

MOONEY AGAIN IN DEATH'S SHADOW

U. S. Supreme Court Refuses to Review Case.

EXECUTION DATE DEC. 13

Only Hope Now Is Action by Governor of California—Convict Has Nothing to Say.

WASHINGTON, Nov. 18.—The Supreme Court refused today to review the case of Thomas J. Mooney, labor leader, under sentence to die December 13 for murder in connection with a bomb explosion two years ago in San Francisco.

In asking the Supreme Court to review his case, Mooney charged that his conviction had been obtained through fraud on the part of the District Attorney, who had made use of perjured testimony. This fraud was not discovered, he claimed, until after his conviction, but efforts to obtain a new trial failed.

Court Makes No Comment. In acting on Mooney's petition today the court merely announced its decision through Chief Justice White, without comment.

The case has attracted country-wide attention. In response to appeals for his influence, President Wilson twice has telegraphed the Governor of California suggesting that clemency be considered.

SAN FRANCISCO, Nov. 18.—The last prop is knocked under Mooney, with the exception of Attorney Edwin V. McKenzie, of counsel for Thomas J. Mooney, said here today when advised that Mooney's appeal to the United States Supreme Court had been denied.

Court's Action No Surprise. "We expected a denial from the Supreme Court, but it was up to us to exhaust every possible means of getting a new trial for Mooney," McKenzie said.

Maxwell McNutt, counsel of record for Mooney, presented the appeal to the Supreme Court on October 24.

Mooney is in "Meat House," the San Quentin State Penitentiary, awaiting execution. The action today followed repeated efforts to have the Supreme Court of the state reverse the sentence of death against Mooney on the ground that he had been convicted by misfeasance and malfeasance practiced by the District Attorney and the police department of San Francisco.

Common Law Appeal Fails. On March 1, 1918, the Supreme Court denied Mooney's main appeal for a new trial based on the ground of reversible error. A later appeal to the common law was denied July 22, 1918, two years to the day after the explosion.

Mooney's case was finished in the state court when the court of appeals granted a writ of error was denied on September 16. The appeal to the United States Supreme Court was then prepared.

Mooney's case early assumed international aspects. Previous to the arrest of the Mooneys, Warren K. Billings, Israel Weinberg, Edward D. Nolan and Mrs. Belle Lavin had been arrested. Mrs. Lavin was liberated. Billings was convicted and sentenced to life imprisonment. Mrs. Mooney and Weinberg were acquitted of one of the charges against them, but await trial on other charges. Nolan has not been tried.

Alexander Berkman Involved. While the trials were progressing, Alexander Berkman, co-worker of Emma Goldman, was indicted as accomplice in the bomb murders. His extradition was refused by the New York authorities.

Mooney was convicted of the murder of Mrs. Myrtle Irene Van Loo, of Merced, Cal., one of the 10 persons killed in the explosion. Forty were injured. Mooney was convicted with his wife, Mrs. Rena Herman Mooney, at Guerneville, Cal., July 27, 1916, while they were on their way to surrender themselves. His trial lasted from January 2 until February 16, 1917, when he was convicted. He appealed at once.

New Trial Is Denied. On September 11, 1917, a "consent" to a new trial filed by U. S. Webb, Attorney-General of the state, was denied by the Supreme Court. This "consent" was predicated on evidence secured by the defense counsel that Mooney had been convicted as the result of alleged perjury practiced by Frank C. Oxman, a Durkee, Or., chemist, and three other witnesses. Oxman was tried for alleged attempted subornation of perjury and acquitted.

On July 17, 1918, Mooney was taken from the County Jail here to "death row" at San Quentin, after having been incarcerated continuously since his arrest. The original date of execution having been held up by appeal, Mooney had been rescheduled to die on August 23, when the common law action was denied by the trial court.

Governor Issues Reprieve. On July 27 he was reprieved until December 13 by Governor Stephens.

