The Morning Astorian.

PUBLISHES FULL ASSOCIATED PRESS REPORT

COVERS THE MORNING FIELD ON THE LOWER COLUMBIA

VOLUME LXI NO. 322 | ASTORIA, OREGON, WEDNESDAY, DECEMBER 5, 1906 | PRICE FIVE CENTS

CLIFTON DESTROYED

Swept Out of Existence in a Terrible Flood.

MANY LIVES ARE LOST

Concentrator Dam Gives Away Precipitating Great Flood on the City.

ALL BUILDINGS DESTROYED

Saloon Washed Away, Carrying Several Men Into the Torrent and All Are Believed to Have Been Drowned.

BISBEE, Ariz., Dec. 4.—One of the worst floods in the history of Clifton came down the San Francisco river and Chase Creek last night. The Chase creek runs through the principal business section of the town, which was almost completely ruined. From seven to twenty persons are reported to have lost their lives. One woman was caught in a falling building and killed. A saloon which was washed away, carried several men into the torrent and they are all believed to have been drowned. A woman and a child in a restaurant were killed, the restaurant being entirely demolished and washed away. A large number of small frame buildings in which people were known to be living were also destroyed, and it is known that a number of families perished.

A message from the operator at Solomanville, Ariz., reports that eighteen are dead at Clifton, but gives no details of the property damage which is believed to be great. One half of the town is practically destroyed. Up to a late hour tonight nothing confirmatory of the Clifton disaster has been received, except private dispatches sent from one friend to another. One of these said: "Half of Clifton is destroyed. I a mO. K." Numerous inquiries have been directed to the scene, but they are unavailing. It is believed the disaster undoubtedly occurred.

The latest message received at Phoenix tonight from Tucson, says the town of Clifton is half destroyed. The report states that between fifty and sixty lives have been lost and all previous reports have been confirmed. The concentrator dam which gave way, precipitating the great flood upon the town was constructed entirely of earth. The dam was carried away two years ago as a result of swollen streams and a number of persons were drowned.

FLOOD IN COLON.

Charges River Reaches Highest Point in History.

COLON, Panama, Dec. 4.—Up to last night ten inches of rain has fallen in Colon during the past twenty-four hours. The Charges river has reached the highest point ever known and is still rising. One bridge was carried out and Matachin is under five feet of water. Communication with Panama is shut off and work on the canal has been suspended.

COMMITTED SUICIDE.

Two Girls Leave This World by the Gas Route.

PORTLAND, Dec. 4.—Ida and Minnie Hill, sisters, were found asphyxiated in their rooms here by Hilda Hill, another sister, when she returned from work tod[illegible] The dead girls left a note sa[illegible] rewell, but did not state t[illegible]ns for their act. Hilda is [illegible] Good Samaritan Hospital, [illegible] from hysteria and nothing [illegible] ascertained regarding the [illegible]ner than they came from the ea[illegible] about a month ago and were plainly in straightened circumstances.

Ore Historical Society C

LEE DILLWORTH.

PITTSBURG, Dec. 3.—L. Lee Dillworth, 52 years of age, a bachelor member of one of the most wealthy families of Pittsburg, committed suicide today by shooting. No cause is assigned.

SPECIAL MEETING.

WASHINGTON, Dec. 4.—Senator Clark of Wyoming, chairman, has called a special meeting of the senate judiciary committee for tomorrow to consider the nomination of Attorney General Moody, recently appointed as associate justice of the supreme court.

TOWN WASHED AWAY.

Town of Clifton, Arizona, Swept Out of Existence.

EL PASO, Dec. 4.—From information received here late tonight, it is believed that the town of Clifton, Arizona, has been practically washed away. The Cooper Queen hotel has been swept away by the flood and at least fifty persons have lost their lives.

DEMOCRATIC LANDSLIDE.

LOS ANGELES, Dec. 4.—Partial returns at midnight indicate the election of A. C. Harper, Democrat, for mayor, and the entire Democratic ticket by 2,000 plurality.

NEW CHIEF OF POLICE

Chief Dinan to Be Removed from Office in San Francisco.

NEW CHIEF TO BE APPOINTED

Several Prominent Gentlemen Named for the Important Position, to be Made by Board of Police Commissioners.

SAN FRANCISCO, Dec. 4.—The Chronicle today says:

Chief of Police Dinan is slated for removal from office by the Board of Police Commissioners at its meeting tonight. And it is not unlikely that the action of the commission will amount to absolute and permanent removal from office, with the speedy appointment of a new chief at the head of the department.

Among the men under consideration for the important post are two army officers, General Woodruff and Colonel Coolidge, both well known residents of this city for many years. Captain John F. Seymour, now head of the detective bureau of Wells, Fargo & Co. Express(who was former captain of the detectives in the local police department, is also mentioned as a possibility. If the commissioners go outside of the department to find a successor to Chief Dinan, it is understood that one of these three will be chosen, provided the selection is not prevented by any legal obstacle.

