

THE WEATHER  
LOCAL FORECAST  
Fair Tonight and Friday.

# The Evening News

ADVERTISERS  
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VOL. II. ROSEBURG, DOUGLAS COUNTY, OREGON. THURSDAY, MARCH 16, 1911. No. 111

## M'CLALLEN IS HELD

### Was Not Justified in Firing The Fatal Shot.

## MURDER IN SECOND DEGREE

### Was Arraigned Late Last Evening and Released Upon Bonds in the Sum of \$7,500—To Appear Before Grand Jury.

After deliberating over six hours the coroner's jury empaneled to inquire into the means and manner of the death of Benjamin Arthur Mahan, the victim in Monday night's tragedy, returned a verdict shortly after 10 o'clock last evening, in which they held that Roy McClallen who fired the fatal shot, had good reasons to fear that his life was in danger, but that he was not justified in firing the third shot, which was responsible for Mahan's death.

### Verdict in Detail.

The verdict as returned by the coroner's jury follows:  
In the matter of the coroner's inquest held by N. T. Jewett, coroner of Douglas county, Oregon, which inquiry was held at Roseburg, in said county and state, on the 14th and 15th days of March, A. D., 1911, for the purpose of inquiring into the means and manner of the death of Benjamin Mahan and for the purpose of giving a true verdict thereon, according to the evidence offered to the jury, and arising from an inspection of the body.

We, the jury, duly empaneled to inquire into the circumstances of the wounding and killing of a human being in Douglas county, Oregon, find:

That the name of the person killed is Benjamin Arthur Mahan.

That he came to his death on Jackson street, in Roseburg, Douglas county, Oregon, on the night of March 12, 1911.

That he was killed by being shot with an automatic pistol.

That from an inspection of the body we find that the wounds upon his body indicate that he was struck by four leaden bullets.

That one shot was through the left hand; that one shot was through the right arm; that another shot was in the back and ranged forward lodging underneath the breast bone.

That the shot in the back inflicted the fatal wound that caused the death of the said Benjamin Arthur Mahan.

That the fourth shot grazed the body.

That we find that the shots in the body of said Benjamin Arthur Mahan were fired from a gun, namely, the aforesaid pistol, held in the hands of Roy McClallen.

That said Roy McClallen purposely discharged said gun at and towards the said Mahan with intent to kill him.

We, the coroner's jury find from the evidence that the defendant, Roy McClallen, had good reason to fear that his life was in danger.

That the jury further finds that he was not justified in firing the shot that took the life of the said Benjamin Arthur Mahan for the reason that the fatal shot was fired in his back.

(Signed.)  
M. L. WEBB,  
ARTHUR CLOAKE,  
ARNER RIDDLE,  
JOHN HALL,  
J. M. DONNELL,  
W. C. WINSTON.

### McClallen is Arraigned.

After examining the verdict returned by the coroner's jury at some length, and ascertaining that they held that McClallen was not justified in firing the fatal shot, District Attorney George M. Brown, who conducted the examination of witnesses on behalf of the state, summoned Justice of the Peace Reuben Marsters, with whom the verdict was filed.

Holding that the verdict warranted the detention of McClallen, a warrant was issued charging him with the crime of murder in the second degree. Upon issuance of the warrant, McClallen was served with the necessary papers, and upon asking for an immediate preliminary hearing, was escorted to the office of Justice of the Peace Reuben Marsters where he waived examination.

Upon motion of Attorney W. W. Cardwell, representing the defendant, he was released from custody under bail in the sum of \$7,500. According to the foregoing procedure, McClallen will enjoy his liberty until such time as the circumstances surrounding the affair can be investigated by the grand jury, in regular session during the May term of the circuit court.

### Jurors Wrangle.

According to one of the members of the coroner's jury, frequent changes in opinion featured their deliberation, and not until nearly 10 o'clock did they decide upon a verdict. For more than an hour, four of the jurors hung out for "Justifiable Homicide," contending that the threats alleged to have been uttered by Mahan previous to the shooting furnished excellent grounds for self-

## LOADED CARS ARE HELD

### No Ammunition Unloaded at San Antonio

## FIRE THREATENS PENSACOLA

### Ten Blocks of City Already Destroyed—Striking Express Teamsters Will Accept Arbitration—Found Maneuver Field.

(Special to The Evening News.)  
SAN ANTONIO, March 16.—Although 14,000 troops have arrived and are encamped here, the government still holds at this place nearly every one of the cars used in transporting them and their equipment. The ammunition has not been unloaded from the cars, but is held in apparent readiness for a quick change of base. The first of the promised "maneuvers" occurred today, when several regiments were ordered to conceal themselves in the country near by while Lieutenant Poulos and Aviator Parmelee were detailed to do scout duty in an aeroplane in order to discover the number of men at the guns and the position of the troops.