SAN QUENTIN, Cal., Nov. 18.—"I have nothing to say," was Thomas J. Mooney's only comment when Warden James J. Johnson waited on him in his cell in the State Penitentiary here and told him that his appeal seeking a retrial of his murder conviction had been denied by the United States Supreme Court.

SACRAMENTO, Cal., Nov. 18.—There was no indication here today of what further action, if any, Governor William D. Stephens will take in the case of Thomas J. Mooney, whose application for a review of his case was denied today by the United States Supreme Court.

Food Administration Urges Owners to Use Stocks on Hand; Details of Buying Plan Not Announced.

Details of the Grain Corporation's plans for purchasing flour substitutes from dealers and bakers have not yet been made known to the Federal food administration of Oregon. The following was issued by the administration yesterday.

"It is perfectly clear, however, from the telegrams that have been received, that the plans apply only to the stocks of substitutes in the hands of millers, bakers and dealers, and do not contemplate the purchase by the Government of any stocks that are in the hands of consumers. Such stocks were acquired by the consumer as a necessary measure, and in any case cannot be of very large proportions. It is inconceivable that any consumer should regret having the small amount on hand. Consumers having substitutes should cheerfully and uncomplainingly use them until they have been consumed and not expect their dealers to take back these substitutes. These small and broken stocks cannot be handled conveniently or practically, and should be used as a war measure by the consumer having them on hand. There is no obligation on the part of the dealer to take back into their own stocks substitutes that have been sold to consumers.

The bulletin issued by the Grain

MOVING PICTURE NEWS



Dorothy Gish in 'Battling Jane' at the Peoples Theater

TODAY'S FILM FEATURES. Sunset—Charlie Chaplin, "The New Janitor." Liberty—Marguerite Clark, "Out of a Clear Sky." Star—"Crashing Through to Berlin" or "Why the Allies Won." Majestic—Alice Brady, "Woman and Wife." Columbia—Shirley Mason and Ernest Truex, "Come On In." Peoples—Dorothy Gish, "Battling Jane." Globe—Mary Pickford, "The Eagle's Mate." Circle—Elsie Ferguson, "Barbery Sheep."

Celebration Delays Picture.

PATRIOTISM broke up work at the Thomas H. Ince studios the Monday morning peace was declared. Actors had been called to shoot scenes for a Charles Ray picture showing a baseball procession and a country band in a hick town. All were in make-up ready for work when Mr. Ince drove into the studio with a cheer. There was a rousing response and then the parade that was ready for the picture started on a tour of Los Angeles.

Artists caught the spirit. The goat that had been secured for the picture was labeled "The Kaiser's Goat." The side curtains of a big truck were dropped and decorated with cartoons. One showed the Kaiser blown into the air with his throne and crown flying to the sky. On the other side was pictured the Kaiser in Holland and with bayonets pointing at him from all other directions. The caption of this was "Where Will He Go From Here?"

A German flag was dragged in the dirt behind one automobile. On another truck was the band and three girls, one holding a French, another an English, and a third an American flag. In automobiles rode Mr. Ince and his directors. Charles Ray and Dorothy Dalton also rode in machines. About 200 players in costume marched in the procession, some carrying brooms, others lanterns labeled "Looking for the Kaiser," and nearly every one blowing horns. As the players returned to the studio, they gave three rousing cheers for Thomas H. Ince and peace.

Kitty Gordon Stays by Film.

Kitty Gordon, despite all of the persistent rumors that she was going to turn her justly celebrated back upon motion pictures, is going to do so, such thing, according to latest advices. It is true that she completed her contract with the World Corporation, but it was only to form a company of her own, which will be called Kitty Gordon pictures. The announced intention

of the new organization is to "provide the luxurious charm and regal grace of Kitty Gordon with worthy pictorial settings." Miss Gordon is to appear in six features a year, all of them to be written for her by Wilson Mizner, one of the wittiest and most original of New York playwrights. Madeline Hamilton, who played leads for Madame Petrova in several pictures is to be Miss Gordon's leading man.

