONE SAYS HE WAS LURE

Police Prepare to Hide Both When Persons Telephone Station Hint of Violence.

LOS ANGELES, Jan. 31.—Arthur W.

Carr and Floyd L. Carr, cousins, confessed kidnapers of Mrs. Gladys Witherell, wife of O. S. Witherell, investment company president, pleaded guilty to a charge of kidnaping in the superior court late today. Sentence was deferred until next Wednesday morning.

A plan to have the men sentenced at once was abandoned when the prisoners asked for counsel, saying they wished to produce evidence in "mitigation" of their offense.

Floyd Carr made a confession late today, according to the police, in which he said he planned the kidnaping and lured Mrs. Witherell from her home last Tuesday night.

The police said tonight Arthur Carr had retracted a statement made by him earlier in the day that he and his cousin had been concerned in kidnapings in Spokane, Wash., and Denver, Colo. Carr made no mention of these cases when examined in the justice's court.

Police Get Violence Threats.—The police said they were prepared, if necessary, to transfer the prisoners from the city jail to a "secret hiding place."

This statement was made after several telephone calls had been received from citizens, some from the Hollywood district, where the Witherell home is located, and all expressing indignation over the case.

Floyd Carr declined to make a statement, the officers said, while his cousin talked freely.

Mr. Witherell bore up well after she was reunited with her child. Then she suffered a nervous collapse and on the advice of a physician was put to bed, with orders that no one except her relatives see her for two days.

Injured Woman Is Decey.—Through her husband, however, she gave out a brief story of her abduction. It follows:

"I was getting dinner last Tuesday when the man I learned later was Floyd Carr came to the door, saying some one was calling for me, a woman hurt in an accident on the boulevard. I had never seen him before, but I thought my husband's mother had been hurt, so I went with him."

"We got into a machine down the street. Another man, who I found out afterward was Arthur Carr, was at the wheel. I rode in the back seat with the one who came to the house."

"They did not say much and suddenly I knew something was wrong. I tried to jump out, but one of them grabbed me. I felt a wet rag around my face. I smelled chloroform."

\$20,000 Is Sum Demanded.—"I struggled as long as I could. Then I knew nothing."

"I came to just before we reached the cabin."

"They told me they were after money. I realized I must wait my chance to escape. The next day they let me write to my husband, just to say I was all right. They told me afterwards they sent my letter with their, demanding \$20,000 to let me go."

"They did not leave me. Floyd Carr was with me most of the time. They brought me the papers. I did some of the cooking. I could not sleep. I was so worried about the baby—he had not been well—and my husband, and all my family."

"All the time I was away—those terrible days and nights—I slept only an hour and a half."

Kidnaping on Tuesday.—Mrs. Witherell disappeared from her home here last Tuesday. She was found early this morning, a prisoner, in a small house on a sheep ranch eight miles east of Corona in Riverside county, about 70 miles southeast of Los Angeles, according to telephone messages to the Associated Press.

Mrs. Witherell was unharmed. The discovery of Mrs. Witherell and the arrest of the two Carr men were effected by Los Angeles police and deputy sheriffs, who started for Los Angeles with the woman and the two men.

The officers said the Carrs confessed they had ill-treated toward the woman's father-in-law, A. J. Witherell, because of a transaction involving a boat and that they had kidnaped Mrs. Witherell both to obtain revenge and ransom money, of which, it was said, they had demanded \$20,000.

Girl's Quick Wit Traps One.—A telephone operator's quick-wittedness led to the discovery of Mrs. Witherell and the Carrs' arrest. The operator received a call for the real-

AMERICA APOLOGIZES FOR BERGDOLL AFFAIR

GENERAL ALLEN DEPLORES ATTEMPT AT CAPTURE.

Colonel Is Sent to Tell Germans That Commander Did Not Give Order for Arrest.

BERLIN, Jan. 31.—Brigadier-General Henry T. Allen, commander of the American army of occupation, has made a formal apology to both the Berlin and the Baden governments for the attempt by men connected with the American forces to arrest Grover Bergdoll, American draft evader, and his chauffeur, Isaac Stecher, says an official German government statement today.

The statement says Colonel Stone, acting on orders from General Allen, called on the imperial German legion for the occupied Rhine area and deploring General Allen desired to make an apology to the German and Baden governments and further said he had given no orders for the attempt against Bergdoll, which he deplored.

The order for Bergdoll's arrest, General Allen stated, was issued by the provost marshal in Coblenz, who only recently arrived and who was under the impression Bergdoll was sojourning in the French occupied zone.

WASHINGTON, Jan. 31.—The war department today finally conceded that it had official information that Grover Cleveland Bergdoll, wealthy Philadelphia draft evader, was in Germany.

JOINT TERMINAL MADE PERMANENT

Railroad Chiefs Agree at Conference Here.

HUGE FREIGHT YARD IS PLAN

Property at Guild's Lake to Be Used as Site.

NEW STATION IS LIKELY

Construction Not Promised by Conference, but Action Is Indicated When Money Is Not Tight.

CHIEF FEATURES OF PORTLAND TERMINAL SITUATION.

Officially announced by railroad executives that agreement has been reached whereby Great Northern and Spokane, Portland & Seattle lines shall have permanent use of union terminal.

