COAST TEMPERATURES

VOL. IX. NO. 269.

PORTLAND OREGON, THURSDAY EVENING, JANUARY 12, 1911.-TWENTY-FOUR PAGES.

PRICE TWO CENTS. ON TRAINS AND NEWS STANDS, FIVE CENTS

# UNTERMYER SAYS ANTI-TRUST SUITS

Noted Corporation Lawyer Addressing Civic Federation Tells Where, as He Thinks, U. S. Has Missed It.

BUNGLED TILL TRUSTS **GOT CINCH ON THINGS** 

Oil and Tobacco Decisions Can't Hurt Trusts Now-Utters "Panic" Threat.

(United Press Leased Wire.) New York, Jan. 12.-Owing to an attempt to place the National Civic Federation on record regarding the federal regulation of trusts there was an unusually large attendance of delegates at the opening of the eleventh annual meeting at the Hotel Astor today. Representatives of 24 state councils were present. The meeting was opened by President Seth Low, who predicted the enactment of uniform corporation regulation laws, workingmen's compensation acts and compulsory arbitration.

"Combinations" was the subject sched-uled for today. William Dudley Foulke, Samuel Untermyer and Gilbert Montague discussed it, Courts Can Give No Belief.

That the supreme court of the United tSates will declare the Standard Oil company and the American Tobacco company monopolies in re-straint of trade, was the opinion expressed by Mr. Untermyer, who is a leading corporation lawyer, in his ad-dress before the Civic Federation. The decision, however, would not relieve the conditions attacked by the govern

ment, he said. The trend of the decisions of the supreme court for the past five years, Untermyer declared, indicated that they must affirm the finding of the lower courts in the cases of the tobacco and

"But by so doing," he said, "the supreme court will not sive relief fram

American people." The trusts, he predicted, would reor-ganize as separate properties and the business would continue to exist, since the constitution forbade the confiscation of property.

Government's Own Fault, The entire blame for this state of affairs, according to Untermyer, was due to the attitude of the courts toward the Sherman law for the 10 years foland the federal government, he said, of the new bridge, tacitly consented to trusts in their most victous form. To extermiante them now, he said, would be to destroy publie confidence and bring about financial and industrial chaos. He charged that

CENSUS BUREAU GIVES **OUT FIGURES ON SEVEN** TREASURE STATE CITIES

(Continued on Page Fourteen.)

(United Press Leased Wire.) Washington, Jan. 12.—The census bureau today announced the population of the following Montana cities: Helena, 12,515; Missouls, 12,869; Anaconds, 10,134; Billings, 10,031; Kalispell, 5549; Livingston, 5359; Bozeman, 5107.

(United Press Leased Wire.)

was staying and said a fortune teller

That was the testimony today of

had informed her that Schenk would

Miss Alma Evans, the nurse who cared

for Schenk, first witness today in the

trial of Mrs. Laura Schenk for the al-

the nurse said she asked Mrs. Schenk.

"No, I would wither know," the wit-ness testified Mrs. Schenk replied.

"Doesn't that make you feel badly?"

Miss Evans testified that before auto-

mobiling with Schenk and herself Mrs.

Schenk on October 21, brought her hus-

band a drink of water, which he said

tasted peculiarly. Later, she said she was away from the house for an hour.

The witness said when she returned she

found Schenk violently nauscated. She

had not been called, she said, although

Another drink given Schenk from the

bottle of drinking water his wife had

opened for him resulted in further

nausea, Miss Evans testified. She got

another bottle of water and gave the one

that had apparently caused Schenk's

sickness to Dr. Hupp. The nurse said

she had told the doctor she thought it

Though Nothing Could Save Mim.

she had left her telephone number.

leged poisoning of her husband.

NURSE SAYS MRS. SCHENK

MEDDLED WITH MEDICINES:

Wheeling, W. Va., Jan, 12 .- On the During the first night, she said, Mrs.

evening of the fourth day of the illness Schenk did not assist her. On the even-of John O. Schenk his wife came into ing of the fourth day, she testified,

the room where the nurse attending him Mrs. Schenk told her of visiting the for-

HUSBAND SICKENED THEREBY

band's death.

band's death

it herself."

fresh one.