Word comes from New York that "Shoulder Arms," the picture in which Charlie Chaplin is starring, has taken New York by storm. Harold Ebel, late manager of the Strand, Broadway's big pre-release theater, announced that "By press and public demand, 'Shoulder Arms' will be continued for another week. This is the first time in the history of the Strand Theater that any subject has been shown for more than one week."

Screen Gossip.

Charles Ray has purchased a new car. He feels that he is entitled to a few comfortable spins after working for three weeks in a picture in which he had to drive a horseless auto, which was christened "Grenaded Lightning," and in the words of the actor, "rode like thunder."

Dorothy Dalton has just purchased a new Bull Terrier with which she expects to carry away high honors at all the Kennel shows in America. The canine has been named Honey Blossom and is now eight months old. The pup is a beautiful type. Rexie Jane, a two and one-half-year-old terrier, also owned by Miss Dalton, has won six bench shows.

Naximova, who has begun work on the screen version of her well-known play, "Cepion Shoals," has been granted permission by the Government to take many of the scenes at a lighthouse on the Maine Coast.

One of the attractive features in "Lady Frederick," starring Ethel Barrymore, is the magnificent salon of a gambling casino, copied from pictures taken from a resort in Europe.

May Allison plays a girl from the South in "Kiss of Kentucky." As this beautiful young Southern belle herself, she is thoroughly at home in these roles.

Harold Bell Wright, who organized a producing company in order that his works might be immortalized in film to his satisfaction, is to commence the work of their picturization immediately. The first picture to be taken will be "The Shepherd of the Hills," to be followed by "The Calling of Dan Matthews," George McDaniel, who has appeared in a number of leading roles with Lasky, is to appear in the leading role of the first subject, and a competent cast will support him.

Restrictions on platinum special order and repair work have been removed by the Government, and the restriction on platinum plate is expected to be removed within the next few months.

This was the message brought by David Schwab of the New York firm, Davidson and Schwab, Inc., well known in the banking world. Mr. Davidson, partner of Mr. Schwab, is a member of the platinum section of the United States war industry board. It is from him that Mr. Schwab has learned of the removal of platinum restrictions to which jewelers in this country have submitted with much injury to their business interests that the war might be better waged by the United States and the Allies.

"When Germany entered Russia it cut off the platinum supply located in the Ural mountains," said Mr. Schwab. "Platinum is necessary for scientific work, for dental work and for automobiles, and these in war time are considered much more necessary than jewelry. So platinum factories have been closed for more than a year, and the recent removals will bring back from 15,000 to 20,000 persons to their places in those factories.

"Platinum is not a fad. For 30 years it has been used almost exclusively in Russia for rare jewelry, but it was not until about 14 years ago that Paris began to use it extensively. Once adopted by Paris, American jewelers began to realize it was the only metal for exquisite and rare jewels. Now it is being bought and sold, not only by

the exclusive jeweler, but also by those with medium capital." Mr. Schwab arrived in Portland yesterday morning, and is spending a few days in the city conferring with Albert Feidenheimer. He is a guest at the Benson Hotel.

Two of Notorious Ring Sentenced; 276 Quarts of Whisky Seized. BAKER, Or., Nov. 18.—(Special.)—Harry Newton and Jake Decker, members of a notorious local bootlegging ring, pleaded guilty in Justice Court today to the charge of possessing intoxicating liquor. Each was fined \$300 and sentenced to 60 days in the County Jail.

Two other members of the ring, Ed

Newton, popularly known here as "king of the bootleggers," and his brother, Henry Newton, have not been arraigned. In catching these men county and

city officers confiscated 276 quarts of whisky.

"I'll Praise Tanlac The Longest Day I Live," Says Mrs. Robbins. "Talking about things that help people," said Mrs. P. H. Robbins, of 1449 South Fourteenth street, Omaha, Neb., in an interview, recently, "Tanlac is doing more good than any medicine I have ever known in my time, and I'm now past 60 years of age.

