

MEDFORD INITIATIVE FREIGHT RATE BILL KNOCKED OUT BY THE FEDERAL COURT

TARIFF BILL IS READY TO PASS BOTH BRANCHES

Compromise Report of Democratic House and Senate Confers Presented Congress—Provides Lower Duties.

President to Sign Measure Thursday—Free Wool in December—Many Changes Agreed Upon.

WASHINGTON, Sept. 29.—The compromise report of the democratic house and senate conferees on the tariff bill was presented to the republican conferees this morning. It is scheduled for submission in the house this afternoon and will come up for adoption tomorrow. It probably will be adopted by the senate Thursday.

Democratic leaders say President Wilson will sign the bill Thursday night. His only possibility of delay is for the republicans to make final speeches in favor of protection.

The house is expected to adopt the Wilson-Smith-Lever substitute for the cotton futures tax amendment. It was believed, however, that the senate would refuse to adopt the substitute, and that the entire cotton futures section would be eliminated from the bill.

President Wilson said the senate and house leaders regarded the cotton taxing amendment as foreign to the tariff bill, and declared they were willing to adopt the Wilson-Smith-Lever bill as a separate measure.

Conference Report Presented
The conference report was presented to the house at noon. It consisted of 12,000 words and was accompanied by a 3000 word statement by Representative Underwood.

"The tariff bill," said Underwood, "is as satisfactory now as when drafted. It will yield a surplus revenue of \$18,000,000 next year."

Asked if the law would further reduce the cost of living, Underwood said:

"The conference bill is lower than either the house or the senate bill. The senate yielded about one-half of its increases and we yielded the rest."

Underwood predicted that the house would approve President Wilson's compromise plan in regard to the taxing of future dealing in cotton.

Free Wool in December
The decreased wool schedules become effective January 1, and free raw wool becomes effective December 1.

Duties on silk ribbons, bands and narrow fabrics are increased from 40 to 45 per cent. Other important additions to the free list follows:

Fur skins, gunpowder, harness, sugar-making machinery, school textbooks and unused moving picture films.

The principal change in the income tax increases the taxes on incomes of more than \$75,000, and taxes all incomes of \$2000 except those who are

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SPANOS AND PARKER RETURNED TO PRISON

SALEM, Ore., Sept. 29.—Frank Seymour, alias Parker, and Mike Spanos, convicted of murder in the first degree in Jackson county, were received at the penitentiary today for the second time under sentence to be hanged. The date for the executions is Friday, October 31. The case was appealed to the supreme court and the verdict of the lower court was affirmed. The death sentence this time is final, unless the governor prevents.

BILL TO POSTPONE MEXICAN ELECTION AND KEEP HUERTA

MEXICO CITY, Sept. 29.—Deputy Bloz introduced a bill in congress today to postpone indefinitely the presidential election scheduled for October 26, on account of "the disturbed, unsettled condition of the country." If passed the bill would retain Provisional President Huerta in office.

WOUND MAKES WOMAN FORGET SHOOTING SCENE

SAN FRANCISCO, Cal., Sept. 29.—"As I fell fainting in the street a voice seemed to murmur to me: 'Are you hurt, darling? Did I shoot you? I did not mean to harm you.'"

"I thought at the time that it was Arthur speaking but after thinking it over for days at the hospital I have concluded that it must have been a hallucination.

With these words, Mrs. Catherine Gallagher, common-law wife of A. R. Coulson, the merchant charged with shooting to death William Acker and George Kovack in the Atlas garage recently and with seriously wounding Mrs. Gallagher, who was with them, concluded her testimony today at the inquest of Acker and Kovack.

Her preceding testimony covered the story of her automobile ride with Acker earlier on the night of the tragedy.

The woman was yet feeble from her wounds. A white bandage concealed the bullet mark in her throat. Coulson was present. He smiled slightly as Mrs. Coulson took the stand. For an instant their eyes met, but neither gave a sign that the other was recognized.

BAN PLACED ON PHONE NEWS SERVICE

SALEM, Ore., Sept. 29.—Corporation Commissioner Watson today refused the Oregon Telephone Herald company a permit to sell stock in this state on the grounds that the scheme of the company is visionary and unsafe for investors.

The purpose of the company is to furnish a telephonic news service during certain hours of the day and night into residences, offices, hotels, or any place where a patron desired an instrument installed.

The company is capitalized at \$200,000 and \$147,000 in stock has been issued for the patents. It is now operating in Portland.

ECUADOR WARSHIP SINKS REBEL BOAT

BUENOS AYRES, Sept. 29.—Further fighting between rebels and government forces was reported today in Ecuador. Several cities are besieged by the rebels, the dispatches stated. While marines and bluejackets were landing from the government gunboat Cotopaxi yesterday, rebels in skiffs and barges attacked their launches and upset several of them.