#### Famous Lawyer



Samuel Untermyer.

#### OREMAN, HIT BY PILE, FALLS, DIES

Robert Lewis, Aged 45, Single, From Missouri, Was a Bridge Expert.

Robert Lewis, aged 45 years, an ex pert bridge builder and foreman for the Union Bridge & Construction company working on the new O.-W. R. & N. Co.'s bridge, fell 30 feet to a terrible lowing its passage. Both the courts death this morning, into the cofferdam

> Lewis, who has been working at bridge building for 20 years, was su-perintending the removal of some of the piles from the dam when one swung around and struck him on the body knocking him into the interior of the

One of his fellow workmen was low ered by the derrick into the pit, where he gathered the foreman in his arms and was hoisted to the top. The ambulance was summoned and reached the dock near the dam by the time the injured workman was brought to shore He died, however, before he reached the At Least Two Years Required hospital.

Lewis was unmarried and his parents are alive in Eolia, Mo. He had been in the employ of the company since July 1, as foreman, and was considered a very capable man. He was brought to from Kansas City to take charge of the department of which he was foreman. Relatives have been

Schenk home on the night of October 15.

tune teller who had prophesied her hus-

Mrs. Schenk told her, the nurse con-

inued, that seers had foretold her hus-

"He might be patched up by the doc-

ors," the nurse said the defendant had

told her, "but he must eventually die."

Mrg. Schenk Shakes a Bottle.

The nurse told of giving the patient water from a bottle that his wife had

opened. He was twice nauseated, she

defendant entered the room and com-

plained that I had not shaken the bottle of malt cascara. I told her it was not

necessary. She insisted that it was, and

took the bottle from the stand and shook

The nurse then told how she went to

the kitchen and got another bottle of

drinking water, which she concealed. Then she took away the bottle which

Mrs. Schenk had opened, substituting the

It was after this, she said, that she

told Dr. Hupp that she believed the

water was peculiar and gave him the bottle which she had saved.

Bid Medicines From Mrs. Schenk.

Miss Evans testified that a bottle

"When I was giving medicine the

# THROUGH COUNCIL

Fight of Nearly Three Years Ends With Bare Majority, Eight Members Voting for New Regulations.

HOME RULE PEOPLE **AUTHORS OF CLAUSES** 

\$300 to \$800; Powers of Attorney Killed.

Peatures of New Ordinance.

ants, with meals only.

Retail liquor dealers must pay an annual license of \$800. Family liquor stores are classtfled separately, and a license

fee of \$1000 a year provided for Powers of attorney for saloon licenses are abolished after De-

cember 31, 1912 For the purposes of the ordinance hotels are defined as being structures of 25 rooms or more, containing a bar and one or more dining rooms.

Drug stores making window display of liquors must pay a license of \$400 affaually. Drug stores not making a display and selling liquor only for medicinal purposes are exempted,

The restaurant liquor license fee is increased from \$300 to \$800 All licenses are payable semi-

quarterly, as before, After almost three years of struggle

annually, in advance instead of

the city council this morning passed a new liquor traffic ordinance, in spite of the opposition of Councilmen Wallace and Cellars. Only 10 of the 15 nclimen were present and the measure got a bare majority of eight votes. The passage of the measure is due, in a large part, to the feforts of H. C. (Continued on Page Twenty.)

#### DR. PLAMONDON REMOVED FROM OFFICE BY WEST

for Building of Branch Asylum and Offiice Not Needed Until Buildings Ready.

(Salem Bureau of The Journal.) Salem, Or., Jan. 12 .- Dr. J. C. Plamondon, appointed by Acting Governor Jay Bowerman superintendent of the eastern Oregon branch asylum yet to be built at Pendleton, was this afternoon removed from office by Governor Oswald West

Dr. Plamondon was notified of the in-Tuesday. It was conveyed to him from the governor through State Senator C. Barrett of Umatilla, his father-inlaw, that his resignation would be accepted. Dr. Plamondon, however, answered by stating he would resign if he were assured by the board of a place on the staff of the new institution when that staff is selected by the board This neither State Treasurer Kay nor Governor West would promise and the action taken by the board this afternoon followed.

