

FOOD, FUEL GET RIGHT OF WAY

Emergency Is Declared East of Mississippi.

LABOR BOARD IS BACKED

Cabinet Views Problems for Nearly Three Hours.

U. S. POLICY ANNOUNCED

Established Authority of Board Is Supported—Railways to Get Coal First.

WHAT HAPPENED YESTERDAY IN STRIKE SITUATION.

The administration announced that it would support the United States railroad labor board as the only agency created by law for handling the rail strike.

The labor board adhered to its announced hands-off policy in connection with the strike, and members said no action was contemplated.

Baltimore & Ohio railroad officials and representatives of shippers in its employ met in an attempt to form a separate agreement.

Executives of southwestern railroads announced that these roads would not restore seniority rights to striking shippers.

Western executives and the Pennsylvania system announced that passenger and freight traffic was normal, that large numbers of men are being added to shop forces and that the general situation is satisfactory.

Martial law was declared at Denison, Tex., where infantry companies are assembling.

WASHINGTON, D. C., July 25.—

(By the Associated Press.)—Support of the railroad labor board as the only agency created by law for handling the transportation tie-up, acceleration of coal production under federal protection and control of fuel distribution were given by administration spokesmen today as the three fundamentals of the government's policy toward the industrial crisis involved in the coal and railroad strikes.

Restatement of the government's proposition followed the regular Tuesday meeting of the cabinet, which, for nearly three hours, devoted its attention to the double threat against the country's economic lifeline in fuel and disruption of interstate commerce.

First Step Is Taken.

The first step toward control of depleted transportation facilities and coal supply came shortly afterwards in a statement from the interstate commerce commission declaring that an emergency existed in the territory east of the Mississippi which required the commission to direct the routing of all essential commodities and to fix preference and priority status to control movement of food and fuel.

The priority order was followed by a "general service order" from the commission, notifying "all common carriers" that an emergency existed which required them to disregard usual routing practice, freight rate divisions and traffic arrangements so as to obtain the most expeditious movement of essential freights.

Railways Get Priority.

Becoming effective tomorrow, the commission's mandates give railroads first priority on fuel requirements with electric power, light, gas, water and sewer works, ice plants serving the public and refrigeration plants engaged in preservation of food, following in the order named appointment of a federal commission to investigate the coal industry received further support today in a resolution introduced in the senate by Chairman Borah of the labor committee. Mr. Borah suggested the commission be composed of three members, appointed by the president, and that it recommend the advisability of necessity of nationalizing the industry, or of the initiation of government regulations.

Labor Board Is Backed.

In outlining the government position in the railroad strike, administration spokesmen said it had been decided that the railroad labor board's statutory authority to determine wage and working conditions for railroad employees must be recognized and upheld, and that the attempt to operate mines in spite of the miners' union strike must be continued until it is demonstrated that not enough men are willing to work under state and federal provisions.

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TWO ARMY OFFICERS ACCUSED OF FRAUD

CONSPIRACY IS CHARGED IN SALE OF SUPPLIES.

6 Dealers Also Said to Have Been Involved in Plot to Beat Government Out of Cash.

LOS ANGELES, Cal., July 25.—Major Max Aiser of the United States army quartermaster's corps and Captain Frank Tingley, also of the United States army, were indicted today by the federal grand jury here, together with six dealers in army supplies, charged with conspiring to defraud the United States government by manipulating sales of such supplies at Camp Kearney.

The dealers are Daniel, Joe and Ike Greenberg, Ben Sugarman, Ed Hirsch and Allan Harris. The indictments were returned in the United States district court and bench warrants were ordered issued.

Aiser and Tingley, according to the United States district attorney's office, had charge of sales of cast-off supplies at Camp Kearney and arranged with the other defendants to conduct auctions under conditions which made it possible for these dealers to be the sole bidders and to get the supplies at prices much lower, it was alleged, than would have been the case had there been general bidding. Dan Greenberg acted as auctioneer at these sales. The district attorney charged, although a business associate of the other dealers.

GASOLINE PROBE COMING

Senate Body to Start Price Investigation Friday.

THE OREGONIAN NEWS BUREAU, Washington, D. C., July 25.—Investigation of gasoline prices will be begun by a senate committee Friday. Senator McNary, as chairman of the committee, will have charge of the hearings. The proposed inquiry, which was authorized by a resolution introduced some time ago by Senator La Follette, is attracting wide attention and Senator McNary is receiving offers of legal assistance from many persons desirous of getting their names in print for political purposes.