The gunboat thereupon fired upon the men struggling in the water, smashed two of the rebel boats and killed many men. The rebels finally

11 DEAD, 21 SHOT RACE RIOT OVER GAME OF CRAPS

State Militia Patrols Streets of Harrison — Negroes Run Amuck. Shooting at Everyone and Lynching Bee Follows.

Five of Wounded Expected to Die—Dead Include Sheriff and Members of His Posse.

HARRISTON, Miss., Sept. 29.—State militia patrolled the streets here today. With eleven persons dead, five probably fatally wounded and sixteen less seriously hurt as a result of yesterday's fighting between whites and negroes, only the arrival of the troops prevented a race war which promised to end in the extermination of one color or the other in Harrison.

Though the trouble yesterday started in a quarrel over a negro crap game, there had been ill-feeling among the negroes, for some unexplained reason, for several days.

This feeling probably explains why, after shooting Teller Warren dead in the fight over the crap game, Will Jones, one of the negro players, who was afterward joined by his brother, Walter, ran amuck through the town, firing in every direction.

Negroes Run Amuck
The two negroes had already shot and killed ex-Constable Frank Kinsley and Claude Freeman of Fayette, Miss., and wounded Kinsley's son, William, Conductor E. B. Appleby and Flagman W. C. Bond of the Yazoo & Mississippi Valley railroad, and taken refuge in a cottonseed warehouse when Sheriff G. B. Hammett of Jefferson county arrived and was shot dead as he approached the building.

Several members of his posse were wounded in the fight which followed. Will Jones was shot and killed while attempting to escape from the warehouse to a safer place in a nearby coal chute. The battle had by this time been raging for eight hours and the militia from Natchez were detaining when the posse finally rushed the warehouse and captured Walter Jones, who had lost his nerve and ceased firing.

Lynched by Mob
Walter had been strung up by the crowd, as had his brother's dead body, before the soldiers could reach the scene. After the lynching the crowd made a rush for Jones, found two negroes there and would have lynched them also if the militiamen had not come up just in time and saved them.

The white men killed were Sheriff Hammett, ex-Constable Kinsley, Freeman and Conductor and Appleby, who died a short time after he was shot. The others of the eleven, besides the Jones brothers, were negroes, two of them women, shot during the promiscuous firing.

Of the wounded, the white men were ex-Sheriff Orron Gillis, who may die; Flagman Bond, young Kinsley and William McCabe. Gillis and McCabe were members of Sheriff Hammett's posse.

Appleby, Freeman and Bond were standing beside a waiting passenger train at the railroad station, chatting. The Jones brothers fired on them without provocation. The negroes then fired into the coach, smashing many windows, but wounding no one.

ALBANIANS ATTACK GREEKS AT KAVALA

ATHENS, Sept. 29.—Albanians today attacked the Greek forces at Kavala, in Southern Turkey. At last accounts a battle was raging. The American Tobacco company has extensive interests at Kavala.

OPPOSING COUNSEL IN MR. SULZER'S IMPEACHMENT TRIAL



SULZER WILL BE PROSECUTED UPON PERJURY CHARGES

ALBANY, N. Y., Sept. 29.—If the impeachment court removes William Sulzer from the office of governor of New York he will be prosecuted criminally on perjury charges, it was stated today by persons who are pushing the present case against Sulzer. Sulzer's friends retorted that they expect to prove that several prominent men among his accusers are grafters.

Presiding over the Sulzer impeachment court, Justice Edgar L. Cullen refused today to permit the prosecution to introduce evidence which it was said, indicates that the governor had traded sectional legislation for votes in favor of the direct primaries bill. The justice ruled that the evidence was inadmissible because it was not specifically mentioned in the articles of impeachment. His decision was an important victory for Sulzer.

The state court of appeals met this afternoon for its regular fall session, but adjourned for a week, its members being engaged on the Sulzer trial.

CAMINETTI ESCAPES STATE PROSECUTION

SACRAMENTO, Cal., Sept. 29.—Every criminal charge pending in local courts against F. Drew Caminetti, Maury I. Dicks, Marsha Warrington and Lola Norris, Reno elopers, was dismissed today upon motion of the district attorney.

There still pends in the juvenile court the matter of declaring the girls dependents of that court. Judge Shields will render a decision at a future day, not yet set, upon this matter. The district attorney, a minority of the probation committee and others favor dropping the charge.

A majority of the probation committee voted to have the girls made dependents of the court and perhaps punished. The court must decide just what shall be done in the matter.

VOLLEY FIRED INTO STRIKE BREAKERS' HOUSES

OAKVIEW, Colo., Sept. 29.—A volley was fired from the surrounding hills today into the shacks occupied by strikebreaking coal miners. Mine guards rushed toward the hidden marksmen, but the latter scattered among the hills and escaped. No one was hit, but it was feared the incident marked the beginning of grave trouble.