A copy of the resolution removing Plamondon of Athena and giving the reasons of the board for his removal follows:

"Whereas: It would appear from the records that position of superintendent of the Eastern Oregon Branch asylum has been filled by the appointment of Dr. J. C. Plamondon, and

"Whereas, it would appear that at the present time the state has a competent and efficient staff, thoroughly familiar and acquainted with needs and requirements of insane hospitals, which are willing to assist and advise the board without extra expense to the state in all matters pertaining to the plans and procedure necessary in the construction of said branch asylum and

preliminary to its active operation, and Whereas, it would appear that there re no duties the performance of which at this time requires the services of a superintendent. Therefore, be it resolved, that the

said Dr. J. C. Plamondon be removed from said position as superintendent of the eastern Oregon branch asylum, and that said office be left vacant until further orders of this board

## IN CONNELLSVILLE. PA., FIRE: IN STORE

Fire Due to Explosion, Cause Unknown, Which Does Considerable Damage to Other Buildings and Power Lines.

**FEW MINUTES FOR THOSE ENDANGERED TO ESCAPE** 

Restaurant Licenses Go From Thirty Persons in Store, Nearly All Employes: Citizens Bank Building Wrecked.

> Connellsville, Pa., Jan. 12 .- Four per sons are believed to have been killed in an explosion and fire in McCory's five and ten cent store today. There were 30 persons in the store at the time of the explosion, most of them girl em-It was at first reported that 25 persons had been killed, but the manager asserts that all but a few of

those in the building escaped. According to the management only four persons known to have been in the building were missing when the fire was controlled, shortly after noon Five girls, severely burned, were res

owing to the intense heat. The damage is estimated at \$100,000.

A high wind was blowing and the ames spread to adjoining buildings. general alarm was sent in and en gines from Uniontown were sent. Within ten minutes after the explo sion the walls of the five and ten cent store fell in.

High power electric lines passing in front of the building were blown down, adding to the danger of rescue and fire fighting.

The Citizens National bank was wrecked, the front wall being blown The bank and several other buildings in the neighborhood caught fire The cause of the explosion is not

#### UDLIO OLIVATOL COMMISSION BIL **TOBE INTRODUCED**

Believed Big Fight Will Be Precipitated When Measure Is Presented; P. R., L. & P. Co. Not Unfavorable to Plan

(Special Dispatch to The Journal.) Salem, Or., Jan. 12.—One of the big ights of the present session of the legislature will be on the public service ommission bill. The Portland Railway, Light & Power company has an-nounced that it is in favor of a fair measure of this sort, but it is the only one of the larger corporations which has declared a favorable attitude, while members of the legislature have heard that several of the railroads and other public service companies will be in the field against It.

In the senate the bill will be introduced by Dan J. Malarkey, while Edwin G. Amme has announced that he will have a bill in the house. Amme's bill and State Treasurer T. B. Kay, the new will be modeled after the New York members of the board governing the state law, which he believes to be better than any adopted by any other state He declares that the New York law tended action of the board soon after is fair to the corporations, while at the Governor West was inaugurated last same time the members of the commission are so bound by its provisions that they are unable to discriminate against the people.

"Oregon has as yet met with com paratively few abuses from corporations," declared Amme yesterday, "but if we accept the experience of the eastern states as a barometer they are bound to come. I believe Oregon should take care of the situation before the extremity is reached. If we regulate the corporations now in existence in manner which will only protect the people and not discourage the investment of legitimate capital, we will not have the abuses and problems which have been the experience of many of our sis

"I know there is going to be a strong lobby against the passage of any public service commission measure which will be at all serviceable to the people, but I have confidence in the present legislature and I believe the commission will be created and that the law will have useful provisions.

#### UNIVERSAL SHIPPING STRIKE PREDICTED

London, Jan. 12.—A worldwide strike, imed-at international shipping interests, may at any time tie up the comof owners to discuss the proposals of

#### New President of Chamber of Commerce



H. M. Haller, who was elected at banquet.

quet of the chamber of commerce by Charles H. Carey, counsel for the Hill eral counsel for the Harriman lines in this state. Both called upon the business men of the city and state to en-courage the investment of capital in the state, particularly in railroads, instead of placing obstacles in their way.

