

PROSPECTS FOR PEACE

Exporters Will Not Consider Ultimatum Submitted to Them by the Striking Grain-handlers and Affiliated Unions

The prospects for continued war on the waterfront are stronger today than they have been since the beginning of the peace conferences brought about through Mayor Lane's proposition to submit the matter to arbitration.

After a full week of weary negotiations and unproductive conferences the grainhandlers' union, backed by the Waterfront Federation, has prepared and submitted an ultimatum to the exporters' association. The exporters' association considered this ultimatum for two hours today and at the end of the session, W. J. Burns, its spokesman, stated in positive terms that the document would not be accepted in its present form. If there is no further yielding on either side, therefore, war and more war will be the order of procedure.

If the agreement as it stands is not accepted by the exporters, it will break off the negotiations and continue the strike; we will fight it out to the bitter end," said Business Agent Melby of the Grainhandlers' union today.

"I believe that the men as a whole will not accept Melby's suggestion," said Russell E. Sewall, the grainhandlers' attorney. "We held a meeting with all the waterfront unions last night, drew up this agreement and it was the sense

of the meeting that it be the ultimatum."

The agreement as submitted to the exporters was slightly modified from its form as reported in yesterday's Journal. It provides for the reinstatement of all the strikers, including the weighers, samplers and machine men, but that the latter may be later replaced by nonunion men, provided they are found to be satisfactory, but these must be compelled to join the union within a reasonable time.

The wage suggested is 35 cents an hour and the time a half for overtime. The workday shall be nine hours long, and no pay shall be less than for half a day's work.

The object of the exporters, as pointed out by W. J. Burns, is against the unionizing of the weighers, samplers and machine men. This point, however, will never be conceded. The unionists, on the other hand, say they will never relinquish the demand.

To show that it is opposed to violence, the ultimatum being used by strikers, the Waterfront Federation last night adopted resolutions to prosecute any member known to commit such acts. To carry out this resolution, Attorneys Sewall and Gillette were appointed special prosecutors for any of such cases as may arise.

STREET CAR DESTROYED BY FIRE ON BURNSIDE BRIDGE

An electric freight car loaded with slabs of wood caught fire from an overheated motor at 2:30 o'clock this morning on the Burnside bridge. The fire spread rapidly and destroyed the car and its contents. The fire department arrived at the scene at 3:15 and worked for two hours to contain the blaze. The cause of the fire is being investigated.

COUNTY ORDER DOESN'T LOOK GOOD TO RAILROAD AGENT

"The county's credit is no good down here. I want the cash," said C. A. Stewart, ticket agent of the Astoria-Columbia River railroad, to Fred Buchtel, secretary of the county board of health, yesterday afternoon.

Buchtel had presented an order from County Commissioner W. L. Lightner addressed to Stewart, requesting that a ticket from Portland to Seaside be sold to John McCreary at charity rate and charged to the county. Stewart examined the order carefully, then informed Buchtel that only the hard-earned cash of the county would be used to pay for the ticket.

THREE HUNDRED POUND MAN GETS STREET CLEANING JOB

The biggest man ever employed by the city went to work today.

He's John Kelleher and he weighs—well, 300 pounds is the limit of the scales of the civil service commission, and the beam was hard up with all the weights piled on. So he was set down as "over 300 pounds." His chest measured 61 inches.

Kelleher was examined this morning together with two other men who wanted work as laborers. The large man had applied for a position in the street cleaning department, and Superintendent Donahue, who was helping in the examination, eyed him dubiously. "We would have to push a broom over eight miles of streets every night, and that is a killing job for anybody over 300 pounds."



UNDERWEAR

Some men want wool Underwear or nothing. Other men wouldn't wear wool if they got it for nothing.

So we have all sorts of good Underwear to suit all sorts of men.

All Cotton, all Wool or Wool and Cotton mixed.

\$1.00 to \$5.00 per suit.

Come to us for your Underwear and get satisfaction.



LION CLOTHING CO.

Men's and Boys' Outfitters.

166 and 168 Third Street.

Mohawk Building.

ROBBERY IN CASE

Supreme Court Sustains Lower Court in Case Against Alleged Crimps of Portland.

(Special Dispatch to The Journal.)

Salem, Oct. 23.—The case of J. A. Morton, appellant, against the Oregon Short Line Railway company, an appeal from Malheur county, George Davis, judge, was argued in the supreme court today in an opinion written by Judge Moore. The suit was brought by the plaintiff to enjoin the maintenance of obstructions to the flow of water in a stream on property in town-ship 18 south, range 47 east, in Malheur county, which prevented operation of the plaintiff's ferry boat and caused damage to the plaintiff's irrigation. The court enters a plea requiring the defendant to remove the jets within three months from the entry of mandate and the plaintiff to pay the costs and disbursements in both courts.

White Decision Affirmed.