SENATOR EDGART BRACKETT

REFUGEES FLEE BEFORE DEFEATED MEXICAN REBELS

EAGLE PASS, Texas, Sept. 29.—Both American and Mexican refugees began pouring in here today, fleeing before the rebel force which, defeated in a desperate three days' battle about 75 miles to the southward, were at last accounts themselves in full flight toward the border.

On their way the refugees declared, they were destroying all property for which it was possible the federals might find use. The territory is one where there are big American interests, and it was believed their losses have been heavy. Deep anxiety was felt also for the lives of Americans between the border and the retreating line of rebels.

It was said more than five hundred Mexicans were killed in the battle which ended so disastrously for the rebel army.

VICTORY SCORED BY COPPER MINERS

HOUGHTON, Mich., Sept. 29.—Striking copper miners scored a victory here today when Circuit Judge O'Brien dissolved a temporary injunction prohibiting picketing or parading by strikers issued a week ago. After the decision the mine owners asked for a temporary injunction restraining the strikers from violence

SEPTEMBER MORN PROVES TOO MUCH FOR ARTIST CHABAS

OAKLAND, Cal., Sept. 29.—So deeply pained and humiliated by the notoriety his famous painting "September Morn," has brought him that he can no longer bear to frequent his former haunts, Paul Chabas, the artist, is hiding from his friends somewhere in the south of France, and his model, a dainty and demure little bachelor girl, has also dropped from sight, according to Jules Pages, noted artist, here today from Paris, where he knew both artist and model personally.

Pages says the girl who posed for "September Morn" is not pretty, but very graceful in figure. She is 25 years of age and daily made her living by calling at the Paris studios for posing. "September Morn" has not made her rich or famous, and she is now hiding from its notoriety. She bears an excellent reputation for character, Pages says.

Chabas is of a retiring and deeply sensitive nature, and the comment aroused over his painting has grieved him deeply.

BURGLARS TAKE PANTS AND SIX DOLLARS CHANGE

Burglars entered the home of J. H. Henschman Sunday night while he was asleep and stole his pants and \$6 in change. The prowlers gained entrance by means of a pass key. Nothing else was taken.

SHIPPERS LOSE LONG FIGHT TO EQUALIZE RATES

Judge Wolverton Holds Bill Passed by People on Medford's Initiative, Unconstitutional and Void After Seven Months' Deliberation.

Framers of Bill Censured for Carelessness in Drafting Measure by Federal Court.

PORTLAND, Or., Sept. 29.—In a decision in the United States district court by Federal Judge Charles E. Wolverton, the Medford initiative freight rate bill, passed by the people November 5, 1912, was declared unconstitutional and void.

The bill, which was drawn up by Attorney Frank McCune in the interests of the merchants of Medford, and which was passed by an overwhelming initiative vote at the general election, fixed an arbitrary classification of railroad freight rates in the relation that carload rates bear to less than carload rates.

More than seven months have been spent by the judges of the federal court in considering the case. The decision in no uncertain language condemns the initiative measure as unconstitutional and highly "incongruous," and the intimation is given throughout the decision that the act was one that should have been given much greater consideration by those who are instrumental in building it.

After the bill was passed last November every railroad in the state put in a strenuous protest against it, and within two weeks temporary injunctions against the enforcement of the act had been granted in the federal court in behalf of every road.

The ponion was written and delivered by Judge Wolverton, but District Judge Bean and Circuit Judge Gilbert of the federal court of appeals sat en banc in hearing the case argued.

Judge Wolverton stated that in the decision as read by him all the judges fully concurred.

The initiative freight rate bill was fathered by the Medford Traffic bureau, which has won six suits before the Interstate Commerce Commission and state railroad commission for reductions in rates to Southern Oregon points. It was designed to equalize rates and abolish the discrimination existing in favor of Portland, and enable any locality to build up a jobbing center.

It is probable that a new bill, drawn so as to avoid the technical objections of the courts, will be submitted to the people next year, to secure the desired equalization of rates.

NEGRO SUSPECTED OF GAY MURDER

LOS ANGELES, Cal., Sept. 29.—Science was called upon today in the search for the murderer of Mrs. Rebecca P. Gay, Christian Science practitioner, who was beaten to death in her office here late Friday.

Chemical analysis of Mrs. Gay's blood and bloodstains found on the clothing of Robert Askew, a negro suspect, are being made for comparison. A bloody shirt and trousers peculiarly spotted were found in the negro's room.

The police admitted today that they were following a new clue, but they refused to divulge its nature. A chauffeur whose name they withheld was closeted with the detectives for an hour. He is supposed to have given information regarding the movements of a man who has not yet figured in the stories of the crime.