

Mayor Micelli Asked to Resign by the Governor

AFTER MICELLI

Governor Asks Chief City Executive to Lay Down.

MAYOR REFUSES TO COMMENT

Governor West Says Micelli Is a Stockholder In An Institution Which Has Admitted Violating The Law.

(Special to The Evening News.)

SALEM, Ore., Nov. 13.—Joseph Micelli, for the past year mayor of the city of Roseburg and one of the heaviest stockholders in the Roseburg Brewing & Ice Company, was late this afternoon requested to resign as chief executive of Roseburg by Governor Oswald West, of this city.

When called by telephone late this afternoon and interviewed relative to his action in the Micelli case, Governor West confirmed the above telegraphic dispatch and went on to say that an official document requesting Micelli's resignation had already been placed in the mails and should arrive here tonight or early tomorrow.

"I understand that the Roseburg Brewing & Ice Company, its officers and directors, recently entered pleas of guilty in the circuit court to charges of violating the local option laws," continued Governor West, "and as a result the brewery and its directing officers have admitted their guilt. I further understand that Mayor Joseph Micelli is a heavy stockholder in the law-violating institution, consequently I believe that he should resign. I am after this class of violators and the best thing Micelli can do is to step down and out. I have heretofore instructed District Attorney Brown, of Roseburg, to institute quo-warranto proceedings against the Roseburg Brewing & Ice Company in hope of annulling its charter to transport business in Oregon. In the event Micelli resigns the office of mayor of Roseburg and thereby gives way to an official who will enforce the laws, I will probably abandon the quo-warranto proceedings. Should Micelli refuse to resign, however, I will proceed and ask that the charter of the brewery be annulled. It is up to Micelli, and he can do as he pleases."

When asked as to why he had decided to drop the quo-warranto proceedings in the event Micelli resigned the position of mayor of Roseburg, Governor West said that he believed the citizens will elect in Micelli's stead a person who will enforce the laws. "As mayor of Roseburg, Micelli could have enforced the laws had he so desired," said the governor, "and it is up to the succeeding officer to make good. I am informed that the people of Roseburg and Douglas county demand law enforcement, and consequently the officials should do their duty. In the event they fail, it will be my pleasure to request their resignations."

In conclusion Governor West said he had written a letter to District Attorney George M. Brown instructing the latter to delay prosecution of the quo-warranto proceedings against the brewery pending Micelli's attitude in the direction of vacating the chief executive office of Roseburg.

When seen at his offices in the city hall late this afternoon, Mayor Micelli refused to comment on the action of the governor pending the arrival of official documents demanding his resignation. "I have received no notification at this hour," remarked Micelli, "and consequently I have no formal statement to make for publication."

Just what action Micelli will take in the matter is a conjecture at this time, and much will probably depend upon the advice of his legal advisor. Should Micelli refuse to resign it will be the brewery to defend quo-warranto proceedings and stand a chance of losing its charter. On

MERCHANTS' CARNIVAL COMING SOON.

One of the most enjoyable entertainments of the season will be given under the auspices of the Ladies Aid Society of the Presbyterian church.

MOONEY FEIGNS

Enacts a Dramatic Scene in Court Room Today.

PRISONER FALLS ON THE FLOOR

Mooney Once Before Feigned Insanity and Was Acquitted of a Felony in Oklahoma—Is a Dangerous Character.

ACQUITTED IN OKLAHOMA.

According to a statement of District Attorney Brown this afternoon, R. L. Mooney has served terms in several penitentiaries throughout the United States. In Oklahoma, he was acquitted by a jury on the grounds that he was insane. Since his acquittal in Oklahoma, it is said that Mooney has often told how he fooled the court officers and gained his freedom through a false pretense of insanity. His actions in the courtroom during the trial in Oklahoma were about the same as today, according to information in the hands of the district attorney. It is also said he attempted to work a similar game in the state of Missouri, but failed. Mooney is a dangerous character, and since his incarceration in the county jail has caused the sheriff and his assistants no end of trouble.

Not in the history of the circuit court in Douglas county has there been a scene enacted similar to the one which greeted Judge J. W. Hamilton, the court attorneys and a half hundred spectators following the commencement of the trial of Robert L. Mooney, alias George Gray, this morning.