Senator McNary declared today, however, that the hearings would be an investigation and not a prosecution, as some of these publicity seekers would like to make it. Mayor Hyman of New York today proffered the services of one of his corporation counsels.

SUNDAY BALL OPPOSED

Eugene City Council Petitioned to Prohibit Games.

EUGENE, Or., July 25.—(Special.)—A petition signed by a large number of persons, protesting against Sunday baseball games on the Lane county fair grounds and on the municipal aviation field, has been presented to the city council. There is an ordinance prohibiting the playing of baseball inside the city limits. The fair grounds are outside but the aviation field is inside.

It is argued by the petitioners that playing on the latter is a violation of the ordinance, as the grounds are municipally owned. The council has taken no action in the matter.

40-8 SOCIETY TO MEET

American Legion Auxiliary Will Prelude State Convention.

THE DALLIES, Or., July 25.—(Special.)—La Societe des 40 Hommes et 8 Chevaux will gather from all parts of the state in The Dalles tomorrow. Convention activities will open at 2 o'clock in the afternoon in a brief business session, which will terminate at 5 o'clock, after which there will be a parade and then the initiation, the whole topped off with a dinner at Hotel Dalles in the small hours of the morning.

Legionnaires from all parts of the state will be arriving tomorrow for the big convention, which opens Thursday, July 30th. Ex-service men are expected.

POTENTATE HERE AUG. 2

Head of Mystic Shrine to Be Entertained in Portland.

James S. (Sunny Jim) McCandless, imperial potentate of the Mystic Shrine, will visit Portland and Al Kader temple early next month, according to word received yesterday by A. L. Tatu, illustrious potentate of Al Kader temple.

The imperial potentate will arrive in Portland on the Shasta Limited from San Francisco Wednesday night, August 2. He will remain in Portland until Friday, when he goes to Tacoma. Saturday he will be entertained in Seattle.

Elaborate plans for the entertainment of Potentate McCandless will be formulated and announced soon.

MAIL SERVICE REDUCED

Special Delivery of Letters to Close Daily at 11 P. M.

WASHINGTON, D. C., July 25.—Special delivery letters will not be sent out from any postoffice in the country after 11 o'clock at night, under new postal regulations issued today.

Such letters not delivered prior to that hour will be "delivered as soon as possible" the next morning.

GOVERNOR FLAYS OLD PAL WHITE

Kansas Editor Takes It All in Good Humor.

FRIEND'S ARREST EXPLAINED

Bill Harmless Except at the Typewriter, Says Chief.

SALLIES BRING SMILES

Executive Talks So Long He Misses Train, But Mr. White Arranges Transportation.

EMPORIA, Kan., July 25.—(By the Associated Press.)—Governor H. J. Allen invaded the home town of William Allen White this morning, raked the Emporia editor over "the coals" in a speech at the Kansas state normal school and returned to his home in Topeka in time for dinner. In his speech the governor explained his action in authorizing the arrest of Mr. White on charges of violating the Kansas industrial court law for placing a placard in the window of the Gazette office, expressing sympathy for the striking railroad men. Mr. White introduced the governor, who spoke to about 3500 students.

Governor Allen's speech, although friendly to the editor who sat behind him, carried a note of firmness and determination.

Praise Is Appreciated.

Principal points in the speech follow: White's position as a leader and his prominence in this locality made necessary his arrest because his action threw weight on the strikers' side. Placards must come down in all Kansas towns and if they are not removed in Arkansas City, the governor said he would remove them himself. White's stand for freedom of the press interferes with freedom of work.

Expressing appreciation of the praise Mr. White had given him in his introduction Governor Allen said:

"When I compare that with some of my conduct toward Bill during the past week, it puts him in the class of a self-sacrificing martyr."

Bill Held Not Dangerous.

"If trouble should arise in Emporia," Governor Allen said, "White would be a brigadier general in the posse which would go out to protect law and order. I've been with Bill under all conditions and I know he is not dangerous. He wouldn't hurt a flea."

"The only time Bill White is dangerous is when he sits down before a double action typewriter at a time like this and writes out his emotions."

"I, Bill or any one else has the right to put up a card in his window if he wants to. But when Bill put up that sympathy card he was joining in the movement to break down the efforts of"

(Continued on Page 2, Column 1.)

STUNT SWIMMER DROWNS WHILE TIED

KNOTS FAIL TO SLIP AND MAN STAYS UNDER.

Philadelphian in Attempt to Display Prowess to Friends Loses Life in River.

