

# Oregontan.

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PORTLAND, OREGON, SUNDAY MORNING, AUGUST 22, 1909.

PRICE FIVE CENTS.

## AS INDEPENDENT

Prosecutor So Reads Primary Law.

SPECIAL PETITION IS NEEDED

Graft Fighter Will Make Sacrifice to Accept Office.

CALHOUN IS ISSUE, HE SAYS

Heney, Who Is Hunting in Coast Range 35 Miles Below Newport, Supplies Statement to Oregonian on Bay City Situation.

NEWPORT, Or., Aug. 21 .- (Special.)-Francis J. Hency furnished The Oregonian a written statement today, in which he figures out that, according to the recent Supreme Court decision in California, he cannot accept the nomination for prosecuting attorney on either the Democratic or Independence League tickets.

The only way in which I can become a candidate is by petition signed by a certain number of voters who did not vote at the primary election, requesting that my name be placed on the ballot as an independent candidate," says Mr.

Mr. Heney has been nominated both by the Democrats and the Independence League, but California's new primary law forbids that a candidate accept nomination by two parties. Furthermore, a candidate must be named the party with whom he announced his affiliation at the primaries. Mr. Hency is registered as a Republican.

Mr. Hency says he does not want the office of Prosecuting Attorney, but will, if nominated and elected, sacrifice his business interests for the public weal to order to continue the war against the grafters. Petitions to this end will circulated by friends of Heney, and the voters of San Francisco will have the opportunity to make a fight squarely on the graft issue.

"The innue has already been made Patrick Calhoun and his criminal asso ciates. There will be no escape from tt." savs Mr. Heney, Mr. Heney's state ment in full follows:

"I know nothing about the result of the primary election in San Francisco except what I have read in The Oregonian of Thursday, which was just handed to me by your correspondent. A new primary law was adopted by the last Legislature in California. The Supreme Court of that state has held it to instruction which prevents any candidate from receiving the nomination of more than one political party at a primary election. Moreover, the court held that a person could not be a candidate for nomination by any political party at a primary election unless such person had more than two years prio to such primary election registered and declared his membership in and affiliation with the political party whose nomination he desired to seek at such primary election.

### Is Registered as Republican.

"I registered as a Republican less than two years prior to the primary election which has just been held, and consequently I was not eligible as a candidate for nomination by the Republican party at the primary election. The electors who voted for me on the Republican ticket did so by writing my name on a blank line on the ballot with full knowledge that under the decision of the Supreme Court my name could not be printed on the ballot at the general election as the Republican nominee for District Attorney, even if I received the majority of the votes cast at the primary election by members of the The Demecratic nomination was tendered to me by the Independent Democrats with knowledge of the fact that I am registered as a Republican. The Independence League nomination was tendered with the same under-

"I would gladly accept both nomina (Concluded on Page 2)

### COMIC OPERA STAR SEEKING DIVORCE

GRACE VON STUDDIFORD SAYS HUSBAND LEFT HER

Romance of Singer and Wealthy Man's Son Ends When He Is Unable to Support Her.

ST. LOUIS, Mo., Aug. 21 .- (Special.)-Grace Von Studdiford, the comic opera star, now playing at the Delmar Garden Theater in St. Louis County, filed a suit for divorce from Charles Von Studdiford at Clayton, the county seat of that county, this afternoon. Her etition was the briefest on record, say ing they were married in Chicago, April 27, 1897, and separated in May last year. Her only allegation is that he deserted her and absented himself from

her for more than a year. She declined to discuss the case further than to say there would be no scandal or sensation in it and that it would not be contested.

Her husband, who is a member of an old and wealthy St. Louis family, having lost his fortune, has been a travelng salesman more than a year. He returned to St. Louis last night, went direct to the Buckingham Club, spent the night there and left here at noon today for a business tour of Northern Illi-

He fell in love with her when she as Grace Quive, sang a leading part in the Bostonians' production in a theater here, and followed her throughout the country. At the end of the season they were married, bought a beautiful home here, and entertained lavishly. His patrimony dwindled, and they moved into a flat. Five years ago she returned

THREE THUGS WAYLAY MAN

Unmasked Youths Hold Up Pedestrian and Glean \$8.