"In 1889, nearly 30 years ago now," she continued, "when laryngitis first came along and so many people were having trouble, I had a remarkable case myself and have had it in some form or other from once to twice a year ever since. The first spell left me in a badly weakened condition and I would no sooner recover from one attack than I would be pulled down again. The doctors at that time called it 'rheumatic gripe' and I had aches and pains all through my body, in all my limbs and muscles. Three years ago I had one of these spells, which was so severe that they took me to the hospital, and I nearly died. I had the worse headaches that anyone could have and I was badly run down and frightfully weak. I couldn't sleep well for all those 30 years. My appetite was poor, I lost 20 pounds in weight and just had to drag myself around. I was hardly ever without some kind of an ache or pain, and the past Spring I was in such a bad fix that we couldn't keep house, so I went to my daughters. My husband went to boarding and where he boarded he heard of a remarkable case like mine, that had been relieved by Tanlac.

"Then he went straight to Sherman & McConnell's drug store and got two bottles, one for me and one for myself, as he was in very bad health, too. Well, I showed some improvement on the first bottle and kept on getting better slowly. My appetite came gradually, and my strength came back a little each day. My aches and pains wore away and I got to sleeping better. When we would get one bottle getting low we would hurry to get another and since I finished my sixth bottle I'm feeling better and more like myself than I have in years. With all the sickness and 'flu' epidemic that's going over the country I'm feeling stronger and better than I ever did. We are keeping house again now, and I eat well, sleep well, do all my housework and feel fine all the time. I am taking Tanlac with the Tanlac Tablets again now to keep in shape for the winter. It certainly is a blessing to humanity and has done so much for my husband and me that I will praise it the longest day I live."

Tanlac is sold in Portland by the Owl Drug Co.—Adv.

EDITOR IS CALLED EAST E. E. Faville, of Western Farmer, to Attend Agricultural Conference.

A telegram from David Houston, Secretary of the United States Department of Agriculture, received Saturday called E. E. Faville, editor of Western Farmer, to Washington, D. C. A conference of the prominent farm paper editors of the United States will be held tomorrow to consider the agricultural situation of the present and the problems of the reconstruction period.

This conference emphasizes the fact that the ending of the war has not solved the agricultural and food problems. This country, not only has to concern itself with the feeding of our own soldiers abroad and their allies, but the suffering nations of all Europe that have been affected by the war and now find themselves in a state of turmoil and unrest, with industries disorganized, farms razed of their entire equipment and with their manpower in many cases sacrificed to the great conflict.

LABOR ORDER RESCINDED Recruiting of Men From Non-Essential Industries to Cease.

The chairman of the five community labor boards of Portland held a meeting yesterday at the Courthouse. R. L. Sabin, Phil Metcalf, Jr., J. P. Newell, R. S. Huntington and A. H. Averill were present. Wilfred F. Smith, Federal director of the United States Employment Service, and E. J. Stack, member of the State Advisory Board, also attended.

Director Smith read a telegram from the Department of Labor, Washington, D. C., stating: "Cease efforts to recruit men from non-essential industries."

R. L. Sabin suggested that the boards should continue to consider bodies but to cease official activities until further instructions.

Questionnaires sent out by community labor boards during the past month need not be filled out, it was stated.

Women in England do from 60 to 70 per cent of all the machine work on shells, fuses and trench warfare supplies.

Why Produce Good Foods If They're Not Delivered Right?

SELECTING the choicest foods, giving them extreme care in preparation, packing them properly—all would be effort wasted, if the products did not reach you in good condition. To distribute perishable foods requires skill and highly specialized equipment.

This is the reason Armour has a Branch House here. It is a part of the food-distributing machinery no less important in its way than the producing plant and the refrigerator car are in theirs.

While most of the Armour Branch Houses are cooled by ice or mechanical refrigeration, they are not "cold-storage" houses. They simply hold in first-class condition the stocks necessary for local distribution for a limited time. The space in the average Armour Branch House permits only about ten days' supply. For every carload of goods shipped in, therefore, there must be equal consumption here.