The case of the state of Oregon against James White, appellant, and Harry White and William Smith, defendants, an appeal from Multnomah county, was affirmed in an opinion by Judge Haisley. The defendants were partners in conducting a boarding house in Portland, and furnishing crews to transport information from suit against them for kidnaping the prosecuting witness, Buran. Upon a separate trial James White was convicted and appealed from the judgment to the supreme court, alleging numerous errors of law and fact. Judge Haisley holds that the case was fully and fairly presented to the jury, and that no right of the defendants has been affected.

The case of the William Hanley company against J. D. Combs, an appeal from Grant county, George E. Davis, judge, was reversed and a new trial ordered in an opinion by Judge Bean. This was an action to recover \$3,200 advanced by the plaintiff in an executory contract for the sale of 600 head of young steers.

Gets Big Damages.

The case of G. H. Lindsay against the Grand Rapids Lumber company, an appeal from Union county, Robert Babin, judge, was affirmed by Judge Bean. This is an action to recover for injury received by the plaintiff while in the employ of the defendant in logging camp, when a log bounded over a shoot, crushing plaintiff's hip, dislocating his shoulder and inflicting other injuries. He was confined in a Baker City hospital for several days, and the fees of the hospital and physician amounted to \$1,400. The cause was tried and a verdict rendered for plaintiff for \$17,000. The defendant appealed, but the verdict was upheld by the supreme court.

The case of J. F. Goss, appellant, against the Northern Pacific railroad company, an appeal from Multnomah county, Arthur L. Fraser, judge, was affirmed in an opinion by Judge Bean. This is an action for negligence. The plaintiff, a passenger on a train from Kalama to Tacoma, suffered the crushing of a finger.

ELECTION FRAUD DEFENDANTS PLEAD

Sellwood Men All Declare They Are Not Guilty as Charged in Indictment.

In the circuit court this morning as Deputy District Attorney Gus C. Moser read their names from a list, he held up the hands of the defendants for conspiracy in the alleged frauds at the election in Sellwood precinct, one at a time and pleaded not guilty to charges of perjury, importing voters or voting illegally. Seven of the defendants pleaded with more than one offense, and all pleaded not guilty to each charge.

LIPTON WILL RACE FOR AMERICAN CUP

(Journal Special Service.)

London, Oct. 23.—A number of women suffragists tried to force their way into the house of commons today. There was a demonstration in the lobby, and the police arrested many. Eight insisted on shrieking speeches from the pedestals of monuments in the lobby.

Tells Gaps to Keep Quiet.

(Journal Special Service.)

Tokyo, Oct. 23.—The Kokonin Shimbum urges the people to refrain from a heated discussion of the segregation question in California, referring to Roosevelt's remarks that there will be no discriminations against the Japanese during his term. It says in its opinion there will be no trouble.

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SMALLPOX CLOSES SCHOOLS AT BOISE

(Journal Special Service.)

Boise, Idaho, Oct. 23.—The authorities at Nampa have closed the public schools, churches and prohibits all public meetings for two weeks as a preventive measure, small cases of smallpox having appeared.

POPE SAYS AMERICA IS IDEAL COUNTRY

(Journal Special Service.)

Rome, Oct. 23.—Bishop Burke of St. Joseph, Missouri, was received by the pope today and says the pope is enthusiastic about America and told him he thought the world would soon take its lesson of civilization from America.

WILLAMETTE IRON AND STEEL WORKS BUYS LARGE FACTORY SITE AND WILL BUILD.

Willamette Iron and Steel Works Buys Large Factory Site and Will Build.

A large and important deal in north-west Portland realty has just been closed, the Willamette Iron and Steel works having purchased from the William Sherlock company both sides of Factory street between Rock and Reed. They will build on it one of the largest and most complete iron foundries on the Pacific coast. Factory street is a small thoroughfare, extending north and south between Twenty-second and Twenty-third streets and the property just purchased occupies one-half of the block on each side. The purchase price is announced as \$94,000.

The Willamette works intend to occupy one side of the street with a foundry building that will be equipped with the latest machinery and it will be capable of making the largest kind of iron castings for other sides of the street will be used for patterns and storage purposes, a building probably being erected for a pattern shop.

The realty market today is mainly quiet, reports regarding the sale or lease of the H. L. Pitcock block on Washington street between West Park and Tenth streets. Despite the demise of those who are said to be interested, it is currently reported that the deal is now in a fair way to be closed and that it is likely that the necessary papers will be signed before the end of the week.

A. M. Smith has sold to Donald Moore the quarter block and house at the northeast corner of East Sixth and Tassalo streets for \$4,350.

Blaise Transfers Property.

It was announced last week that Eugene Blaise has purchased the half block on Twentieth street between Elm and Laurel on Portland heights from Dr. Joseph Hlokey for \$16,000. Yesterday a deed was recorded conveying this property from Mrs. Blaise to J. C. Alworth Jr., president of the United States National bank for a nominal consideration. This new transfer, it is understood by those interested, is a sort of trusteeship.

THINK SHEPHERD IS CONVICTED

Common Opinion That Farm-Hand Will Pay Penalty for Murder of Ben F. Zell.

(Special Dispatch to The Journal.)

Prineville, Or., Oct. 23.—That Fred Shepherd will be convicted for the murder of Ben F. Zell, his former employer, by the jury which is now pondering on the case is the general belief here today.