Three young thugs, evidently amateurs, eld up and robbed E. Muhler, of 272 Baker street, at Third and Sherman streets, at 1:15 o'clock this morning and made their escape. Muhler was walking nome and when in the shade of a tree the three young highwaymen sprang at im. One of them had a revolver, and this was shoved into the victim's face. None of the robbers was masked, but all three acted so quickly Muhler became confused and was unable to get a good

view of any of them. The only description he was able to give the police was that his waylayers were about 5 feet 6 inches tall, and were well dressed iin dark clothes, one of them wearing a straw hat. Acting Captain Keller dispatched the police automobile to the scene immediately after the report of the robbery, but a search of the vicinity revealed no trace of the young highway- The accident occurred just as the airship

LOVELORN FOLK NOW HAPPY Washington Marriage Law Changed

and Simplified by Legislature.

VANCOUVER, Wash., Aug. 21 .-(Special.)-A new marriage law has passed both houses of the Legislature. which if signed by the Governor, wil soon make the receipts of the County Auditor of Clark County increase several hundred per cent for marriage li-

The new law passed is practically the same as the old one, except that it does not require a doctor's certificate from it threatened to tear the car to which the contracting parties. Those desir-Ing to be married will be asked to make affidavit before the County Auditor, or some notary, taking oath that they are not afflicted with the diseases mentioned in the previous law. The license will then be granted. The fee will be \$2 for the license-formerly it was \$3. However, the law provides that the Auditor may charge 50 cents for the af-

LEAVITT IS TURNED LOOSE Warrant for Extradition to Washington Held Invalid.

LOS ANGELES, Cal., Aug. 21 .- (Special.)-Ralph J. Leavitt, the automobile man, was formally discharged by Judge Davis upon a showing that the purported warrant from Governor Gilfor Leavitt's surrender to the Washington authorities on a manslaughter charge was not a valid warrant from the Governor's office.

Leavitt was charged with manslaughter at Seattle as the result of the killing of a streetsweeper by a machine in which Leavitt was a passenger a year ago. This warrant was shown to have been issued by the Governor's secretary in the absence of the Governor from Sacramento.

## WELLMAN POLAR AIRSHIP EXPLODES

Explorer Travels Only Thirty-two Miles.

BIG BALLOON A TOTAL WRECK

Series of Accidents Culminate in Ruin of Dirigible.

EXPEDITON DECLARED OFF

Wellman and Companions Are Unhurt-Dropping of Thousand Pounds of Freight initial Cause of Failure.

CAMP WELLMAN, Spitzbergen, Aug. 15 (via Hammerfest, Aug. 21).-Walter Wellman's second attempt to sail over the North Pole in a balloon has resulted in a The giant dirigible balloon "America," in which Mr. Wellman and his party of three set out, proceeded about 22 miles from the starting point, when disaster overtook it.

Mr. Wellman and his party succeeded n making a safe landing and returned to this point on board the steamer Fram, which also towed in the disabled balloon

Delayed Start Is Made.

After a long preparation and waiting for favorable weather, the opportunity came today, and Mr. Wellman decided to make the start. It was 10 o'clock in the morning when the great airship was brought out of its shed and the daring explorers took their places in the car,

When the anchors were cast loose, the airship ascended beautifully, the engines were set in motion and everything seemed to work to perfection. The big air craft was manuvered for some time and answered the helm perfectly.

Goes Only 32 Miles.

Then its head was turned northward, and it set out at a speed of 25 miles an hour. Suddenly, after having covered 22 miles, and when everything seemed to be going splendidly, the leather guide rope, to which was attached 1000 pounds of provisions and stores, broke away. was nearing the pack ice of North Spitz-

Released from this great weight, the airship shot upwards at a terrific pace, until it was a great height above the clouds. The pilots succeeded, however, in bringing her down near the earth, turning her about and set out to fight their way southward against a strong wind.

