

JUAREZ IS TAKEN

Federal Troops Fled from the Town This Morning

FIRE AND SHOT BRINGS RUIN

Federals Made Last Stand in the Bull Ring and Public Buildings— Rebels Encounter Dynamite at School House.

(Special to The Evening News.) EL PASO, May 10.—After fighting all night long among the flaming buildings of the city, the insurgents captured the place at 10:30 this morning. At daylight Orezco and Villa heading 1,500 men renewed the attack on the federals who had been able to maintain their position behind barricades and in the public buildings, and having plenty of ammunition they kept up the fight in the hope that they might be able to maintain Navarro's declaration that he would not surrender. The rebels, fearing reinforcements might come to the federals, pushed the fighting to a successful finish at an early hour.

In the bull ring and at the cathedral and jail the federals put up the last strong resistance to the rebel forces, and at the school house the besiegers encountered a mine that exploded with terrific force and produced a panic among the rebels for a few minutes. The Blanco division, after finishing the bull attacked the federals entrenched in the Catholic church and killed every one in the building. Following Navarro's retreat from Juarez toward Banche the rebels ran up the tri-colored flag as a signal of victory. All the prisoners in the jail were released and the structure burned.

Hermosilla Falls. DOUGLAS, Ariz., May 10.—After three days' fighting, Hermosilla, the capital of the state of Sonora, which has been held by the federals, was captured by rebel troops.

Bred Man Killed. SAN ANTONIO, May 10.—Lester E. M. Kelly, of the Smith factory, was instantly killed today while giving an aeroplane exhibition. The machine was speeding along at a height of 50 feet, and in making

NOTICE TO ELKS.

All members of the Roseburg lodge of Elks are requested to meet at the Elks' temple tomorrow morning at 9:20 o'clock to attend the funeral of the late brother, T. J. Kearney. Services will be conducted at the Roseburg undertaking parlors, internment following at the Odd Fellows' cemetery.

a turn the air craft tipped over, throwing Kelly out, and he plunged to the earth, striking on his head, death being instantaneous.

BORN.

RUSSELL—in this city Tuesday, May 9, 1911, to Mr. and Mrs. Ralph L. Russell, a 14 1/2 pound boy. Mr. Russell is the insurance operator in The News office, and while we have seen lots of "flat babies" in our 25 years of a miscellaneous life in a print shop, we did not suppose there was a printer in the state capable of such a stunt as this.

HOT CHICKEN DINNER.

Beginning at 11 o'clock on Saturday, May 13, the ladies of the Presbyterian church will serve a chicken dinner in the Sunday school room of the church. Ice cream, cake and strawberries included, 1412



If the driving wheels of a passenger engine were to give the same number of revolutions—137,850,000—that a watch balance gives in one year it would make 28 complete circuits of the earth.

The South Bend Balance is so constructed and jeweled that it will perform this well nigh incredible amount of work and still last a life-time. Its jewels are of the finest tempered steel and its bearings of the hardest sapphire, a gem that nothing but diamond will cut.

A. S. HUEY, S. P. Inspector, Roseburg, Oregon.

CHAUNCEY CASE

Property Owners Successful in Land Litigation.

LOWER COURT IS AFFIRMED

Supreme Court Holds That Present Owners of the Property Involved Shall Not Be Distributed.

An opinion of more than ordinary importance to the citizens of Roseburg was handed down in the supreme court, at Salem, late yesterday, when that tribunal affirmed the lower court in the case of George H. Chauncey against H. Wollenberg, and two hundred others. Briefly, the court holds that the present owners of property in certain sections of Roseburg, formerly the Aaron Rose Donation Land Claim, shall not be disturbed in their right to the land.

History of the Case.

At her death in 1868, Mrs. Rose was the owner of 147 acres of land, comprising what is now the central part of the southern half of Roseburg, her husband, the late Aaron Rose, owning the donation land claim of 160 acres adjoining on the north, where the main business section of the city is now located. Mrs. Rose's holding was also a donation claim that consisted originally of 160 acres, but previous to her death she sold 14 acres, part of which was placed as Fhat's addition to Roseburg; another part is now the residence property of Judge J. W. Hamilton. There were 11 heirs in Mrs. Rose's estate. These consisted of four brothers, Harvey, Andrew, Moses and David Chauncey, and seven children—six sons and one daughter—of the fifth brother, then deceased. Deciding to acquire his wife's estate for himself alone, Mrs. Rose's husband started to buy off her heirs. For a consideration of nearly \$200,000, Mr. Rose obtained quit claim deeds from the four brothers. For sums of \$15 each, he obtained similar relinquishments from the seven sons and four of the nephews. These were Charles, Timothy, Moses and Warren Chauncey and Mrs. Emily Joy. The other two nephews he was unable to locate, hence no settlement was ever made with them. Of these missing heirs, Chapin Chauncey died in the Soldiers' home at Yountville, Cal., in 1894. The other, George Chauncey, presented the Roseburg lawsuit. In this he was associated with his brother Charles, who was also here, representing the interests of Chapin Chauncey at his heir.

