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Oregon Daily Journal

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PORTLAND, OREGON, MONDAY EVENING, MAY 29, 1911—SIXTEEN PAGES.

PRICE TWO CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

TOBACCO TRUST REVEALED MONOPOLY

10 DIE WHEN TRAINS CRASH; AUTOSTS MEET AWFUL FATE

SCALDING STEAM COOKS INJURED PINNED IN WRECK

Broken Pipes Pour Hot Vapor on Victims; Several Baseball Players Injured, One Fatally.

(United Press Leased Wire.) Omaha, Neb., May 29.—G. W. Holdredge, general manager of the Burlington railroad, in a statement issued late this afternoon, gave the names of 10 persons killed in the wreck at Indianola, as follows: ENGINEERS LEAHY AND HYDER, FIREMEN OLSON AND DAMERON, EXPRESS MESSENGERS FRIAR AND FRAZIER, ROBERT SHEPHERD, Holdredge, Neb. passenger, C. A. HILLSBACK, Holdredge, Neb. EXTRA FIREMAN DOWERS, UNIDENTIFIED PASSENGER. The three forward cars of train No. 12—the baggage, smoking and chair cars—were wrecked.

Twenty-three passengers, according to Holdredge's statement, were injured. These include Pitcher Kinsella, infielder Lloyd and President McGill of the Denver baseball club, and infielder Lolly of the Omaha club.

Indianola, Neb., May 29.—At least 10 persons were killed early today in a head-on collision west of here between two Burlington flyers—No. 9, east bound, and No. 12 west bound—both express trains.

The engines on both trains are dead and many passengers of both are dead.

(Continued on Page Five.)

Child, Sole Survivor of Accident Near Los Angeles Battles for Life; Passengers Clear Motorman of Blame.

(United Press Leased Wire.) Los Angeles, May 29.—Little Hazel Kaufman, sole survivor of a merry party of six autosts, whose machine was run down on the Downey road crossing near Whittier by a Whittier Los Angeles Pacific Electric car, has today a slight chance to recover.

Despite the fact that she received a compound fracture of the skull, lost an eye, which was torn from its socket, and is suffering from compound fractures of both arms, physicians at the Whittier hospital say her wonderful vitality may pull her through.

The other members of the party died almost instantly, never realizing what struck them.

The dead: Jeremiah Kaufman, 52, Long Beach. Harry Kaufman, 9, his son. Iva Kaufman, 38, his wife. Harold S. Hollingsworth, 34. Mrs. Harold S. Hollingsworth, 26. Eye witnesses say that the automobile was struck with terrific force. So fearful was the impact that the machine was thrown into the Whittier electric station, the building being partly demolished by the crash. Mrs. Kaufman, with nearly every bone in her body broken, was carried 200 feet on the car fender and thrown between the tracks. All other victims were terribly mangled.

Motorman Cleared. The automobile was traveling north on the Downey road. The electric car was bound west toward Los Angeles. Motorman Linda says he did not see the car until it was upon him. He says (Continued on Page Five.)

HOME DYNAMITED A SEVICTORS CENTER; 3 OFFICERS HURT

CONSTABLE BELIEVED FATALLY INJURED

Oakland Man Said to Have Foiled Court's Order by Destroying Property Awarded to His Divorced Wife.

(United Press Leased Wire.) Oakland, Cal., May 29.—Just as constables bent on eviction broke the door of Charles H. Pickard's little home at 1920 Fifteenth avenue this afternoon an explosion of dynamite blew out the front wall and hurled the officers into the street.

Constable Al Kihn is believed to have been fatally injured and was hurried to the receiving hospital. Deputy Sheriffs Riley and McDonald were also injured. More explosions followed the first and completed the destruction of the home.

Pickard's wife had recently been granted a divorce and the property had been awarded to her by the court. The police say that Pickard took this means of foiling the court's orders.

Investigation showed that the explosions were brought about by the use of packages containing shot gun shells, slugs and dynamite to which were attached wires connecting with revolvers and these in turn wired to all the doors so that when the officer forced their way in they pulled wires which in turn discharged the revolvers.

Constable Al Kihn who was the first to enter, received the full force of the first explosion, and was hurled backward with his clothing on fire and his shoulders shattered by a shot.

Behind him came Deputy Sheriff McDonald whose teeth were loosened by the force of the explosion and who was knocked almost senseless. Fellow officers dragged the two men to safety just as three other explosions followed in quick succession. Neighbors say that the house has been closed for three days.

It is requested that all veterans who are able to march in the Memorial day parade be at the Second and Morrison corner at 2 o'clock tomorrow afternoon.