(By Chicago Tribune Leased Wire.) PITTSBURGH, Pa., July 25.—William Githens, 40, of West Philadelphia, "stunt swimmer" who had exhibited all over the country for years, tonight performed for the last time. His body was dragged from Allegheny river, near the Sixth street bridge, 15 minutes after he started to cross the stream with his hands and feet tied. The knots failed to slip.

For the last two weeks Githens had been discussing his feats. Soon after 10 o'clock last night several of his companions laughed and advised him to go on the stage. Githens decided to show them he could do what he said. With J. Semon, S. Okin and Grant Duff, he went to a bath house and donned a bathing suit and ordered his hands and feet tied. He was assisted to a diving board from which he dove into the river. Githens failed to reappear. The bath house men began to worry. Duff dove into the river to find his friend. The bath house men notified the police. When the police arrived Githens' body lay on the bath house float. Semon and Okin were arrested. They told the police Githens ordered them to tie his hands and feet. Duff was found two hours later in bed in the Hotel George. Semon, Okin and Duff were held on a charge of manslaughter.

DOVER FORMALLY OUT

President Accepts Tacoma Man's Resignation.

WASHINGTON, D. C., July 25.—President Harding has accepted the resignation of Elmer Dover, Tacoma, Wash., an assistant secretary of the treasury in charge of internal revenue and customs. It was announced today at the White House. Announcement by the White House of the severance of Mr. Dover's connection with the treasury puts an end to a long-drawn-out controversy between the ex-assistant and Secretary Mellon and Commissioner Blair of the internal revenue bureau over the control of the administrative policies of the bureau.

Since his appointment last December Mr. Dover has been at work on a program for the reorganization of the personnel of the bureau, but successive stages of its intended operation met with strong opposition from Mr. Blair, backed by Mr. Mellon. This brought about a situation wherein Mr. Dover was practically not considered by the treasury in the administration of revenue affairs.

POPE BLESSES KNIGHTS

Edward Hearn Back From Rome With Message for Order.

NEW YORK, July 25.—Edward L. Hearn, European commissioner of the Knights of Columbus, arrived today on the Majestic, bearing with him a special blessing from his holiness, Pope Pius XI, for the knights of the United States and Canada.

Commissioner Hearn also brought a gavel, made of ancient walnut wood from an historic altar of the popes in the private chapel of the vatican, to be used at the opening of the convention of the organization at Atlantic City.

PICKFORD WEDDING IS SET FOR JULY 30

FIANCEE ARRIVES IN LOS ANGELES FOR CEREMONY.

Miss Miller Declines to Speak About Billie Burke, Saying She Respects Old Age.

(By Chicago Tribune Leased Wire.) LOS ANGELES, Cal., July 25.—Marlynn Miller sailed into Los Angeles today, smiling radiant, coming to her wedding with Jack Pickford. A crowd of 1000 persons, no less, waited all afternoon at the Santa Fe station to see her, waited until nearly 4 o'clock, for the train was late.

But Marlynn disappointed them. Jack and his mother met her at San Bernardino, many miles away, kissed her, welcomed her to California, and whisked her away in a big limousine.

Miss Miller will become the bride of Jack Pickford next Sunday, July 30, instead of August 1, the date she previously announced.

Mrs. Charlotte Pickford, mother of the groom, is authority for the statement, although Jack assured newspaper men that the date was August 1.

"Impossible," Mrs. Pickford said. "We will have to have the wedding on Sunday because Mary and Doug simply cannot get away from home any other day; and they've simply got to be at the wedding."

And there you are.

"I don't think it was fair of Billie Burke to say nasty things about me," Miss Miller said. "I wouldn't say anything about her. Not a word. You see, I respect old age. Why should I say anything, anyway? Everybody in New York knows all about Billie."

"She said lots of things about the contract, for instance, that I'm automatically out of the cast of 'Sally' because of my marrying Jack. That's ridiculous. I'm to be the star of the show until it's taken off. And, besides, Leon Errol, my co-star, swears he won't go on with anybody else but me."

EUGENE THEATER LEASED

Calvin Heilig Takes Over House to Play Big Attractions.

EUGENE, Or., July 25.—(Special.)—Calvin Heilig, Portland theater owner, today leased the Eugene theater from Henry Hollenbeck and Mrs. Zoda Midgley, the owners, for a period of years. Mr. Heilig announced that he will bring the best road shows to this city. Under the new management all the real big attractions, many of which have not been stopping in Eugene of late years, will be seen here, Mr. Heilig promises.

A resident manager, experienced in the theatrical business, will be sent here from Portland to have charge.