W. W. Cotton announced that the Havriman lines had obtained from the Hill interests by purchase the right of way of the Boise & Western Railway company at points where it conflicted with the survey and right of way in the Malheur canyon of the Oregon Eastern Rallway company, thus giving the Harriman interests an unobstructed opportunity to construct the line from Vale into the Harney valley as soon as they desire. Honorable H. B. Miller, formerly consul general to Yokohama and later consul general to Belfast, gave an admirable talk on conditions in Japan and that country's commercial relations with other nations, particularly as they apply to the United States.

Strategic Value of Northwest. Brigadier General Marion B. Maus, in charge of the department of the Columbia, at Vancouver, Wash., called atattack in the whole of Uncle Sam's domain. The Columbia River basin, occupied by an enemy, he said, would be a great base from which to operate, and therefore he thought the coast should look far to the westward, even farther than the countries of the orient, and be

DIAZ JOINS FOES

regarded as an alarmist, but considered very timely to build up a navy so that the tremendous wealth of this seclines in Oregon, and W. W. Cotton, gen- tion of the states could be properly guarded for the people of the nation. General Maus paid a high tribute to the laws of the state of Oregon, laws, he said, by the people and for the people, and laws which are attracting attention and drawing favorable comment from all parts of the union. He spoke of Oregon and the inland empire as an immensely rich section where development is now just beginning and where it should be carried on systematically with a view of building up one of the most important parts of the country. "When you have this section filled with people," said the speaker, "the question of defense will have been eliminated, for then there will be enough patriotic citizens to defend it. But in the meantime, you must be pre-

pared to hold the situation with a mere handful of people." Bishop Scadding as a Booster. Right Reverend Charles Scadding

bishop of the Oregon diocese of the Episcopal church, spoke entertainingly of a recent trip through the middle states and the great interest that is being taken there in Oregon. He said the Pacific coast, contending that this he had given a number of lectures, illuscoast is the most vulnerable point of trated with lantern slides, and that the people are still writing and talking about them. In illustrating his points Bishop Scadding recalled a number of amusing anecdotes from the early history of the state. He said that in

# Talks straight from the shoulder were prepared to meet any emergency. delivered last night at the annual ban- explained that he did not desire to be

(Continued on Page Three.)

### INVESTIGATION OF OF SMUGGLERS

der to Chinese and Opium Traffic.

Los Angeles, Cal., Jan. 12.-President Diaz of Mexico is to assist the local immigration officers in stamping out into the United States over the Mexito be the result of the visit here of Daniel J. Keefe, commissioner general of immigration, who came to this city It is also said that while here Keefe

Chinese to aid the government. immigration authorities that smugglers immigration authorities that smugglers were improperly turned over to former his evidence, it is said, will also be were planning to land another band of orientals on the southern California used them for his personal benefit.

Part of the household furniture that coast, and steps were at once taken to run down the rumor with a view to ascertaining if it would be necessary to send the schooner Orient, which has merce of the nations, according to the been chartered by the government for London Globe. The strike, says the revenue cutter work. The Orient car-

# W. N. G. AFFAIRS

Pledged to Aid in Closing Bor- Goss of King Makes Demand, Alleging Irregularities and Incompetency.

(United Press Leased Wire.) Olympia, Jan. 12.-Attempts to investigate the affairs of the National the smuggling of Chinese and opium Guard of Washington took shape today when Representative Frank P. Goss of can border. This arrangement is said King county asked for the appointment of a committee of two senators and over to Bailey changed, the cost of three representatives to institute a various items doubled and such articles Diego immigration officers on plans in Goss' resolution that the National pressed fear lest many other statements to put a stop to the illegal traffic.

