

IN FAVOR GOVERNMENT

LAND CASE DECISION

Federal Judge Wolverton Rules for Government

THE CASE WILL BE APPEALED

Attempt of S. P. Co. to Have Case Thrown Out of Court Is Denied—Intervenor Lose Fight.

(Special to The Evening News.)
PORTLAND, April 24.—The first decision in the government's fight against the C. & O. Railway for restoration of the 2,500,000 acres of lands, mostly in Southern Oregon, which the company is alleged to have forfeited because of non-compliance with the terms of the original grant, was won for the people in the federal court at Portland today. The lands in question are now owned by the Southern Pacific company, and are valued at \$75,000,000. While the railroad people will not give up the fight with this decision, yet it is an important ruling and is believed by many to forecast the final result of the suit instituted by the government to recover the lands and open them to settlement. The government won every contention today in the case before Judge Wolverton, who overruled the demurrer of the S. P. Co. so far as the government is concerned, to have the case thrown out of court, but also sustained the demurrer of the railroad to the cross complaint of many actual settlers on some of the land, who are known as the Lafferty intervenors, and also all intervenors who came into the suit after the filing of the government case. These intervenors will doubtless appeal within the ninety day limit with the hope that they may be reinstated into the case with the right in reuere. Finally, the land which they have claimed. The decision, composed of 25,000 words, was three hours in the rendering.
The land borders the railroad right of way in Western Oregon,

and was originally granted to the O. & C. Railroad by congress in the early sixties under the agreement that it was to be sold to actual settlers in lots not to exceed 160 acres to each individual, and at the stated price of not to exceed \$2.50 the acre. The railway company, however, pleading the statute of limitation, sold in lots to meet their convenience and at a price far in excess of the agreed rate. Much of the land was withdrawn from the market before the suit was filed. The case will be appealed.

War Comes High.
WASHINGTON, April 24.—Information reached Washington through diplomatic channels today that Mexico is unwilling to assume the responsibility for losses incurred by American residents and other foreign interests, totalling \$10,000,000, during the insurrection. The insurance, however, advised the state department that they would pay all such obligations if they were successful in their fight.

LOCAL NEWS.
Mrs. Wiley Pilkington left for Wilbur this afternoon to spend a few days visiting with her mother.
William Scott, wife and eight children, arrived here Saturday from California with a view of locating in Douglas county permanently. Mr. Scott resided at Cleveland for a long time prior to about eight years ago and is well known in this vicinity.

Sunset Magazine for May—"Nil of the West," by S. Glen Andrus. Beautifully illustrated in four colors. "The Spell," a Western novel by the Williamsons. "Guests of Greater Chinatown," by Charles K. Field. Automobile section. Now on sale. 15 cents. daw-m13

George B. Goodwin, for the past few months chief clerk at the McClallen hotel, has resigned his position, and will leave shortly for other fields. He will be accompanied by his wife, L. V. Luse, until recently night clerk, has accepted the position made vacant through the resignation of Mr. Goodwin.

BORN.
ALDERSON—To Mr. and Mrs. F. G. Alderson, on Saturday, April 22, 1911, a boy.

HOSPITAL IS DAMAGED

Fire Discovered in Structure at Noon Today

PATIENTS HASTILY REMOVED

Loss Is Estimated at Approximately \$3,000—Is Covered By Insurance—Nurses Work With Diligence.

A disastrous conflagration which might have resulted in the death of a number of persons had it not been for the heroic efforts of the Sisters of Mercy and their employes, occurred shortly before noon today, when Mercy hospital, a Catholic institution under control of the Sisters of Mercy and located in West Roseburg, was partially destroyed by fire.

The flames were first discovered by A. J. Bellows, who lives a short distance from the hospital, and at the time were confined to the roof of the structure in the immediate vicinity of the flue. An alarm was immediately sounded, with the result that the fire department responded promptly. The news that the hospital was threatened with destruction spread like wildfire, and the fire department had hardly started on its way, when hundreds of citizens, both afoot and in automobiles, were enroute to the scene.

The Sisters of Mercy, assisted by the nurses and other persons who were apprised of the danger immediately following discovery of the flames labored diligently, and succeeded in carrying the 22 patients to nearby places of safety. Two of the patients, Mrs. Edward Riddle, of Riddle, and Donald Deening, the son of Mrs. C. J. Deening, had undergone operations a few minutes before and were still under the effect of anesthetics.

Dr. A. C. Seely, A. E. Sether, E. B. Stewart and F. H. Vinell were among the first arrivals at the scene, and lent all possible assistance in caring for the patients who were more or less excited. Some of those who were considered in a critical condition were carried to nearby residences, while others, more fortunate, were made comfortable on mattresses on the ground a short distance from the burning building. Displaying unusual coolness and

HILL MAY COME.

In response to an invitation to attend the Third Annual Strawberry Festival to be held in Roseburg in May, Louis Hill, of the Great Northern Railroad Company, has forwarded the following reply:
Roseburg Commercial Club:
Roseburg, Ore.
Dear Sir:—With an invitation from your secretary to attend the Third Annual Strawberry Carnival at Roseburg, I also received a complimentary card from your club extending me the privileges of the club. I wish to take this occasion to thank you. I am in hopes that I will be able to be in Roseburg during the days of your strawberry festival.
Yours truly,
LOUIS HILL,
President G. N. Railroad.

great presence of mind, the nurses remained with the patients, and not until all danger had passed, did they attempt to leave their charges. That they received the hearty commendation of the throng that assembled goes without saying.