Tow-Rope in Use.

The airship proceeded slowly southward to the edge of the pack ice, where the steamer Fram was anchored. After much difficulty, a tow rope was gotten aboard the Fram, which started immediately to tow the airship to Spitzbergen.

The strain was so great, however, that the rope was attached to pieces, and Mr. Wellman finally decided to bring the alrship down to the surface of the water. This was effected without mishap and the car rested on the surface of the water until all the members of the crew, the dogs and the scientific instruments could be transferred aboard the Fram. The America was then towed back to the landing stage, and within a short distance of where the start was made.

Big Bag Explodes.

But the ill-luck of the expedition was not yet at an end. Just as the airship had reached the landing stage and everything looked favorable for its rescue without serious camage, a sudden gust of wind caught the big bag broadside on, and snatched it away from its tow lines. It was carried careening over rough ice hummocks for some distance and then it exploded. All the scattered parts of the airship were subsequently recovered, but the damage was so great as to preclude any further attempt to fly over the Pole

Defect in Leather, Says Wellman. Walter Wellman made the following statement with regard to his unsuccessful attempt of yesterday to sail for the "Had not the guide rope broken, we

(Concluded on Page 4.)

### INDEX OF TODAY'S NEWS INDEX OF TODAY'S NEWS

YESTERDAY'S Maximum temperature, 75 degrees; minimum, 47.4 degrees. TODAY'S-Probably fair; westerly winds. Foreign.

Diaz sends more troops north to check Reyes movement and may call off meet-ing with Taft. Section 1, page 3. Wellman's balloon blows up after flying 32 miles toward North Pole. Section 1. page 1.

City of Monterey, Mex., headquarters of Reyes party, in flames. Section 1, page 3. Aviation week at Rheims to begin today. Section 1, page 2. mmense graft exposures at Montreal. Section 1, page 4.

Wisconsin politicians try to involve Taft in La Follette's schemes. Section I, page 2 emocratic party in Los Angeles is sued and proves to consist of chairman. Sec-tion 1, page 3.

Politica

National. Taft confers with cabinet members on amendment of interstate commerce and anti-trust laws. Section 1, page 4.

Thaw's mother complains of ill-freatment at asylum and officials reply. Section 1,

ncubator baby kidnaped from Topeka, Kan, for second time, but is discovered and kidnapers captured. Section 2, page 2. Four Indian girls from Haskell Institute captured while escaping to white slavers. Section 2, page 2. Grace Von Studdiford sues for divorce, when ex-millionaire husband deserts her, Section 1. page 1.

Harriman's secretary denies fake atories about wizard. Section 1, page 2. Harriman surveyors at work on line fr. Eureka to Portland. Section 1. page 1 Telegraph companies suspend new rules about codes in response to protests. Sec-tion 2, page 2.

Trans-Mississippi Congress asks for opening of mineral and farm lands in reserves and indorse Pinchot's administration. Section 1, page 2.

light of wild rioting and bomb-throwing at McKees Hocks. Section 1, page 1. Sports.

Coast League scores: Portland 0, San Fran-cisco 3: Sacramento 7, Vernon 4; Los Angeles 4, Oakland 2, Section 1, page 10. kiahoma cattlemen offer \$75,000 purse to get Jeffries-Johnson fight in Oklahoma Section 1, page 10.

Three men killed, two hadly injured in In-dianapolis auto races and 300-mile race is declared off. Section 1, page 1. Clayton Danks wins bucking championshi at cowboy meet. Section 1, page 10. rthwestern League scores; Portland 1 Aberdeen 2; Seattle 5, Vancouver 2; Ta-coma 1, Spokane 2. Section 1, page 10. Fans of Northwest demand eight-club Coast League. Section 4, page 4.

University of Oregon's football prospects bright. Section 4, page 4. Football fever begins to strike in on Mult-nomah Club mombers. Section 4, page 4 No expense to be spared in making Country Club track fast. Section 4, page 5.