Land Very Valuable.

Each of the two plaintiffs asked for a partition of the property or for judgments for their interests based on the present valuations of the land. The land involved in the suit comprised about 800 lots, estimated to be worth about \$700,000, including improvements. Had the brothers have been accounted in the suit, they would have been entitled to approximately \$29,000 each. At the time the suit was filed about three hundred persons were named as defendants, making the action the most important equity case ever tried in the circuit court for Douglas county. Of three hundred defendants, quite a number relinquished their defense to the Cobb Real Estate Company, from whom they held warranty deeds. Forty-seven acres of the land involved comprised what is known as Walter's Addition to the city of Roseburg, which was established by the Cobb Real Estate Company after their purchase of the land for \$15,000 from the estate of Aaron Rose, of which Ira F. Rice was the administrator. In this addition is located the high school property, valued at about \$20,000. Other valuable property affected by the suit was the Southern Pacific roundhouse, machine shops, tanks, tracks and accessories; the Roseburg Brewing & Ice Company's plant, and some of the best residences in the city.

Classification of Defendants.

At the time the case came up for hearing in the circuit court for Douglas county the defendants were divided into four classes as follows: First—Those who held deeds originating from Aaron Rose after his wife's death. Second—Those who held deeds originating from the administrator of the estate of Aaron Rose. Third—Those who held deeds originating from the heirs of Aaron Rose. Fourth—Those who claimed no interest in any of the lands involved. To give necessary legal titles to each of the four classes of cases, and for the further purpose of brevity, there were selected the names of four of the defendants coming under such classification. Class one had J. C. Aiken designated as defendant, class two R. C. Miller, class three C. J. Denning and class four A. Wollenberg.

The final decree in any one of

these four cases was to apply as well to every other case under that particular head. All evidence introduced applied to each of the four cases as far as such evidence was applicable.

The case attracted much attention locally, and the outcome is hailed with delight by the property owners effected. Attorney C. S. Jackson represented Chauncey, while the defendants employed an array of counsel, headed by Attorneys Coshaw & Rice and Fullerton & Orcutt.

The decision in the lower court was handed down by Judge Burnette, of Salem, now a member of the Oregon Supreme Court.

AN ADJOURNED SESSION.

Of The Circuit Court Is Held This Morning.

The circuit court for Douglas county convened in an adjourned session of the January term of the circuit court this morning with Judge C. U. Gantenbein, of Portland, on the bench. The session was necessitated on account of the newly enacted law, changing the dates of holding circuit court in Douglas county, which becomes effective on Saturday, May 20.

Through the order entered by Judge Gantenbein a regular term of the circuit court will convene on Monday morning, May 22, following the new law becomes in effect. As a result of the new law the jury empanelled for the May term will be excused on Saturday evening, May 20, as will the grand jury which will be drawn next Monday morning. Another list of jurymen will be summoned to appear for duty on Monday, May 22, and serve during the remainder of the term.

Following is the order entered by Judge Gantenbein, providing for the regular term of court on Monday, May 22:

It appearing to the presiding judge of the circuit court of the state of Oregon for Douglas county, that Hon. J. W. Hamilton, the judge of the circuit court of the state of Oregon in and for Douglas county, had by an order regularly made, appointed a term of said court to be begun and held on Monday, May 22, 1911, and it further appearing to the undersigned judge of the court, that for the proper despatch of the business now pending before said court, it is necessary to appoint a term thereof.

It is therefore ordered on this 10th day of May, 1911, being a day of the January, 1911, term of said court, that a term of said court be held at the usual place of the sitting of said court, to-wit: At the county courthouse in the city of Roseburg, Douglas county, Oregon.

KEEP HANDS OFF

Powers Send President Taft a Gentle Hint

INTERVENTION TALK STOPPED

Ex-Governor of Oregon Died at Portland Today at Advanced Age—Crossed the Plains in Pioneer Days.