President of the Police Commission W. H. Leahy yesterday morning announced definitely that if the board of police commissioners could within its rights remove Chief of Police Dinan for the indictment returned against him, he would vote for removal. Leahy"s announcement came with more significance because of the fact that he has long been supposed to be one of Dinan's chief supporters.

PRESIDENT ROOSEVELT DELIVERS ANNUAL MESSAGE

Opposes Contributions by Corporations to Campaign Funds to Be Used in National Elections.

FAVORS ABOLISHMENT OF LABOR INJUNCTIONS

Calls Attention of Congress to Southern Lynching for Alleged Crime of Rape Sometimes an Excuse for Lynch Law for Petty Misdemeanors Inciting Mobs to Crimes.

QUESTION OF CAPITAL AND LABOR DISCUSSED AND CONSIDERED

PRESIDENT FAVORS LAW MAKING EIGHT HOURS A DAY'S LABOR ON ALL PUBLIC WORKS AND CALLS ATTENTION TO THE NECESSITY OF A LAW FOR THE PROTECTION OF CHILDREN EMPLOYED IN FACTORIES; ALSO FAVORS EMPLOYERS' LIABILITY LAW.

WASHINGTON, Dec. 4.—President Roosevelt's message occupied the attention of the Senate for two hours and a half today to the exclusion of nearly all other business. The message is as follows:

To the Senate and House of Representatives:

As a nation we still continue to enjoy a literally unprecedented prosperity; and it is probable that only reckless speculation and disregard of legitimate business methods on the part of the business world can materially mar this prosperity.

No Congress in our time has done more good work of importance than the present Congress. There were several matters left unfinished at your last session, however, which I most earnestly hope you will complete before your adjournment.

I again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party. Such a bill has already past one House of Congress. Let individuals contribute as they desire; but let us prohibit in effective fashion all corporations from making contributions for any political purpose, directly or indirectly.

Another bill which has already past one House of Congress and which it is urgently necessary should be enacted into law is that conferring upon the Government the right of appeal in criminal cases on questions of law. This right exists in many of the States; it exists in the District of Columbia by act of the Congress. It is of course not proposed that in any case a verdict for the defendant on the merits should be set aside. Recently in one district where the Government had indicted certain persons for conspiracy to obtain rebates, the court sustained the defendant's demurrer; while in another jurisdiction an indictment for conspiracy to obtain rebates has been sustained by the court, convictions obtained under it, and two defendants sentenced to imprisonment.

I have specifically in view a recent decision by a district judge leaving railway employees without remedy for violation of a certain so-called labor statue. It seems an absurdity to permit a single district judge, against what may be the judgment of the immense majority of his colleagues on the bench, to declare a law solemnly enacted by the Congress to be "unconstitutional," and then to deny to the Government the right to have the Supreme Court definitely decide the question.

It is well to recollect that the real efficiency of the law often depends not upon the passage of acts as to which there is a great public excitement, but upon the passage of acts of this nature as to which there is not much public excitement, because there is little public understanding of their importance, while the interested parties are keenly alive to the desirability of defeating them. The importance of enacting into law the particular bill in question is further increased by the fact that the Government has now definitely begun a policy of resorting to the criminal law in those trust and interstate commerce cases where such a course offers a reasonable chance of success.

In my last message I suggested the enactment of a law in connection with the issuance of injunctions, attention having been sharply drawn to the matter by the demand that the right of applying injunctions in labor cases should be wholly abolished. It is at least doubtful whether a law abolishing altogether the use of injunctions in such cases would stand the test of the courts; in which case of course the legislation would be ineffective. Moreover, I believe it would be wrong altogether to prohibit the use of injunctions. It is criminal to permit sympathy for criminals to weaken our hands in upholding the law; and if men seek to destroy life or property by mob violence there should be no impairment of the power of the courts to deal with them in the most summary and effective way possible. But so far as possible the abuse of the power should be provided against by some such law as I advocated last year.

In this matter of injunctions there is lodged in the hands of the judicary a necessary power which is nevertheless subject to the possibility of grave abuse. It is a power that should be exercised with extreme care and should be subject to the jealous scrutiny of all men, and condemnation should be meted out as much to the judge who fails to use it boldly when necessary as to the judge who uses it wantonly or oppressively. Of course a judge strong enough to be fit for his office will enjoin any resort to violence or intimidation, especially by conspiracy, no matter what his opinion may be of the rights of the original quarrel. There must be no hesitation in dealing with disorder. But there must likewise be no such abuse of the injunctive power as is implied in forbidding laboring men to strive for their own betterment in peaceful and lawful ways; nor must the injunction be used merely to aid some big corporation in in carrying out schemes for its own aggrandizement. It must be remembered that a preliminary injunction in a labor case, if granted without adequate proof (even when authority can be found to support the conclusions of law on which it is founded), may often settle the dispute between the parties; and therefore if improperly granted may do irreparable wrong. Yet there are many judges who assume a matter-of-course granting of a preliminary injunction to be the ordinary and proper judicial disposition of such cases; and there have undoubtedly been flagrant wrongs committed by judges in connection with labor disputes even within the last few years, altho I think much less often than in former years. Such judges by their unwise action immensely strengthen the hands of those who are striving entirely to do away with the power of injunction; and therefore such careless use of the injunctive process tends to threaten its very existence, for if the American people ever become convinced that this process is habitually abused, whether in matters affecting labor or in matters affecting corporations, it will be well-nigh impossible to prevent its abolition.