Outlook for promising fighters is bad. Sec-

Pacific Northwest. Hency says he must be nominated as inde-pendent in order to make race. Section 1, page 1. tsion at Olympia ends in uproar. Section 1, page 5.

Oregon-Idaho Development Congress ad journs. Section 1, page 6. Schively creates dramatic scene on stand Section 1, page 5.

hole in local option law. Cimatilla County's grain crop amounts to 4,000,000 bushels. Section 3, page 10. Commercial and Marine.

Movement of wheat to tide water increasing Section 3, page 9. Chicago wheat murket pervous and weak. Section 3, page 9. Slump in stock market is checked. Section 3, page 9.

Fourth ship fixed for grain when Janeta is chartered. Section 3, page 5. Portland and Vicinity.

Conductors rouse owl-car passengers who nap when their stopping-off places are reached Section 1, page 1. Dr. Brougher to confer with pulpit commit-tee in Los Augeles on his call to Temple Baptist Church there. Section 2, page 12. Toted fruit experts of the Union extol Hood River Valley, Section 1, page 11. Commercial Club makes star strike for Oregon by fathering big excursion to Hou-River. Section 1, page 11.

eather helps to advertise Oregon in East, says J. P. O'Brien. Section 3, page 8. Mayor Simon uses his first veto on ordinance granting interest on condemned property. Section S. page 10. News of Portland dramatic world. Section 4, page 2.

Girl wife of J. E. Hamlin, alleged forger, awears she will not forsake him. Section 1. page 8. Real Estate and Building.

Wide range in bids offered for new city crematory, Section 3, page 7. Midsummer bull noticed in real estate work before brisk Fall Section 4, page 7. New Methodist Episcopal Church South is ready for organ. Section 4, page 7. Effers Piano House to put up hig warehouse. Section 4, page 7

Many big real estate projects are brewing. Section 4, page 8. Portland Chinese has his home fitted lux-uriously with modern bathroom. Section 4, page 8.

Alexander H. Kerr buys Russell apartments.
Section 4, page 8.
Week's building permits reach total of
\$198,900. Section 4, page 9. Empty houses at premium in Portland. Sec. tion 4. page 2.

Plans drawn for Levi Anderson's Industrial Home. Section 4, page 10. Woodstock residents subscribe 'money library. Section 4, page 10. Kenilworth district puts up coin for hall. Section 4, page 10. Activity in Rose City Park continues brisk.

Two Spectators Killed by Hurtling Car.

MECHANICIAN ALSO CRUSHED

After Fourth Accident, Race Is Called Off.

100-MILE MARK LOWERED

Third Day of Racing at Indianapolis Track Resembles Roman Holiday in Its Slaughter of Innocents.

INDIANAPOLIS, Ind., Aug. 21,-Three nore lives were sacrificed today in the peed carnival that marked the opening of the new Indianapolis motor speedway. One mechanician and two spectators were today's death toll. Charles Merz in a National in the 300mile race lost a tire and crashed through a fence into a group of spectators. The dead:

Claud Kellum, Indianapolis, mechanilan in the National car. Homer Joleffe, Trafalgar, Ind.

James West, 29 years of age, Indianap ills. West was a meat cutter.

Two Men Badly Injured.

Besides the three deaths there were two serious injuries during the day. Henry Tapking, of Indianapolis, suffered a compound fracture of the right arm, a fracture of the nose and scalp wounds in the wreck of the National

the same race, crashed into a post shortly after the wreck of the National car and was badly cut about the neck James Schiller, the mechanician, with

Keene suffered a slight fracture of the skull, but the physicians say he is in no After the second accident the officials

decided to call off the race.

Merz Escapes Unhurt. The leading car-a Jackson, with Bee Lynch at the wheel-had covered 235

second, and Stillman, in a Marmon, was claimed to have owed him The race will be declared no contest, and the Indianapolis speedway trophy will be raced for again, Merz escaped from the wreck of his

car with hardly a scratch. He fell under the machine when it turned a som ersault in the air, and landed in a gully near the side of the track. He seemed in imminent danger of being burned to death, but managed to shut off the engine and thus save himself. Kellum was hurled out of the car and landed in the gully some distance away.