FIRE DESTROYS TANKER

Crew of 30 Men Abandoned Vessel Before It Sinks in Gulf.

NEW YORK, July 25.—The oil tanker Charles Braley, which left Tampico yesterday for Baltimore was destroyed by fire in the gulf of Mexico early today, according to wireless reports received by the Cuban Distilling company, the ship's owners.

The crew of 30 men abandoned the vessel before it sank. The freighter Genesee reported she was standing by to pick up the crew.

FISHERMEN LOSE IN SEINING CASE

Three Federal Judges Sit En Banc for Hearing.

WASHINGTON LAW UPHELD

Plea That Legislature Went Beyond Powers Fails.

USE OF TRAPS FORBIDDEN

Purse Seine Apparatus Ordered Removed From the Columbia River by Thursday.

TACOMA, Wash., July 25.—(Special.)—Three federal judges sitting en banc here today upheld the state of Washington law forbidding the use of purse seine apparatus in the Columbia river, and gave the fishermen until Thursday to discontinue using their traps. The order to show cause accordingly was set aside.

With Judge W. B. Gilbert of the circuit court of appeals, Judge Edward E. Cushman of Tacoma and Judge Jeremiah J. Netzer of Seattle on the bench, argument in the case was begun here this morning.

Attorney Kelly of Tacoma, representing 60 purse seine fishermen from the Columbia river, attacked the Washington law on three points. He declared that it violated the agreement between Washington and Oregon which provides for the consent of either state to any fisheries legislation of the other; that it delegates the legislative powers of the state to unauthorized persons, and that it violated the constitution by discriminating against certain persons engaged in a legitimate form of industry.

The suit was brought in the name of Michael Katich and 59 other fishermen against the state of Washington as represented by Fred J. Dibble, director of fisheries, and the state fish commission. Judge Cushman granted a restraining order July 11 forbidding the interference by the state authorities with the fishermen in their operations. The argument was on the request of the fishermen for a permanent injunction against the state.

The law, Kelly declared, gives to the fisheries board legislative powers which the state legislature had no right to bestow.

L. L. Thompson, attorney-general of the state, appeared for the defense.

The death knell of purse seining in Oregon and Washington waters sounded yesterday at Tacoma, when Federal Judge Cushman dissolved a temporary injunction which he had previously granted against the enforcement of the Washington purse seining law and left officials of that state at liberty to drive seiners out beyond the three-mile limit.

This action, said Carl Shoemaker, master fish warden of Oregon, is the end of a bitter five-year fight against the purse seining industry, which he said was ruining fishing in the Columbia. With Washington officials free to co-operate with Oregon law enforcing agencies in keeping the purse seiners on the high seas, the industry will end, as the seiners cannot make expenses except in the river channel, he said.

PURSE SEINING HELD ENDED

Fish Warden Says That Boats Will Be Forced to Quit.

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NECK ONCE BROKEN NOW GOOD AS EVER

VETERAN'S RECOVERY HELD ALMOST MIRACULOUS.

Ex-Soldier Who Dived Into 11 Inches of Water Alive, Well and Back on the Job.

(By Chicago Tribune Leased Wire.) NEW YORK, July 25.—Two years ago John F. Fearon's neck was broken in two places. But today he is as active as before the accident and back on his old job as photographer for the J. G. Waters company of Brooklyn.

An ex-serviceman, Fearon, in June, 1920, went with two friends to Sealage for a swim. Without trying the water, he dived from a platform. The water's depth was only 11 inches. His arms only partly broke his plunge and his head struck bottom.

An ambulance took him to Coney Island hospital, where an X-ray disclosed that the fourth and fifth vertebrae had been broken, but that the spinal cord itself remained intact. The only hope he had of recovery was through lying perfectly still until nature had rebuilt the broken bones.

In a condition so precarious that the slightest jolt would have resulted in his death Fearon was placed on water mattresses suspended on springs. These responded to every vibration of his body. Slowly he mended and physicians from many parts of the country visited him to study his unusual case.

BOARD WALK TO BE BUILT

Extension of Concrete Promenade at Seaside Is Contemplated.

SEASIDE, Or., July 25.—(Special.)—To keep pace temporarily with the rapid growth of building operations in the northern part of the city, 1000 feet of board walk along the beach soon will be added as an extension of the concrete promenade on the ocean front.

Bids will be opened August 12 in the city auditor's office, the work to be completed by September 1. The extension will terminate 280 feet north of Fifteenth avenue, the walk to be six feet in width.