Even the Astoria trains are to be accommodated later.

Believed that Portland will, in due season, receive new and modern union passenger station.

Officially announced that property of Union Pacific system at Guild's lake will be used for great freight terminal, relieving congestion at the union passenger station and making room for increased passenger traffic.

Believed that freight terminals will cost more than \$1,000,000.

Mayor Baker, who initiated proceedings, expressed keen delight at outcome of conference, which have lasted five days.

Special city election may be necessary to authorize street vacations necessary to terminal plans.

After five days' continuous sessions, during which every feature relating to the Portland terminal situation had their earnest consideration, presidents of the transcontinental railroads entering this city last night announced that they had reached an agreement whereby the trains of the Great Northern and the Spokane, Portland & Seattle railways will use permanently the facilities of the Union station here.

This official announcement means that the efforts of Mayor Baker, members of the state public service commission and the mayor's special committee of civic presidents, backed by the interstate commerce commission, to bring about permanent unification of the railroad systems here have been highly successful. The agreement now made, although lacking in details, reveals that the city has been conceded outright very considerable features of its contention and the only thing lacking to make it as complete as the public officials and others concerned might wish is a definite promise of a new depot.

New Station Is Expected.—However, as the rail officials concerned, in making their brief statement last night, did not specifically say that they would not put up a new station in due time, it is generally believed that this "in the cards" and will be forthcoming as soon as money is easier and the renewed business conditions warrant the capital outlay necessary to such a big project.

The statement issued by the railroad executives last night was addressed to the public service commission of Oregon, George L. Baker, mayor of Portland, and H. B. Van Duser, chairman of the civic committee. It was signed by Ralph Boddie, president of the Great Northern railway; Charles Lonnelly, president of the Northern Pacific railway; Carl H. Gray, president of the Union Pacific system, and William Sprule, president of the Southern Pacific system.

Five Days Given Problem.—The statement was as follows:

"In response to the suggestion made by you, the executives of the several railroad companies have spent five days in a careful consideration of the proposed consolidation of passenger terminal facilities at Portland and have arrived at a tentative understanding as to a method by which this can be accomplished."

"To accomplish necessary expansion of passenger station trackage facilities and to compensate for encroachments on freight and switching tracks of the Northern Pacific Terminal company, favorable consideration has been given to a plan for the acquisition of a considerable acreage now owned by the Oregon-Washington Railway & Navigation company at Guild's lake and the establishment thereon of a complete yard with mechanical facilities which will result in a relief of freight yard adjacent to the passenger station sufficient to enable construction of additional passenger tracks."

"The matter has now been referred to the managing and engineering of (Continued on Page 4, Column 1.)

LIQUOR OF HOSTS SEIZED

\$5000 Stolen at Point of Gun by Traveling Salesmen Reported.

NYSSA, Or., Jan. 31.—(Special.)—

Traveling Salesmen, guests of Jordan Valley Basques, are reported to have held up their hosts at the point of a gun recently, seized a cache of 26 cases of aged whisky and dashed off in an automobile. In order to prevent chase being given, they are said to have removed secretly the distributor of their hosts' car before making the forcible seizure of the liquor. The liquor was valued at \$5000.

When the Basques arrived at Jordan Valley they were traveling in a roadster, which they traded for a five-passenger car. At the same time they deposited in a bank \$2000, which was in an unbroken package rolled in Cincinnati. It is presumed this money was stolen, as it has later developed that a claim on the roadster is made by a Mountain Home garage.

No trace of the fugitives has been found.

HARDING PARTY FAVORED

President-Elect Has Perfect Weather for Fishing Trip.

MIAMI, Fla., Jan. 31.—Perfect weather favored President-elect Harding and his vacation party on their fishing trip today.

The shadow is expected to put back

into Miami tomorrow and unless Mr. Harding changes his plans he will start Wednesday on his return trip to St. Augustine.

"No country can go through war without readjustment, but we are at the lowest stage and are on the upgrade," President-elect Harding said in an interview published here today. It was his only comment on political affairs.

MORGAN HOME ACCEPTED

House Opens Way for Purchase of Embassy Building in Paris.

WASHINGTON, Jan. 31.—Acceptance of the London home of J. P. Morgan as a permanent residence for the American ambassador to the court of St. James was authorized today by the house by a vote of 167 to 52.

The diplomatic bill was passed without a roll call.

The house also adopted an amendment to the diplomatic bill by Representative Longworth, republican, Ohio, authorizing an appropriation of \$150,000 for purchase of an embassy building at Paris.

BLUE SUNDAY GAINING

St. Louis Alliance Urges Passage of Bill by Missouri Solons.

ST. LOUIS, Jan. 31.—The ministerial alliance of St. Louis today adopted a resolution urging passage by the legislature of a bill to close on Sundays all places of amusement operated "for gain."

The measure was recently presented.

SOME OF HIS OWN MEDICINE.



MARY'S DIVORCE MENCED

Nevada Attorney-General's Brief to Be Filed Shortly.

CARSON CITY, Nev., Jan. 31.—The brief of the state attorney-general in the Mary Pickford divorce matter, in support of his motion to set aside the decree of divorce granted the actress from Owen Moore, will be filed tomorrow or Wednesday.

Deputy Attorney-General Richards made this announcement today.

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