Sheriff George Quinn visited the jail shortly after eight o'clock this morning, and upon feeding the prisoners found Mooney, as well as the other eight inmates in the best of spirits. A half hour later the sheriff returned to the jail for the purpose of escorting Mooney to the court room, and to his great surprise, found the latter lying on the cement floor apparently prostrated. Having information from Missouri, Oklahoma and other states to the effect that Mooney was a fakir of the first order, Sheriff Quinn grasped him by the collar and with the assistance of a couple of deputies hustled him into the sheriff's office and thence to the courtroom. Enroute from the jail to the court chamber, Mooney uttered all kinds of oaths, and for a time it looked as though there would be a rough house. Finding that he could not bluff the sheriff and his deputies, and make his escape, Mooney later resorted to his old-time game of feigning insanity. As he entered the courtroom he plunged forward and in a muttering tone mentioned something about whiskey. Once seated in a chair between his attorney, W. W. Cardwell, and Sheriff Quinn, Mooney started in to convince the judge and jury that he was hopelessly insane and should be committed to the state hospital for the insane instead of being committed to the penitentiary. Having had some experience as an actor in years long ago, Mooney played his part well, and there were many who believed that he was either intoxicated or was suffering from the effects of a drug. Not only did he groan as if in misery, but he repeatedly fell forward, and at times the officers were compelled to grasp him by the collar in order to avoid his falling to the floor. Upon one occasion he even went so far as to jab a pencil down his throat in order to superinduce a spell of vomiting. This part of the program worked according to plans, and had its effect of detracting the attention of the jury from the case at issue. Finally, Mooney

MOONEY IS NOT DRUNK; IS JUST CONTRARY.

Following a complete examination of Robert L. Mooney late this afternoon, a lunacy commission composed of Drs. George E. Houck, Dr. A. F. Sether and Dr. F. H. Vinell, and appointed by Judge J. W. Hamilton, filed a report in which they claim that Mooney was neither drunk or insane at the time of his presence in the courtroom today. In fact, the physicians claim he is perfectly sane, and evidences no symptoms of drinking intoxicating liquors. With the report of the lunacy commission at hand, it is not likely that Mooney will be allowed to repeat today's actions upon the reconvening of court tomorrow.

Apparently discovered that his actions were not having the desired effect, and in one last grandstand play he gave a plunge forward and fell on the floor. There he remained for some time, moaning and otherwise making himself obnoxious to the judge, members of the jury and court officers. When it was realized that Mooney's actions could no longer be tolerated, Attorney Cardwell, of the defense, moved that the trial be continued until one o'clock this afternoon. In the meantime Cardwell said Mooney would have ample time in which to regain his composure.

This afternoon Mooney appeared little improved, and after a half hour's session of court, Mooney was again locked up pending examination at the hands of a lunacy commission appointed by Judge Hamilton. The members of this commission are Drs. George E. Houck, A. F. Sether and F. H. Vinell.

There are few people who believe Mooney is insane, neither does the sheriff or his assistants place any credence in the story that he had a stock of liquor stored away in his cell. In substantiation of this contention, Dr. F. H. Vinell, who was present to witness the scene, said that Mooney was apparently suffering from the effects of a small quantity of peroxide which he drank prior to being brought into the court room. This liquid was given to him a few days ago when it was found that he was suffering from a slight infection of the ear. Dr. Vinell denies that Mooney displayed any effects of liquor, neither did he imitate the actions of an insane person. Sheriff Quinn and every other person who has made a close examination of the case are of the opinion that Mooney is feigning insanity in order to influence the jury. In fact, Mooney has repeatedly made the statement that he would never come to trial. He has also avowed that he would kill the sheriff, district attorney and a number of other persons in the event he was given his liberty. That he is making a strong bluff, which will fall flat, is the general opinion of those who witnessed the disgusting scenes enacted in court today.

Mooney's actions in court this morning had the effect of attracting a large and expectant throng at the afternoon session. In fact, as Mooney was being escorted back to jail he was followed by fully 200 people, all of whom appeared to enjoy the amusing spectacle. Kicking, scratching, biting and uttering oaths of a various nature, Mooney proved the central figure of today's sessions of the circuit court. His trial will be resumed tomorrow morning.

Although hardly commenced, the evidence adduced at today's sessions of the Mooney trial, tends to show that Mooney arrived at Oakland several months ago, or closely following the time that Frank O. Gray was arrested on a charge of embezzlement preferred by Mrs. Carrie Settle, of Oakland. Pretending to be a brother of Frank Gray, Mooney assumed the name of George Gray, and in order to bolster up his contention said he was from Pittsburg, Penn., the home of Gray's real brother. Upon his arrival at Oakland, Mooney

FIGHT HOPELESS

Turkish Leaders Hold Council of War.

CONDEMNED GENERAL ESCAPES

National Grange Convenes at Spokane Today—Twenty-Nine States Represented—A Warm Time Expected.

(Special to The Evening News.) LONDON, Nov. 13.—Constantinople reports state that the leaders of the Sultan's army are in council concerning the course to be followed in defense of the city. It is believed that they recognize the fact that it will be impossible for Constantinople to hold out much longer against the allies and that the Porte will arrange for surrender on terms that the enemy shall not occupy the capital city.

White Slavery Charge Falls. SAN FRANCISCO, Nov. 13. Bernice Bailey and Arthur Ward, Seattle business men who were accused of complicity in violating the federal statutes concerning white slavery, were acquitted today by a jury in the federal court here.