MEXICALI, March 16.—Louis James, an American, was arrested today while attempting to run the border blockade with a quantity of ammunition, presumably for the insurgents. Rebels are entreching, indicating that they are preparing to put up a strong resistance if the federal troops should cause the retreat of Berthold.

### Pensacola Burning.

PENSACOLA, March 16.—A factory near the depot in Pensacola, Florida, took fire today and the firemen are apparently powerless to stop the spread of the flames, which threaten to destroy the city. A high wind is blowing and already the fire has swept ten blocks and is still burning fiercely. The populace is panic stricken and fears are entertained that the city will be swept away before the fire is subdued.

### Gossip is Prevalent.

The verdict returned by the coroner's jury, empaneled to inquire into the death of Benjamin Mahan, is the sole topic of conversation on the streets today, and in some instances the members of the body are criticised. In other instances the verdict is accepted as just. Some persons claim that McClallen was no more justified in firing the fatal shot than the preceding ones, regardless of the position of the victim. Others say that in the event he was justified in firing one shot, he had a perfect right to empty his revolver. It is also said that the findings of the jury relative to McClallen being afraid of Mahan furnished sufficient grounds for self defense, and that he was justified in drawing his revolver in the event he feared his life was in danger. Contrary to the latter contention, others claim that McClallen had no right to draw his revolver for the reason that Mahan is alleged to have made no demonstration at the time.

### Funeral is Held.

The funeral of the late B. A. Mahan was held at the Roseburg Undertaking Parlor at 10:30 o'clock this morning under the auspices of Laurel Lodge No. 13, A. F. & A. M., of this city. Interment following at the Masonic cemetery. The funeral was largely attended, and it is estimated that nearly a hundred Masons were present. The body lay in state at the morgue from 9 until 10 o'clock this morning, and were viewed by hundreds of the deceased friends.

During the hour of the funeral little business was transacted in the city, in due reverence to the memory of the deceased, who was well and favorably known in this community. Among those from out of town who attended the funeral were Mr. and Mrs. E. B. McCard, of Portland, the latter a sister of the dead man.

### Criticism Alleged Unjust.

Considerable criticism has been heard today relative to the action of Justice of the Peace Reuben Marsters in admitting McClallen to bail, and in some instances persons have gone so far as to contend that the justice had no legal right to act in this regard. The statutes of Oregon provide that where the evidence against the defendant in a murder case is strong, he cannot be admitted to bail, in the event the evidence is not considered strong, however, a defendant can be released upon posting sufficient bail, such being wholly in the discretion of the magistrate.

Justice Marsters heard all the evidence during the inquest, and for that reason should be competent to judge whether or not the evidence was strong.

As an illustration, Nicholas Jones, who was indicted by a grand jury in Douglas county several years ago accused of one of the most deplorable murders ever committed in this section of the state, was released by Judge Pipes upon furnishing bail in the sum of \$5,000. Justice Marsters compelled McClallen to post bail in the sum of \$7,500, or an increase of \$2,500 over the bond asked by Judge Pipes in the circuit court.

Late this afternoon the jury brought in a verdict of murder in the second degree.

Mrs. Kate Jones has returned from Portland where she spent a few days visiting with friends.

## FIREMAN SHOT AT POST

### Strikers on Southern Railroad Attack Engine

## TROOPS BARRACKS DYNAMITED

### Mexican Troops Blown Out of Bed, But None Fatally Hurt—Madero Will Destroy Railroads and Bridges.

(Special to The Evening News.)  
SOMERSET, Ky., March 16.—Armed strikers and mountaineers attacked a Queen & Crescent railway company engine in the mountains near here today, shot and fatally wounded Fireman Powers, a white strike breaker. The engine was under the protection of a guard, but he was missing and it is believed that he was killed. Fireman Powers, however, says that the guard refused to return the fire of the mountaineers. The loss to the railway company from the strike to date is estimated at one million dollars. All rail traffic between here and Oakdale is at a standstill, and Governor Wilson has ordered the Pulaski County sheriff to deputize 500 men to protect the property of the company.

BARRACKS BLOWN UP.  
EL PASO, March 16.—At midnight the barracks of the federal troops at Juarez were dynamited supposedly by insurgents, but no one was killed, although the building was partially demolished. Twelve men were injured in the explosion. The rebels had no difficulty in entering the city, and after blowing up the barracks quickly made their retreat, with the possible exception of two, who were captured. It is believed by many that the dynamiters are still in Juarez. The Rebel Junta announced today that there will be a general uprising in the interior of Mexico next week. The anticipated battle between General Blanco's insurgents and the federal troops is reported in progress near Douglas, Ariz., today.

### Railways Being Destroyed.

WASHINGTON, March 16.—Be-

## ACCEPT ARBITRATION.

### NEW YORK, Mar. 16.—Accepting Mayor Gaynor's proposal to arbitrate, the 1500 striking wagon drivers for the Adams Express Company returned to their work today.