In many of the city's churches Memorial day sermons were preached yesterday. The bravery of the men who encountered danger, endured hardships and gladly died in defense of home and native land was recalled in the addresses of Dr. Benjamin Young at Taylor street Methodist church, by Dr. Walter Bonwell Hinson at the White Temple, by Dr. Luther R. Dyott at the First Congregational church, by Rev. J. G. Ghormly at Central Christian church.

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SUPREME COURT DECIDES AGAINST GIANT COMBINE

CASE IS REMANDED FOR MODIFICATIONS

Washington, May 29.—The United States supreme court today decided that the American Tobacco company (the tobacco trust) is a monopoly in restraint of trade and exists in defiance of the Sherman anti-trust law. Chief Justice White read the decision of the court. Justice Harlan dissented.

This was the decision of the United States supreme court in effect, although the case was reversed and remanded to the lower court to secure modifications of the decision.

Summing up the decision of the court, Chief Justice White said: "Under the circumstances and taking in mind the complexity of the situation in all its aspects and giving weight to the many sided considerations which must control our judgment, we think so far as the permanent relief should be awarded is concerned, we should decree as follows:

"First—The combination in and of itself, as well as each and all the elements composing it, whether corporate, individual or whether considered collectively or separately, should be decreed to be in restraint of trade and an attempt to monopolize and a monopolization, under the first and second sections of the anti-trust law.

"Second—That the court below, in order to give force to our decree in this regard, be directed to hear the parties, by evidence or otherwise as may be deemed proper, for the purpose of ascertaining and determining upon some plan or method of dissolving corporations and of reconstructing out of the elements now composing it a new combination which shall be honestly in harmony with, and not repugnant to, the law.

"Third—That for the accomplishment of business purposes and, taking into view the difficulty of the situation, the period of six months be allowed from the receipt of our mandate, with leave, however, in the event of a judgment of the court below that the necessities of the situation require, to extend such period of time to a further time not to exceed 90 days.

"Fourth—That in the event, before the expiration of the period thus fixed, that conditions of disintegration of the combine in harmony with the law are not brought about, either in consequence of the action of the court below in determining the issue on the subject or of accepting the plan agreed upon, it shall be the duty of the court, either by way of injunction restraining the movement of the products of the combination, or by way of restraining the commerce or by the appointment of a receiver, to give effect to the requirements of the statute.

"Pending the bringing about of the result just stated, each and all of the defendants, individuals as well as corporations, shall be restrained from the doing of any act which might further extend or enlarge the power of the combination by any means or device whatsoever."

TOBACCO TRUST MOST VERSATILE OF ANY OF THE "BIG BUSINESSES"

(United Press Leased Wire.) Washington, May 29.—The American Tobacco company and its subsidiary companies is probably the most versatile octopus of modern business. It involves 66 corporations carrying on every conceivable business connected with the tobacco industry, and 29 individuals.

Companies for the manufacture of cigars, cigarettes, chewing tobacco, snuff, licorice, pipes, cigar boxes, tin snips, and other articles, stationary, cigars, stogies and corporations for the purchase and holding of tobacco properties in Cuba and Porto Rico are the component parts of the combine.

Attacked in New York. It was first attacked by the government in the suit filed before the circuit court for the southern district of New York on July 10, 1907. A monster complaint covering several hundred closely printed pages and embodying the work of several years of collection of evidence by the department of justice, agency, recited that the "trust" had (Continued on Page Eight.)

GOVERNORS FROM MANY STATES TO HELP CELEBRATE

VISITORS WILL BE INVITED TO PORTLAND

Twenty-nine Executives Send Acceptances to Astoria's Committee; Others Will Attend It Is Reported.

(Special Dispatch to The Journal.) Astoria, Or., May 29.—Twenty-nine governors of the states and territories of the United States have accepted invitations to be present at the Astoria Centennial which is to be held here from August 10 to September 9 next.

Each of these executives has accepted the invitation of the centennial committee also upon behalf of their staffs. The list of those who have declared that they will aid Oregon to make the centennial a huge success follows:

Oswald West, Salem, Or.; M. E. Hay, Olympia, Wash.; Walter R. Stubbs, Topeka, Kan.; Robert S. Vessey, Pierre, S. D.; Edwin L. Norris, Helena, Mont.; J. M. Carey, Cheyenne, Wyo.; Chester H. Aldrich, Lincoln, Neb.; Lee Crane, Guthrie, Okla.; John F. Shafroth, Denver, Colo.; William J. Mills, Santa Fe, N. M.; Frederick W. Plalsted, Augusta, Maine; Eugene N. Foss, Boston, Mass.; Aram J. Pothier, Providence, R. I.; Simon B. Baldwin, Hartford, Conn.; John E. Tener, Harrisburg, Pa.; William Hodges Mann, Richmond, Va.; William E. Glascock, Charleston, W. Va.; W. W. Kitchin, Raleigh, N. C.; Cole Blaise, Columbia, S. C.; Foke Smith, Atlanta, Ga.; Albert W. Gilchrist, Tallahassee, Fla.; Augustus E. Wilson, Frankfort, Ky.; Ben W. Hooper, Nashville, Tenn.; Judson Harmon, Columbus, Ohio; Charles S. Deneen, Springfield, Ill.; F. C. McGovern, Madison, Wis.; Adolph O. Eberhardt, St. Paul, Minn.; Chase S. Osborn, Lansing, Mich.; Walter F. Peare, Hawaii.