Guard is in a disrupted and (newstated) thorough investigation. It is charged as oysters added, Williamson has ex-Guard is in a disrupted and unsettled may have been changed in like manner. state. It is charged that Adjutant Gensecured the services of several local eral Liewellyn is not legally in pos. Bailey's office, now in the chemical A report was received today by the priated for the National Guard's use lege, has made similar complaints

Colonel John Kinzie, recently discharged E. M. Walls, previous to his marr because he inslated on a report of Na- to her, has been installed in the

# BE ACTED ON AT TUESDAY SESSION

Twenty-fifth Session of the Legislature, Vetoed by Governor Chamberlain.

Fifteen House Bills From the

ALL FOR BENEFIT OF COUNTY OFFICIALS

Would Increase Salaries of Men in Office During Their Terms at Time.

> Question of Authority. Serious question exists in the minds of some of the lawyer members of the legislature as to whether vetoed bills of the last regular session can be acted on now after having been ignored

> by the special ression of 1909. The special session, which was called by Governor Benson to correct errors in bills passed at the regular session, was held about one month after the regular ression had adjourned. During the intervening time the bills made a special order for next Tuesday were vetoed by the governor. Business at the special session was rushed through, and no matters were taken up except those unanimously agreed to as emergency matters.

Now it is contended that these vetoes should have been acted upon at the special session and can not be considered by the new legislature. Lawyers are divided on the question. The fact that a doubt exists concerning the validity of a measure passed over veto under such circumstances will tend to strengthen opposition to the vetoed bills. Some legislators believe the best policy now would be to kill all the vetoed measures, and let them come in as new bills if there is any demand for them.

(Special Dispatch to The Journal.) em, Or., Jan. 12.—House assed by both houses at the twentyfifth legislative session two years ago and which were vetoed by Governor George E. Chamberlain have been made the order of business in the house for o'clock next Tuesday afternoon, There were 15 house bills vetoed, the majority of which were so-called salary bills, increasing the salaries of

(Continued on Page Fourteen.)

## FURNITURE FROM HOUSE TO OFFICE

When Grand Jury Reaches the Usually Austere Laboratory, It Will Have Cosy Look-More Evidence Today.

The grand jury spent yesterday afternoon hearing evidence from Paul V. Maris, his ex-chief deputy, against J. W. Bailey, state dairy and food commissioner, and apparently this was but a beginning of the investigation into charges of graft and delinquency against Bailey, for the jury instructed Maris to appear before it again this morning. The evidence of Maris is said to constitute a long list of charge which to investigate will require several days' work by the grand jury, More witnesses, it is understood, were

summoned today, among whom being R. Verne Williamson, chemist resigned in Bailey's office, Since he resigned, charging Bailey with obstructionism and dishonesty, Williamson has been at his home near Wells, Or. On his way to Portland he will come through the state capital that he may compare his own accounts with the warrants drawn by and paid to Bailey for the maintenance of the laboratory, including the coats of supplies and specimens collected for chemical test for purity. Claiming to have seen a statement he had turne Bert Pilkington, former chambit in department at Oregon Agricultural co

It is charged in the resolution that Railey bought and had delivered to Miss been chartered by the government for ment, will testify that many of the days. When the grand lucy revenue cutter work. The Orient carries two rapid fire guns and an armed Other charges of a minor nature are

The testimony of the nurse regarding quinine had a peculiar appearance. It "De had an unnatural, murky color, she said. 1911. the actions of Mrs. Schent was evidently regarded by the state as one of its Other charges of a minor nature are nade.

The guards have been disrupted ever tory and the case wardrope planes. "Dated this 12th day of January, Globe, was agreed upon at a congress ries two rapid fire guns and an armed of the International Transportation Workers' association at Copenhagen nade. The guards have been disrupted ever The guards have been disrupted ever "The day after Schenk went to the hospital," she said, "Mrs. Schenk visited (Signed) most important bits of evidence, and "OSWALD WEST, Keefe left instructions that any resistance on the part of smugglers should be a signal to send the Orient every phase was brought out by careful since Adjutant General Ortis Hamilton was discovered to be short \$15,000 and was sent to the penitentiary. last August, as a result of the refusal "Governor, him. She went into the bathroom "T. B. KAY, Miss Evans said she went to the (Continued on Page Fifteen.) "State Treasurer." the Seamen's union in Europe. into action.