General Diaz Escaped. VERA CRUZ, Mex., Nov. 13.—The escape of General Diaz, condemned to be shot for his part in a recent revolution, from the military prison at an Juan de Ulloa, is generally credited. The escape is thought to have been allowed by the Madero administration, because it was not known what else to do with him. Diaz is said to be a refugee in an American city.

Zarrate Died In Cell. LISBON, Nov. 13.—Zarrate, the murderer of Premier Canalejas, yesterday, who shot himself following the killing of the Spanish premier, died in a prison cell from his wound. General Weyer, of Cuban brutality fame before the Spanish-American war, is the strongest candidate to succeed Canalejas.

National Grange Convenes. SPOKANE, Nov. 13.—Representatives from 29 different states were present today at the opening session of the National Grange which convened here. Temporary organization was effected without incident. G. B. Kegley, master of the Washington Grange, National Master Oliver Wilson, Past Master Aaron Jones and W. H. Vary, Master of the New York Grange, are leading figures in a contest that is expected to occur over proposed changes in the apportionment of representation to the National Council.

Johnson Must Stay In Jail. WASHINGTON, Nov. 13.—The supreme court will not interfere with the execution of Judge Landis, of Chicago, regarding the amount of bail Jack Johnson must furnish under the white slave charge pending against him. It was charged by attorneys for the state that Johnson desired to furnish a nominal bail and then flee from the country and escape prosecution for his crimes.

FOUR ROAD BILLS ENACTED INTO LAWS.

Many Measures Are Defeated At The Recent General Election

Additional returns of the woman suffrage vote in the state have lifted its majority to a lead of more than 2,000.

Out of nine bills submitted on the roads question, four were carried, but those four do not add much to the program of progressive road legislation. Two of them authorize the use of convicts and of city and county prisoners in road building, and the others limit the debt that may be incurred to 2 per cent of the assessed valuation of the state and 2 per cent of the assessed valuation in each county.

Income Tax In Doubt. The grant bill providing for county bond issues for road building

came nearest to success of any of the measures that would have authorized the expenditure of money. Advice at the secretary of state's office today indicate that it has been decisively beaten.

Complete official figures from all the counties may be necessary to determine the status of the proposed amendment to the constitution, permitting an income tax. The vote as so far tabulated gives a small lead against the measure.

Of the 3 measures on the official ballot, 11 were passed and 27 defeated, counting the income tax amendment as lost. The list follows:

- Measures Passed.
  - Woman suffrage amendment.
  - Amendment permitting different tax rates on classes of property.
  - Amendment doubling liability of bank stockholders.
  - Public utilities commission.
  - Eight hour day on public works.
  - Act prohibiting private employment of county or city prisoners, but providing for their employment in road work.
  - Amendment limiting state road indebtedness to two per cent.
  - Amendment limiting county road indebtedness to two per cent.
  - Exempting household effects from taxation.
  - Medford rate bill.
- Measures Defeated.
  - Creating the office of lieutenant governor.
  - Separation of state and county taxation.
  - Requiring majority vote to amend the constitution.
  - Creating Cascade county.
  - Millage tax bill.
  - Requiring majority vote to pass initiative measures.
  - Grange bill for county bonds of road building.
  - Grange highway department bill.
  - Flat salary for state printer.
  - Creating hotel inspector.
  - Blue sky law.
  - Harmony highway commissioner and state bonding bill.
  - Harmony county bonding bill.
  - Law for creation of new counties.
  - Exemption of money and all forms of credits from taxation.
  - Revision of inheritance tax laws.
  - Home rule road bill.
  - Abolishing state senate.
  - Graduated single tax.
  - Abolition of capital punishment.
  - Anti-boycott bill.
  - Requiring permit for speaking on streets.
  - Appropriations for state university buildings.
  - Referendum.

O. A. C. Students of Animal Husbandry To Make Annual Inspection Trip Soon.

OREGON AGRICULTURAL COLLEGE, Corvallis, Ore., Nov. 12.—Twenty boys of the classes in animal husbandry at the Oregon Agricultural College will go to Portland to attend the annual Dairy Show November 18-21. They will be accompanied by Dr. James Withycombe, Prof. E. L. Potter, Mr. George R. Samson, and Dr. B. Hollis, of the faculty. Most of the boys will be entered in the judging contests against teams from the agricultural colleges of Idaho, Utah, Montana, Washington and elsewhere.

This trip will be combined with the regular inspection tour taken each year by the students in the class in live stock marketing through the packing houses and stock yards and markets of the metropolis and vicinity.

A. C. POSEY, M. D.

Specialist for Eye, Ear Nose and Throat Diseases.

Eyes Fitted With Glasses

PARROT BUILDING

ROSEBURG, OREGON

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