Few butchers care to stock more than two days' supply of meat. But the Armour Branch House prevents a shortage between

arrival of trains, and gives them their supply as they want it.

And it gives it to them in perfect condition. Retailers do not have to depend upon way-freight or express shipments—upon the handling of burlap and paper-wrapped meats by careless or untrained men. Out of our temperature-regulated storerooms into the butcher's refrigerator, is the Armour plan.

You will readily see the Armour Branch House is more than merely a convenience to dealers. It safeguards quality, insures a regular supply for you, and provides a certain outlet for the American farmer's yield.

And now, with foods on a war basis—with more than one-third of Armour's entire production going to feed our fighters—this necessary work of the Branch House becomes increasingly important.

James F. Furlong, Jr. Manager Portland Branch House Telephone Broadway 1380.



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PLATINUM BAN REMOVED JEWELERS AND DENTISTS RELIEVED OF RESTRICTIONS.

Special Order and Repair Work Affected—Plate Order Is Expected Soon.

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"I'll Praise Tanlac The Longest Day I Live," Says Mrs. Robbins.

Tanlac is sold in Portland by the Owl Drug Co.—Adv.



"I Couldn't Do Without It" say all the women who have used the

APEX ELECTRIC Washing Machine

Buy it on easy terms—like laundry.

J.C. English Co. Everything Electrical! 146 Fifth St., Second Floor Between Maclean and 15th.

FINE FOR RHEUMATISM!

Musterole Loosens Up Those Stiff Joints—Drives Out Pain

Get a jar at once from the nearest drug store. It is a clean, white ointment, made with the oil of mustard. Better than a mustard plaster and does not blister. Brings ease and comfort while it is being rubbed on!

Musterole is recommended by many doctors and nurses. Millions of jars are used annually for bronchitis, croup, stiff neck, asthma, neuralgia, pleurisy, rheumatism, lumbago, pains and aches of the back or joints, sprains, sore muscles, bruises, chilblains, frosted feet, colds of the chest (it often prevents pneumonia), 30c and 60c jars; hospital size \$2.50



SISTER HELPED HER BROTHER

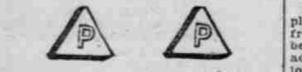
Mr. George Schillo, 6206 Pear avenue, Cleveland, writes: "I am glad I was recommended to your medicine. I was pretty well run down, nervous and lost of ambition, felt tired at all times, could not sleep, and had loss of appetite, felt weak and trembled from weakness. I find your Cadomene Tablets are helping me very much. I was writing to my sister about my rundown condition. She advised me to take Cadomene, as she had been as bad off as myself. Cadomene built her nerves up and restored her health. I am more than thankful I received her advice." Sold by druggists everywhere.—Adv.

BORADENT THE MILK OF MAGNESIA TOOTH PASTE DENTISTS RECOMMEND IT

EAT A TABLET! DYSPEPSIA GONE

Pape's Diapiesin Instantly Relieves Sour, Gassy or Acid Stomachs.

When meals hit back and your stomach is sour, acid, gassy, or you feel full and bloated. When you have heavy lumps of pain or headache from indigestion. Here is instant relief!



Just as soon as you eat a tablet or two of Pape's Diapiesin all the dyspepsia, indigestion and stomach distress ends. These pleasant, harmless tablets of Pape's Diapiesin never fail to make upset stomachs feel fine at once, and they cost very little at drug stores.—Adv.

OLD-TIME COLD CURE—DRINK TEA!

Get a small package of Hamburg Breat Tea at any pharmacy. Take a tablespoonful of this Hamburg tea, put a cup of boiling water upon it, pour through a sieve and drink a teaspoonful at any time. It is the most effective way to break a cold and cure grip, as it opens the pores, relieving congestion. Also loosens the bowels, thus breaking cold at once. It is inexpensive and entirely vegetable, therefore harmless.—Adv.