The case was presented to the jury at an early hour this morning and the men were told of the facts in the case and still have the matter under consideration. The length of time which it has taken for a verdict to be reached is a great surprise to the people here, as it was confidently expected, after the testimony was heard, that there would be little time wasted in the consideration of a verdict.

HOOS IS ARRAIGNED ON PERJURY CHARGE

(Journal Special Service.)

Pittsburg, Oct. 23.—Clifford Hoos, the negro coachman, correspondent in the Klatskanie case, was arraigned today on the charge of perjury. The attempt to hush up the case failed and the judge was ordered to proceed. The case will be thoroughly aired.

It is understood that the negro perjured himself in testifying that he was intimate with Mrs. Hartje.

CARR LAND COMPANY SELLS KLAMATH PROPERTY

(Washington Bureau of The Journal.)

Washington, Oct. 23.—The secretary of the interior has authorized the reclamation service to purchase the property of the Jesse D. Carr Land & Livestock company for use in connection with the Klamath irrigation project in Oregon and California. The authority carries with it permission to make a payment of \$170,000 or about 80 per cent of the total purchase price.

ALLEGED AUTHOR TO SPEND TIME IN JAIL

(Journal Special Service.)

W. D. Browning, contributor to the Saturday Evening Post, will have ample opportunity to complete his new novel of alleged life in the west, for he was sentenced to ten days' imprisonment by Judge Cameron this morning.

JOE STICH KILLED BY SHAFT AT MILL

(Journal Special Service.)

Chehalis, Wash., Oct. 23.—Joe Stich was killed at Dooty yesterday while repairing a belt in the Dooty Lumber company's mill. Stich's body was beaten to a pulp, his neck broken, his arms and legs broken and five ribs broken and his breast crushed. He was 48 years old and a native of Canada. He had been divorced and his family lived at Oregon City, where he belonged to the 2,500 order, in which he was insured. He was to have been married again Christmas.

SCHOOL DIRECTORS FAIL SO FAR TO COMPLY WITH REQUEST OF SAFETY COMMITTEE.

School Directors Fail So Far to Comply With Request of Safety Committee.

Though over 100 of its 80 days have passed, the board of education last evening took no action on the recommendations of the executive board concerning additional fire-protection for the schools, aside from ordering a fire escape for the Alder-street side of the West Side high school.

The fire chief, fire marshal and building inspector have made two reports to the executive board on the condition of the schoolhouses. Practically every school in the city, and these are 14 of them, has been visited by these officials. A number of their recommendations indirectly reflect upon T. J. Jones, architect of the board of education, particularly such items as the lack of exits from a large assembly hall, and the total lack of any proper way of getting upon a fire escape.

The officials recommended among other things that all rubbish be removed from around furnaces and that the schoolhouses be cleaned up generally. They also suggested that the use of oil in cleaning floors be discontinued. The directors last evening determined to hold each principal accountable for the lack of any proper way of getting upon a fire escape.

Several months ago the executive board managed to get a fire escape upon the Alder-street side after the arrest of the directors had been delayed. It is doubtful if such drastic measures will ever be resorted to, but the executive board will undoubtedly consider that its recommendations be carried out.

Hereafter more specific details of the cause of a teacher's tardiness will be required. It has been the custom for a teacher to tell the board that her car was late. This will not be considered enough after this. If the teacher can't show that had not the car been delayed, she would have arrived on time, she will be liable to a fine.

HELD UP AND ROBBED BY NEGRO HIGHWAYMEN

Peter Jolewyn Relieved of His Money at Park and Flinders Streets.

Peter Jolewyn of 117 Sixth street reported to the police today that he had been held up by two negro highwaymen at a midnight stop at Park and Flinders streets and robbed of \$170. He was able to furnish a fair description of his assailants and the police are searching for the thugs.

PATROLMEN ON THE BIG CARPET TODAY

A number of Patrolmen, against whom complaints have been filed, will come before the police committee of the executive board this afternoon. Maloney and Kienlan must explain how the fight with the gang of Albin hoodlums occurred and how they became involved in the matter. It is expected that they will clear their names. O. Nelson has had trouble with Third-street hawkers, who have complained of him.

AT THE THEATRES.

The College Widow Tonight.

Henry W. Savage's production of George Ade's great comedy, "The College Widow," will be the attraction at the Heilig theatre, commencing tomorrow night, Friday, October 25, with a special-price matinee tomorrow afternoon at 2:30 o'clock. Seats are selling at the entire engagement at box office of the theatre.

Matinee at Heilig Tomorrow.

A special-price matinee will be given at the Heilig theatre tomorrow (Wednesday) afternoon at 2:30 o'clock. "The College Widow" will be the bill.

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CARTER HARRISON IS HURT WHILE HUNTING

(Journal Special Service.)

Montreal, Oct. 23.—Carter H. Harrison was badly injured while hunting in Ontario. Friends started today to take him to Chicago. He is suffering from a badly sprained back and possibly from internal injuries also. It is believed that he was shot by a bear.

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