This improvement, in conjunction with the concrete promenade, which extends 8000 feet along the beach, will give 9000 feet, or approximately two miles of promenade frontage.

COYOTE ATTACKS GIRLS

One Maid Climbs Tree and Other Dives Into Water to Escape.

KLAMATH FALLS, Or., July 25.—(Special.)—Mildred Thrasher and Marie Obenchain, returning today from a vacation on the Frank Obenchain ranch at Bly, report they were attacked by a rabid coyote. One of the girls climbed a tree, while the other sought shelter in a wagon.

Frank Obenchain, coming to their rescue, was chased for some distance by the coyote. Finally he succeeded in shooting the animal and the animal passed on and disappeared in the brush.

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PERSECUTION OF DANGER CHARGED

Even Mail Opened, Says Star's Mother.

PRIVACY DECLARED STOLEN

Secret Passage Dug Into Cellar of Cottage.

RICH YOUTH IS BLAMED

Daughter's Grief After Yielding to Whitney, Who Grew Cold, Is Related by Parent.

BY JAMES WHITTAKER. (By Chicago Tribune Leased Wire.) NEW YORK, July 25.—A history of persecution of Evan Burrows Fontaine, before and after she had given birth to the child which she declares is the son of Cornelius Vanderbilt; Whitney, was related today by Mrs. Florence Fontaine, the young dancer's mother.

The account contains references to a secret passage dug by hired investigators into the cellar of a Jersey cottage in the Jersey woods in which the two women were at one time in hiding; it alleged an unheeded violation of their privacy when the things they wrote and the things they said and the things they whispered were recorded for enemy ears by means of dictaphones, bribery and theft; it affirms that old friends of the Fontaine family who had the temerity to support them at the trying moment when Evan was a penniless patient in a maternity hospital severed their friendships because they lived in a fear inspired by a campaign of intimidation.

Confession Made to Mother.

It begins properly at the beginning with Mrs. Fontaine sitting today on the porch of the home which Evan maintained at New Garden, N. J., for her father, Cornelius Vanderbilt Whitney, and remembering about the day on which she made the discovery that her daughter had yielded to "the Whitney charm," as exemplified in the youngest male of the line.

"Her romance had been in progress for three months," she said, "before I began to suspect. Once she started to tell, she told me all—and she confessed that she and 'Sonny' Whitney were first alone together on April 24, 1920."

Girl Is Notified Crying.

"One day the following August Evan had roamed about the house snatching little 'cries' in corners when she thought I was not looking. First I attributed her melancholy to 'Sonny's' absence—he was then in training quarters at Gales Ferry, near New London, Conn., preparing for the coming boat races between Harvard and Yale. Of course, I knew she was in love with the boy."

"For the first time in my relations with Evan I was deceitful. We were living in a two-story house in which the telephone had an upstairs extension to my room. I announced a headache and locked myself in. And then I waited long minutes at the extension phone for what was about to happen."

"I heard a click in the receiver and Evan's voice called a number—Whitney Hills 128, the number of the Whitney summer residence."

"After a pause: 'Is Mr. Sonny there?'"

"A butler answered: 'Who's calling?'"

Heart Break Is Indicated.

"When I had my first shock—I had never known her to engage in any intrigue such as the use of this assumed name revealed."

"Apparently 'Sonny' had been able to break training and come home over the week end for his voice sounded. He hailed Evan blithely, unconcerned."

"Evan made some complaint in a voice so low that I did not catch what she said, but I sonny answered loudly: 'Yes, I got your letter, but you know how hard it is to answer letters during training.'"

"There was pregnant silence at my end of the wire and Sonny began to protest quarrelsomely: 'You know Evan, you could have done something about this. I can't. I saw papa; he absolutely forbids me to see or write to you during training.'"

Mother's Mind Embittered.

"I heard the heart break in Evan's answer: 'You're a fool, Sonny, and I found Evan curled up on the floor near the telephone, crying as if her heart were really broken when I got downstairs. Perhaps it was.' Pretense and silence, one perceived, have embittered Mrs. Fontaine. Her story came from a mind crammed and laced by secrets."

She wrote a dozen letters beginning "Dear Mrs. Whitney" and ending all: "perhaps, a mother yourself, you will understand."

One she kept, sealed for postage, for four months. She sent none.

Story Told to Attorney.

Maurice Rosenthal of 377 Broadway, an adviser of the Morgan financial group, was the first attorney in whom the two women confided.

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YOU MAY GET THIS TOUCHING MELODY OVER YOUR RADIO NEXT WINTER.