(Special to The Evening News.)

WASHINGTON, May 10.—President Taft's disinclination to interfere in the Mexican situation, which has been puzzling politicians of late, is thought to be explained in the statement of a gentleman pretty close to the administration, who said today that the president had been informally invited by the powers to keep his hands off of the affair and let the insurgents work out their own salvation. For this very good and sufficient reason Mr. Taft's talk of intervention has ceased altogether, and also particularly since congress has on two or three occasions taken the matter up and the people of the country were found to be decidedly against any meddling in the matter. It has not been learned how strong the hint of the powers was, but it is understood that England, France, Germany, Italy and Spain sent in requests for no interference.

Desert Agu Prieta, DOUGLAS, May 10.—The entire federal force stationed at Agua Prieta beginning May 23, 1911 at 9 o'clock a. m. And said term of court is hereby appointed for the transaction of any business that might be transacted by a term of said court, appointed by law.

It is further ordered that this order be entered in the journal of said court as of this date.

C. U. GANTENBEIN, Judge of the Circuit Court of the State of Oregon for Douglas County.

It is therefore ordered on this 10th day of May, 1911, being a day of the January, 1911, term of said court, that a term of said court be held at the usual place of the sitting of said court, to-wit: At the county courthouse in the city of Roseburg, Douglas county, Oregon.

ALL IN READINESS.

With the advent of today's beautiful weather, the citizens of Roseburg are busy today decorating and otherwise arranging for the Third Annual Strawberry Festival and Rose Show which opens tomorrow morning. Mayor Haynes has issued instructions relative to cleaning the streets, and hopes to have them in excellent condition upon the arrival of the Portland visitors tomorrow morning. The special train transporting the Portland contingent leaves the metropolis at 11 o'clock tonight, and will arrive here at promptly 7 o'clock tomorrow morning. The party will be met by a committee of local business men en route to the McClallen hotel where they will partake of breakfast. Later, they will be driven through the orchard districts north of town, returning here about noon. In the afternoon the visitors will be given an opportunity to witness the various parades as well as call upon the business men of Roseburg and vicinity. The day's festivities will close with a reception at the Roseburg Commercial Club rooms.

Douglas, marched away to the southwest this afternoon to escape an expected attack from insurgents, and in leaving suddenly expected to get away before their feet get to the town.

Ex-Governor Grover Dead.

PORTLAND, May 10.—Lafayette Grover, governor of Oregon from 1870 to 1877 and who then served as United States senator from this state until 1883, died from natural causes at his home in this city today at the age of 88. Ex-Governor Grover was one of the best known pioneers in the West, having crossed the plains in the early days and was an active figure in the Development of Oregon. He was a lawyer by profession and was born at Bethel, Me., in 1823.



Rugs that Match

The main requirement in the decoration of your room is the harmony of the paper, the furniture and the painting. The prevailing style of decorations around here are known to us, consequently, in the new stock of rugs that we have just received you can be absolutely certain of finding what you want, a beautiful rug that will harmonize and look elegant, the prices are also made to fit your pocket. Come be convinced even if you don't buy

ROSEBURG FURNITURE CO.

Complete House Furnishers Roseburg, Oregon

Clothes That Compliment You

If a coat collar is low behind, you can pull it up a hundred times a day, but it will still always be down. If your vest is too short it will always be up, regardless of how you try to keep it down. These "ups" and "downs" have no place in clothes made to fit you. Harth's Toggery clothes are hand tailored, will absolutely keep their shape and every suit made to fit your measure and every suit kept pressed free for you. Here are some of the reasons why Harth's Toggery clothes are making friends and permanent customers. Because we give you all these and many more clothing benefits don't get the idea that Harth's Toggery clothes cost more. They are less in price than any store in Roseburg when value is considered. Sounds like strong language but we can prove it to you. Another thing that will make it easy to make your selection here is our large and complete assortment of dependable merchandise—all new and up-to-the-minute. Remember if anything goes wrong your money back every time.



Harth's Toggery HOME OF REGAL SHOES.

HOTEL THE GRAND

Cass Street, Cor. Rose. Fred Schwartz, Proprietor FIRSTGLASS IN ALL ITS APPOINTMENTS New Building, New Furnishings and Furniture, Steam Heated Throughout Hot and Cold Water in Every Room. Rooms 50c, 75c and \$1.00 ROOMS WITH BATH IF DESIRED Centrally Located in Business District

Carnival Bunting--New York Store...--Per Yard 5c