Death Total Is Seven.

The three deaths today raise the peedway fatalities to seven. William Borque and his mechanician, Harry Holcomb of the Knox racing team, were killed in an accident in the 250mile race Thursday. Cliff Litterell, a Stoddard-Dayton mechanician, killed by being hit by a big racing machine while on the way out to the speedway. On Thursday Elmer Grampton, 6 years old, was killed by the autonobile of Dr. Carke E. Day, of this city, while the latter was on his way to the races.

The fatal accident today occurred on the south turn of the immense ellipse and near the open stands that contained more than 50,000 people. The thousands in the grandstand did not see the accident, although they knew that one of the cars had crashed through the fence. A few minutes later Merz was brought to the officials' stand, and a mighty shout of joy went up when it was seen he was safe. It was not for some time that the majority of the spectators realized that, though Merz had escaped, others lay dead or injured.

Car Out of Control.

After Merz finished more than 200 miles and was running fifth in the race, the tire on the right front wheel came off and the car tore away from the control of the driver. It crashed through fence near the foot of a bridge TAP NAPPERS, IS CARMEN'S NEW JOB

LAST-CAR PASSENGERS.

Women Get Peevish.

Which Street, Please?" Is Query Asked of After-Midnight Riders.

Streetcar conductors, evidently in compliance with an order issued by President Josselyn, are encroaching upon the privileges of Pullman porters. Each passenger, man or woman, or every last night car in Portland is asked by the conductor "Which street, please?" The object of the query is to apprise the conductor of the right places to stop the car, and in many in-stances he is obliged to awaken a passenger by a tap on the shoulder to tell him he has reached a near-home corner.

Recently a passenger home vard on the Thirteenth-street owl car saw i chance to be facetious. "Which street do you want, please?"

he was asked by the conductor. "What streets have you?" the passer ger queried in reply. While it falls to the conductors to awaken passengers frequently, in a few instances they have been obliged to

rouse shopgirls and women to tell them they have arrived at their destinations The men yawn and alight without complaint, but the wome 's a rule ar peeved when caught / ping solely on their Some conductors # memory to put the the right places, but most of them jot down the streets on the back of their transfer pads. The carmen welcome the new order of things, as it excuses them from announcing

STOLE DEAD BABY'S GEMS Spokane Youth Sentenced to Rock-

pile for Theft.

streets, and then, too, they have an op-

portunity to talk to fair passengers not

afforded in their daylight trips.

SPOKANE, Wash., Aug. 21.-(Special.) Convicted of the theft of a dead baby's little jewels that had been saved and therished by its heartbroken mother, Roy Lavalleur was sentenced to the rock-

nile for 20 days today. His capture was brought about by Detective McCleoud, who discovered a lit-Bruce Keene, driving a Marmon in the heart-shaped locket set with a ruby and a baby's ring, stolen two days ago from the home of W. A. Settle, 914 Boone avenue, about a young waitress' neck, as he sat in a downtown restaurant last night. He recognized their description as tallying with the one at police headquarters Mr. Settle had given of his dead child's jewelry that had been stolen. He questioned the young woman and learned that Lavalleur had given them to her. Lavalleur was soon under arrest.

Lavalleur admitted taking the stuff, but declared he took them for a debt of 45 cents Settle's pariner, G. A. Hesse, is

CARMEN REJECT Chicago Again Confronted With Danger of Strike.

CHICAGO, Aug. 21.-Following the lead of the North and West Side Streetcar Men's Union, the members of the South Side organizations tonight voted to reject the wage scale agreement reached recently by their officers with the street railway officials.

This throws the whole question oper again and the 10,000 union men are in a more deflant mood than ever. President Mahon, of the National union, arrived today and is trying to prevent a strike.