Upon the arrival of the fire department, ladders were brought into action, and within a few minutes three streams of water were playing on the flames, which at that time had gained considerable headway. Later one line of hose was dispensed with in order to give additional force to the other streams. While the members of the fire department battled with the flames, hundreds of citizens rushed into the burning building, and with clock-like discipline succeeded in saving the furnishings, save a quantity of clothing and supplies in the Sisters' living rooms, situated between the second floor and roof. After about thirty minutes' hard work, the flames were extinguished and the fire department left the scene.

The hospital was built two years ago and cost about \$12,000, exclusive of the heating plant and furnishings which represent a total value of approximately \$14,000. It is conservatively estimated that damage to the building and equipment will aggregate no less than \$3,000, which is fully covered by insurance. The chief damage resulted to the roof and in the living rooms, occupied by the Sisters and nurses. The rooms on the first and second floors were little damaged, other than from water which soaked the walls.

As soon as the fire was extinguished, the nurses set to work arranging the furnishings in the lower rooms preparatory to caring for the patients, many of whom are quite ill.

Although no censure can be laid at the hands of the fire department, today's conflagration calls to mind the necessity of an up-to-date fire fighting apparatus in Roseburg. The town should be provided with a team and modern hose wagon, and should be in command of a man well versed in the art of fire fighting. Its cost would amount to little, when compared with the losses that result from inadequate protection.

Another matter that should receive the immediate attention of the council is the installation of fire escapes on all public buildings. Had today's fire have started in the night, it is possible that a number of lives would have been lost. Fire escapes are a necessity, and in order to better protect the lives of the citizens, should be installed on all public buildings in accordance with the state law.

It is the general belief that the fire ignited from either a defective flue or defective wiring.

COL. C. E. S. WOOD
And Other Speakers Will Discuss Socialism at Labor Picnic.

Socialism will be ably discussed at the May Day Picnic in West Roseburg next Sunday. You will at that time have an opportunity to hear one of the most brilliant men of Oregon, a man noted as an orator as well as being one of our most advanced students on sociology.

At present the laboring man is in a very serious condition. It matters but little the amount of his wages. All recognize that it takes all a man can make to live and have a very limited amount of luxury. Yet we see that those who do the least labor, that is, productive labor, receive the most and live in expensive luxury. All these things are common knowledge to all. But do you know any remedy? If you know a remedy, is it not a fact that it will take the co-operation of many to accomplish it?

You who work for your living and then only get a bare existence—should join in a mutual study of your material condition.

Such questions will be the topic for next Sunday at this May Day picnic.

All persons attending should bring baskets with luncheon, and come to stay all day.

The speakers will be Col. C. E. S. Wood and Floyd C. Ramp, both of Portland. —COMMITTEE.

ALLEGED DYNAMITERS

Of Los Angeles Times Building are Arrested

PROMINENT IN LABOR CIRCLES

Three Men Prominent in Union Circles Charged With Crime of Blowing Up the Los Angeles Times Building.

(Special to The Evening News.)
CHICAGO, April 24.—War to the knife between labor and capital on the Pacific Coast, the former being strengthened by a monster fund contributed by union men from all parts of the United States, is predicted here today as the result of the arrest of John McNamara, international secretary of the Bridge Structural Iron Workers, his brother, James, and Ortie McNamagal, for complicity in the Los Angeles Times explosion. Labor leaders throughout the country denounce the methods that were employed to spirit the defendants to Los Angeles, and also charge that lied degree methods were brought to bear upon McNamagal to force from him the confession in which it is alleged implicated the McNamara Brothers and related details in the disaster wherein 100 lives have been sacrificed and over \$3,500,000 worth of property destroyed in the dynamite war of the wreckers against employers of non-union labor. Officers in charge of the prisoners will probably arrive in Los Angeles tomorrow. Clarence Barrow, who defied the federation officials in Idaho four years ago, has gone to Indianapolis, presumably to arrange to defend the men.

Jury Probing.
INDIANAPOLIS, April 24.—The Marion county grand jury convened here today to investigate the finding of a large quantity of dynamite in the basement of the American Central Life Insurance Building, where the offices of James McNamara, secretary of the Structural Iron Workers, is located. Prosecutor Baker declares that he intends to as-

ertain whether the explosive were planted in the building by the foes of union labor or belonged to McNamara. Messages from Tiffin, Ohio, state that a plant of 300 pounds of dynamite has been discovered at McNamagal's home in that city, and it is said that the find was made by Detective Burns, who later left for Bloomville, Ohio, where he said he expected to find more dynamite.
F. M. Ryan, international president of the Bridge and Structural Iron Workers of America, intimated today that the evidence against the men arrested for dynamiting the Times has been deliberately planned and dynamite planted in the several localities where Burns is alleged to have "found" it.

Times Roasts Union Men.
LOS ANGELES, April 24.—Likening the alleged dynamite plotter to Camorriats, the Los Angeles Times devotes a column and a half today to a scathing denunciation of the arrested men; and also raps union labor in connection therewith, intimating that the labor organizations have paid for the assassinations in their fights against the open shop.

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Julius Josephson
Manager, Men's Department.



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