In connection with the delays of the law, I call your attention and the attention of the Nation to the prevalence of crime among us and above all to the epidemic of lynching and mob violence that springs up, now in one part of our country, now in another. Each section, North, South, East, or West, has its own faults; no section can with wisdom spend its time jeering at the faults of another section; it should be busy trying to mend its own shortcomings. To deal with the crime of corruption it is necessary to have an awakened public conscience, and to supplement this by whatever legislation will add speed and certainty in the execution of the law. When we deal with lynching even more is necessary. A great many white men are lynched, but the crime is peculiarly frequent in respect to black men. The greatest existing cause of lynching is the perpetration, especially by black men, of the hideous crime of rape—the most abominable in all the category of crimes, even worse than murder. Mobs frequently avenge the commission of this crime by themselves torturing to death the man committing it; thus

(Continued on Page 8.)

COMMITTEE WILL ACT

Interstate Commerce Commission to Investigate Car Shortage.

HAS COMMISSION AUTHORITY

Can Exercise No Direct Power to Compel Interstate Carriers to Furnish Adequate Equipment for Shippers.

WASHINGTON, Dec. 4.—The intentions and attitude of the Interstate Commerce Commission respecting the car shortage in the Northwest are made clear in a letter addressed to Senator Hansbrough by Chairman Knapp, which said: "The inability of shippers to secure cars for the movement of their traffic is reported from various parts of the country and amounts in some sections to almost a calamity. The matter has given the commission special concern, although we appear to be without adequate authority to deal with the situation. We can exercise no direct power to compel the interstate carriers to furnish adequate equipment, nor are we prepared at the present time to recommend specific legislation on the subject."

Chairman Knapp said the commission could probably award damages resulting from the failure to supply sufficient cars, but the power to do this is not altogether certain, and he says: "It would be rather more suitable and efficient for the aggrieved shippers to bring their suits in the courts of first instance. We have, however, ordered an investigation of the matter of the car shortage and will prosecute it with the utmost dispatch. Already one or more agents have been sent to the Northwest and it is expected that hearings will take place in that region within the next two weeks."

GUILTY OF MURDER

C. Gillette Found Guilty of Murder By Jury.

SENTENCED THURSDAY

Murdered His Sweetheart Grace Brown at Big Moose Lake July 11.

ONLY TWO BALLOTS TAKEN

Immediately After the Jury Had Been Polled He Wrote a Telegram to His Father Announcing the Verdict.

HERKIMER, Dec. 4.—The jury in the trial of Chester Gillette, accused of murdering his sweetheart, Grace Brown, at Big Moose Lake, on July 11th of this year, tonight returned a verdict of guilty of murder in the first degree. Sentence will be pronounced on young Gillette next Thursday morning, to which time the court adjourned after the jury had reported.

Young Gillette sat motionless in his chair as the jury was polled and when the twelfth man had responded, the stolid indifference of the boy was exhibited as never before. Leaning over a nearby table, he drew toward him a bit of white paper and taking a pencil from his pocket, wrote this message:

"Father, I am convicted. Chester."

This is one of the earliest dispatches carrying the news of Gillette's doom beyond the walls of the court house. It went to his father in Denver.

After the jury had been polled, the case went over until Thursday when Gillette will be sentenced. The jury stood eleven for conviction and one for acquittal until the sixth ballot. The attorneys for Gillette will make a motion for a new trial, preliminary to taking an appeal to the supreme court, for alleged erros of law occurring during the trial. This will not interfere with the sentence which will be imposed by the court.

CONGRESS IN SESSION.

Most of the Day Devoted to the President's Message.

WASHINGTON, Dec. 4.—The reading of the President's message consumed two hours and twenty-five minutes in the house today and was followed closely by a large number of members, while the crowded galleries gave close consideration. Here and there the reading of the document was punctuated with applause and hearty hand-clapping from Democrats as well as Republicans followed its conclusion. During the mapor portion of reading the message, Representative Lacey of Iowa acted as speaker pro tem, being the first of the defeated "standpatters" to be recognized by Speaker Cannon. While the house waited on the secretary to the President to appear with the message, Speaker Cannon appointed Robert G. Cousins of Iowa, chairman of the foreign affairs committee, to succeed the late Representative Hitt. He also appointed Frank O. Louden to a place on the same committee to fill Hitt's vacancy. After the customary resolutions relative to printing the President's message the house adjourned until tomorrow.