SHIP AGROUND IN STORM Strands at St. Vincent-Two Steamers Ashore at St. Kitts.

KINGSTON, St. Vincent, B. W. L. Aug. 21 .- The weather here has been rather threatening since last night, when there was evidence of serious disturbance east-northeast of Barbadoes, traveling to the west.

A local vessel has gone aground in Kingston harbor. The British steamers Dahome and Parimi, which went aground at St. Kitts, have not yet been floated.

MANY ANARCHISTS CAUGHT Delegates to Congress of Reds Arrested at Budapest.

BUDAPEST, Aug. 21.-The police of this city have taken into custody 28 anarchists who recently arrived here to attend the forthcoming Anarchists' Con-

## CONDUCTORS NOW AWAKEN

Woman Hurls Bomb at Trooper's Horse.

FEMALE MOB RAIDS KITCHEN

Negro Cooks Routed and Food Carried Off by Crowd.

MEN TOSSED FROM CARS

Attempt Made to Blow Up Office Building-Streetcars Attacked and Passengers Beaten by Enraged Strikers.

PITTSBURG, Aug. 21 .- A night of alld rioting among the striking workingmen closed the week at the Pressed Steel Car Company's plant in Schoen-

A daring attempt, partly successful, to blow up the office building of the company was made. This was the aignal for serious clashes between state troopers and strike sympathizers, in which a dozen or more men were in-

Woman Throws Bomb.

Shortly after 10 o'clock tonight 500 comen and children gathered about the company's restaurant in McKees Rocks, and were partially dispersed by mounted troopers. One woman stood out of the mob and, drawing a gaspipe loaded with powder, threw it at the feet of a trooper's horse. The bomb failed to

explode. The crowd of women was finally dispersed when firehose was played on

While the angry women swarmed the streets, a concerted attack was made upon the company's restaurant from the rear and, attacking the negro cooks with ladies, cooking spoons, etc., about 50 women beat an entrance into the kitchens of the establishment and made off with the potatoes, onions and even cauldrons of steaming soup.

Men Hurled Through Car Window,

Near a viaduct over the railroad tracks, strike sympathizers gathered and began stopping streetcars. Three men could not satisfactorily explain their presence in McKees Rocks, and were bodlly hurled through a car window. When the men fell from the car, members of the mob on the street at-

The men were dragged to the edge of the viaduct, 50 feet below which lay the tracks of the railroad, and only escaped being thrown over by the arrival of troopers.

Attempt to Blow Up Office.

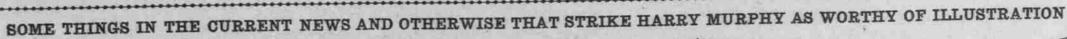
Late tonight an attempt was made to blow up the office building of the car plant, a three-story frame structure erected close to the stockade near the company house. Nitro-glycerin caps were thrown over the stockade and over 20 feet of basement rock supporting the office building was torn away by the force of the explosion. There is no clew to the identity of the men responsible for the deed.

A streetcar from Pittsburg was attacked by strike sympathizers and a dozen passengers abourd the car were severely beaten. They were finally rescued by troopers. At midnight the situation was quiet,

but ominous. . Peonage Charge Is Made.

A charge of peonage was formally made late tonight against Frank Hoffstot, president of the Pressed Steel Car Company, and Samuel Cohn, head of the service bureau at the Schoenville plant. In an affidavit sworn to by Albert Vamos before United States Commissioner Lindsay the charge is made that Hoffstot and Cohn "arrested, held and reurned the complainant to a condition of peonage.

Vamos alleges that he was brought here in complete ignorance of the state of affairs at Schoenville. He avers that when he made an attempt to escape from the plant, first asking permission from Cohn to leave, he was beaten sa severely that he had to go to a hospital.

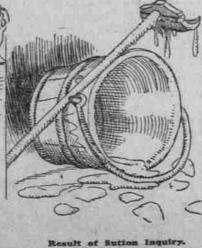




"Not at Home!"













Knows the Main Chance.