### MANEUVER FIELD FOUND.

WASHINGTON, March 16.—General Bliss reported to the war department today from San Diego that he has found a field favorable for army maneuvering at La Mesa, 18 miles from San Diego, and that he will encamp there temporarily with two regiments.

### MELBER CASE CLOSED.

ALBANY, March 16.—The case against Mrs. Melber, who has been on trial for some time, charged with murdering her small son near Albany, N. Y., a few weeks ago, went to the jury this afternoon.

### LOCAL NEWS.

Dr. P. H. May, D. C., office room No. 5, Bell Sisters Bldg.

Carl Busch leaves for Klamath Falls tomorrow where he will arrange a wrestling match with Dyrborg. He will return here in a few days.

County Judge G. W. Wougeott is busy today taking the evidence of A. N. Oreut and J. C. Fallerton pertaining to the will left by the late Edgar I. Hewes, who recently died at Portland.

Sheriff George Quine received a letter from A. Wilson, superintendent of detectives, at Oakland, Cal., this morning to the effect that Edward Clements, the bogus jail inspector, who is charged with forgery, was arraigned before a magistrate at that city Tuesday, and held to appear in the superior court at a later date. His bonds were fixed in the sum of \$2,000, and being unable to assemble the required amount he was remanded to jail. Clements is the fellow who spent several days in Roseburg some time since, and succeeded in passing a worthless check in the sum of \$25 on Dave Lenox, a local merchant. He also represented himself as a "national jail inspector." The California officials say they have a good case against the man and anticipate a conviction.

# NEW YORK STORE

The Store That Serves You Best. Satisfaction or Your Money Back.

## 92nd Friday and Saturday Sale

A few specials that are of interest to you, sale days that return to you your money many times over.

Take advantage.

75c BOYS HATS SPECIAL 50c.  
We are offering you some fine children's hats at very special prices. They are made from cloth with silk tops and new styles. See these at Special **50c**

25c COLGATES TALCUM POWDER AT 12c.  
This famous Talcum Powder comes in three scents. Now is the time to buy at Special Sale price **12c**

25c CHILDREN'S DRAWERS SPECIAL 10c.  
Children's Muslin Drawers made of good quality muslin. They are just the thing for your children. Now is the time to buy at special **10c**

20c CHILDREN'S STOCKINGS SPECIAL 10c.  
For Friday and Saturday sale we are offering you the best value in children's hose that we have shown in many a day. Past black and they wear well, special **10c**

\$1.50 MEN'S SOXETTE SHIRTS AT 95c.  
Here is a regular snap in Men's Negligee Shirts. They are made of real Soxette and the price that we are offering them is very low at special **95c**

15c WHITE LAWN AT SPECIAL 10c.  
An extra fine Grade of White Lawn. It is a quality that you do not often get at the very low price, special **10c**

VALUES TO 29c HANKERCHIEFS AT 9c.  
Women's fine Hankerchiefs in a large assortment of patterns you will do well to stock up now at special sale price of **9c**

\$1.00 WOMEN'S SHOES SPECIAL \$3.00.  
We are offering you a snip in shoes that will be of interest to you. They are patent, gun-metal and kid styles. See them, we have a good assortment of sizes, to close the fine, special **\$3.00**

\$1.50 NEW LAWN WAISTS SPECIAL 98c.  
A special sale of twenty different styles of new Lawn Waists for you to choose from; now is the time to buy. They have embroidery fronts and all are well made of good materials; a bargain at special sale **98c**

VALUES TO \$10 WOOL BLANKETS \$3.98.  
To close out the remaining pairs of wool blankets we give you an extra good bargain. Come in white or grey and they are fine. See these at special **\$3.98**

\$5.00 HAIR SWITCHES SPECIAL \$1.35.  
Buy your Hair Switches now. We are offering you the choice of our stock at a very low price. See them and buy at **\$1.35**

50c and 75c DOLLS AT SPECIAL 25c.  
Buy the little miss a doll; she wants one, and now is the time to buy, as we are throwing you a snap that can not be beat at special **25c**

25c TURKISH TOWELS SPECIAL 19c.  
Extra heavy brown Turkish Towels. Large size 24x42 in size. They are fine for the bath. Now is the time to buy at special **19c**

\$1.50 KIMONAS SPECIAL 98c.  
New Crepe Kimonas just arrived by express this morning. They are extra well made and you will like them at special sale price **98c**

\$1.50 and \$1.25 WOOL DRESS GOODS 79c.  
Fine quality Wren Goods. They come in dress lengths and you are getting exclusive designs and there are none better on the market. Now is your opportunity to buy high class dress goods at very low prices, special **79c**

50c and 65c DRESS GOODS SPECIAL 33c.  
Your chance to buy spring wool Dress Goods at a mere fraction of their real worth. Large selection of colors to choose from and different patterns. See this snap at special sale prices **33c**

10c PURE LINEN LACE SPECIAL 5c.  
Pure Linen Torchon Laces that are being used to a great extent now. This is a timely bargain for you at special **5c**