It is known that several other governors will be at the centennial but the (Continued on Page Five.)

ACCIDENTALLY KILLS HER WHEN HORSE SHIES

(United Press Leased Wire.) Santa Ana, Cal., May 29.—The police are investigating today the shooting near here of Mrs. Louise Abendrath by a revolver in the hands of Paul Shelton. Shelton, who declares that the shooting was an accident, insisted on being taken to jail. He said he and Mrs. Abendrath had engaged a rig for a drive to San Diego on Monday. About 16 miles from the city he says he alighted to shoot at a squirrel with a 32 automatic revolver. He says the horse shied and in an attempt to recover the reins the bullet was again discharged, the bullet causing Mrs. Abendrath's death.

GENERAL REYES TO SEEK PRESIDENCY

(United Press Leased Wire.) Mexico City, May 29.—General Bernardo Reyes will be a candidate for the presidency of Mexico, according to word received here today from Havana. The opinion prevails here that if Reyes succeeds in getting the nomination of the National Catholic party, which is not unlikely, he stands a splendid chance of election, despite the present big Madero boom. Reyes also, it is said, will have the support of the army.

WRITES ABOUT COUNANI; HORRORS! NO SUCH PLACE

Paris, May 29.—France has come to the front with a Cook exploration-fake of its own. Auguste Cook, an author, published a book of which thousands of copies have been sold, describing his explorations in Coumani, a supposed South American republic.

Cook's wife "told" on him and an investigation revealed there was no such place in existence.

FOUR CHARRED BODIES IN RUNS OF BAY CITY CHUTES

Fire Said to Have Broken Out at Four Places in Pavilion—Incendiarism Believed to Have Cost Loss of Quarter Million—Leaping Lodgers Are Injured.

(United Press Leased Wire.) San Francisco, May 29.—Chaired to a crisp the bodies of three adults lie in the morgue here today, several persons are missing and a score are seriously injured, most fatally, as the result of a fire at the Chutes amusement pavilion, which caused a loss of more than \$250,000 and which the police believe was the work of an incendiary.

Only one of the three bodies recovered from the fire ruins at noon had been identified. It was that of John Boettinger, a chauffeur, whose identity was discovered from a ring which still clung to his charred hand. The other two bodies were so badly burned that even their sex cannot be determined, without a close examination.

Tenants Moved in Fear. Close questioning by the police of persons who had lived in the Chutes lodging house revealed the story that the fire started in at least four places simultaneously. Some former tenants of the building declared they had moved out because of a fear that the place would be burned. No definite statement on the matter has yet been made by the police, but detectives are running down a score of clues and it is expected that arrests will be made before long.

Burns Very Fast. Besides the Chutes building itself, structures in the vicinity principally stores on the other side of Fillmore street were destroyed. It is not believed, however, that any lives were lost in any other structure than the Chutes.

The fire started in the Chutes restaurant, in the southwest section of the Chutes property about 1 o'clock. The flimsy construction of the buildings and the high wind caused the flames to spread rapidly; and the lodging houses on either side of the burning structures were soon also in flames, as were the places across the street.

Fortunately there were very few animals in the zoo, the greater part of them having been removed to British Columbia when the Chutes menagerie closed recently. A few monkeys and a cub bear that remained were easily rescued. The fires which started in the (Continued on Page Five.)

REFUSED JAIL TERM HE KILLS HIMSELF

Japanese, Denied Prison Sentence of 20 Years, Commits Suicide.

(United Press Leased Wire.) San Francisco, May 29.—Denied a jail sentence, as an alternative of committing hari-kari, to which the laws of his people condemned him for intriguing with a friend's wife, Ichi Matu Ohashi, a Japanese, was finally forced to turn to death here and hanged himself in the detention hospital, where he had been sent as insane.

Ohashi walked into police headquarters last night and asked for a 20 year jail sentence. He explained his offense and stated that unless he committed hari-kari his relatives in Japan would be forced by custom to do so. He preferred the white man's punishment—jail.

Captain of Detectives Bunker, to whom Ohashi made his plea, "didn't get" the psychology of the case, and sent Ohashi to the detention hospital. There the Japanese declared he was not insane, but simply wished to choose the lesser of two evils. He was placed in a strait jacket.

Deciding finally that death was best, Ohashi with his teeth, tore himself free from his bonds, and when the keepers entered this morning, was found hanging by the neck from the grating of the window in his cell.

(Continued on Page Five.)

HOURS OF SERVICE LAW SAID TO BE CONSTITUTIONAL BY SUPREME COURT

(United Press Leased Wire.) Washington, May 29.—The United States supreme court judged constitutional the "hours of service law," regulating the hours of employment of railroad dispatchers, engineers, firemen, conductors and brakemen.

It also ruled that the commerce commission had the right to require monthly reports from railroads showing where employees had worked longer hours than those specified by law.

At 1:55 o'clock this afternoon the United States supreme court recessed until 3, without handing down the expected decision in the tobacco trust case. Chief Justice White explained that the court desired to consider motions made today and to decide them before an adjournment was made for the term. Several justices have not yet read the decisions expected.

CHURCH BELLS ANNOY ICE CREAM VENDER

(United Press Leased Wire.) Long Beach, Cal., May 29.—Declaring that the ringing of church bells interfered with his trade, Charles Bonham, an ice cream venter, complained today to the city council, asking relief. An examination of city laws showed that an ordinance was in force which sweeps broadly the ringing of all kinds of bells, thus bringing churches under its provisions.

CONDITION OF POPE ALARMS ROME; PONTIFF'S END MAY COME SUDDENLY

(United Press Leased Wire.) Rome, May 29.—Despite official denials, all Rome is alarmed today over the condition of the pope's health. Although up and about, the pontiff is ever under the watchful eyes of a physician and every effort is being made to shield him from fatigue or worry. The truth is that his attacks of gout are growing more frequent and progressively more serious. His heart also is giving him trouble. The physicians say he is suffering from arterial degeneration. During the early days of his elevation to the papal throne he threw off the disease without difficulty, but today he has changed, and it is said that any one of his attacks may prove fatal.

WILD BOB MAKES NEW AUTO RECORDS

Averaging 100 Miles an Hour, Burman Distances All Post Performances.

(United Press Leased Wire.) Indianapolis, Ind., May 29.—Distancing all past performances, "Wild Bob" Burman made new automobile records here today in the preliminary events to the 500 mile sweepstakes which is to be run tomorrow. Burman hung up new marks for the mile, quarter mile, half mile and the kilometer, making an average of 100 miles an hour. The time and the distances were:

Quarter mile—0:31.6. Half mile—0:16.83 seconds. Kilometer—0:31.40 seconds.

As Burman finished his great outburst of speed his front tire blew up, but the driver skillfully kept his machine running and avoided a serious accident.

The track has been washed and is reported to be in perfect condition for the start of the big race.

Thousands of eager spectators are here to witness the running of the sweepstakes this year.

The Ladies' entry, by Van Gorder, has been withdrawn, leaving 43 contestants to appear on the track tomorrow.

ALASKA'S POPULATION ANNOUNCED BY BUREAU

Washington, D. C., May 29.—The census bureau announces Alaska's population as 84,356 in 1910. 63,692 in 1900, and 32,052 in 1890. The population of the Juneau district is given as 5,854; of the Nome district as 3,924 and of the Fairbanks district as 7,875. Forty miles near Klondike has only 341, Rampart, 370, Eagle 643 residents, which shows an enormous diminution in those regions since the Guggenheims got control of the Klondike placers.

COURT HITS PURE FOOD LAW A HARD BLOW

Washington, May 29.—The United States supreme court today struck a blow at the pure food and drug campaign by holding that the law does not apply in cases where the question is only whether a patent medicine is efficacious or worthless to affect the cure claimed.

ATTACKS OF GOUT FREQUENT AND ARTERIAL DEGENERATION MAY PROVE FATAL

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Pope Pius.

BRYAN NOT PRESIDENTIAL CANDIDATE; "LEAVE ME OUT OF IT," SAYS COMMONER

Nebraskan Makes Announcement After Long Conference With Democrats.

(United Press Leased Wire.) Washington, May 29.—"I am not a candidate for president and will not be; leave me out of it."

This today is the answer of William J. Bryan to reports that he might run again. Bryan declared himself after a long conference with Representative Burton Harrison of New York, Representative Hamill of New Jersey and about 20 other politicians. He refused to express any choice at this time between Woodrow Wilson, Champ Clark or Judson Harmon.

Keane to Get New Place. Rome, May 29.—Archbishop Keane of Dubuque, Iowa, resigned today to accept appointment as the titular archbishop of a see which has not yet been designated.



William Jennings Bryan.