

Rain Tonight & Wednesday.

The Evening News

Highest Temperature - 68
Lowest Temperature - 43

VOL. V.

ROSEBURG, DOUGLAS COUNTY, OREGON TUESDAY, JANUARY 6, 1914.

No. 52

COUNCIL MEETS

Dance Ordinance Submitted by the City Attorney.

NUISANCE ORDINANCE IS DISCUSSED

Usual Grist of Bills are Allowed—Several Remonstrances Are Denied—Hermann Appears for Maccabees.

Six members of the city council last night tried to repudiate their own action in passing an ordinance a few weeks ago. The nuisance ordinance was passed permitting any citizen of this city to serve notice upon the owners of a building warning them after a tenant had been convicted of illegal sale of liquors. It appears that after the conviction of Krohn recently a notice was served upon the trustees of the Maccabee temple notifying them of the conviction and warning them that if the illegal sale of intoxicants in their building was not stopped that the lodge would be equally liable.

The alleged "weakness" of the ordinance was brought to the attention of the council by Attorney Elber Hermann, who appeared before the council on behalf of the local Maccabee lodge. Attorney Hermann explained that the council or some individual had taken action, unprecedented in the history of the city, when a few days ago notice was served upon Mr. George Rapp, secretary of the local Maccabee lodge, to the effect that S. E. Krohn had been convicted of violating the local option law, and that the owners of those in charge of the building would be considered equally liable for future infractions of the law. Attorney Hermann declared that he had visited District Attorney George M. Brown, Mayor Napoleon Rice and several members of the council and had been apprised that they knew nothing of the notice being served upon the Maccabees until they noticed it in the newspapers. Attorney Hermann claimed that a notice such as was served upon the Maccabee lodge could only originate with the mayor or some other member of the executive force of the city to render it legal. Attorney Hermann alleged that the publicity given the notice had embarrassed the Maccabee lodge to the extent that they desired to ascertain its origination. In fact, Attorney Hermann claimed that Krohn's conviction of "bootlegging" in the justice court was not final, and that the case was to be appealed to the circuit court.

In the latter court, Attorney Hermann said final determination of the guilt or innocence of the accused would be established. "This man, Krohn, is presumed to be innocent until proven guilty," was Attorney Hermann's remark in continuing. It was Attorney Hermann's request that the council take some action relative to ratifying the action of one of its members in serving the notice upon the Maccabees or disclaim any liability in the transaction.

Councilman William Cobb said he was partly responsible for the notice for the reason that he instructed the marshal to proceed against the Maccabees under the so-called nuisance ordinance. "Anyone has a right to ask for an order similar to the one served in this particular case," said Councilman Cobb, "and most especially when the principal has been convicted after a fair and impartial trial."

Mayor Rice said he knew nothing of the notice served upon the Maccabees until he read it in The News. "I knew nothing of the order," said the mayor, "and if I had I would not have sanctioned it. Several members of the Maccabees have called upon me of late regarding the order, and in each instance I assured them that I was not at fault."

Councilman Bullwinkle said he did not believe the order should have been prepared and served until Krohn had been proven guilty in the higher court.

After Hamilton said he believed a man was guilty of a crime when proven guilty, regardless of any appeal that he might take. In view of this fact, Mr. Hamilton said he was of the opinion that those responsible for serving the notice had

done nothing more than the ordinance required.

Councilman Cobb spoke for the second time on the subject when he stated that the ordinance providing for the order at issue, was approved and adopted by the council and consequently should be subject to enforcement. "If the ordinance is without effect we should proceed to get one that is," was Councilman Cobb's concluding remark.

Councilman Clark said he considered the committees of the council lieutenants of the mayor, and did not believe they had a right to proceed and issue orders similar to the one served on the Maccabees without first notifying the mayor. "The mayor is the mayor," said Councilman Clark, "and should be so considered by this council."

To get the proposition before the house Councilman Cobb advanced a motion authorizing the Marshal to proceed and issue another order in accordance with the ordinance and serve the same on the officers of the Maccabee lodge. In this notice, Councilman Cobb suggested that the Maccabees be apprised of Krohn's conviction in the justice court and of their obligation as provided by the ordinance.

Upon being placed to a vote this motion lost by the following vote:

Yes—Hamilton and Cobb.
No—Bullwinkle, Clark, Fullerton, Bellows, Shafer and Powell.

Dance Ordinance Read.

The so-called dance ordinance, the chief provisions of which were published in yesterday's issue of The News, was placed on its first and second readings last evening. The only objection to the ordinance appeared to center about the clause providing that girls under the age of 18 years could not attend dances after nine o'clock in the evening unless accompanied by their parents or legal guardian. A number of the councilmen contended that this clause was prohibitive for the reason that it would prevent many young ladies from attending dances when their parents were willing that they should. It was suggested that this clause be so changed to read that girls under 17 years should secure a written consent from their parents or guardian before attending a dance later than the hour mentioned.

The ordinance provides, in addition to what was printed in last evening's issue of The News, that a fee of \$1 will be charged for each and every dance conducted in the city. In Portland the fee is 50 cents, according to several councilmen who spoke on the ordinance last night.

The ordinance will come up for its third reading and final passage next Monday evening.

Minor Matters.

The city marshal was instructed to notify the telegraph, telephone and electric light companies to paint their poles within the paved district in accordance with the local ordinance.

Mayor Rice reported that the county engineer desired to ascertain the center of Oak street in order that he might establish the approach to the new bridge, now under construction. Councilman Hamilton said the request should be granted in order that the street might be straightened where needed.

Upon motion, the council authorized the city recorder to enter into a contract with Mr. Harper for the dumping ground for another year. The specified price is \$75, payable every four months.

Remonstrances filed by Mrs. Nettie Conover, of Oregon City, and P. G. Stewart, against constructing new sidewalks abutting their respective properties in North Roseburg were denied.

The electrical engineer reported 14 complete, six partial and two rejected inspections of wiring in the city during the month of December.

A list of those who are delinquent in paying their street improvement assessments were read. Upon motion the city treasurer was instructed to send each of their number a notice before proceeding to collect the various amounts by law.

An ordinance providing against driving across sidewalks, and protecting the parking in the residence districts was placed on its first and second readings. Under this ordinance it is not only unlawful to drive across sidewalks, but it is a violation to hitch horses or other animals where they can destroy parkings or shrubbery.

Julius Josephson complained re-

(Continued on page 4.)

FIVE IN LIFE BOAT

Survivors of Oklahoma Wreck Picked Up.

SIX LABORITES TO GET NEW TRIALS

Court Rules That Twenty-Four Other Convicted Union Men Are Not Entitled to Further Trials.

(Special to The Evening News.)

NEW YORK, Jan. 6.—The rescue of five more survivors of the wrecked steamer Oklahoma was reported by wireless from the Booth liner Gregory this morning. The rescue of these men brings the total number of survivors up to 17, and reduces the number of lost or missing to 27. The men picked up today with six others got away safely in a life boat. When the boat capsized six of them were drowned. The others clung to the small boat, which finally floated. They then clambered aboard and baled her out and after toiling all night at the oars were picked up. When the Oklahoma sank, according to the report brought by the men picked up, another life boat loaded with men left the ship. This last life boat has not yet been sighted.

Carden Not Transferred.

LONDON, Jan. 6.—The British foreign office today denied the story that has widely circulated through the United States to the effect that Sir Lionel Carden was about to be transferred from England's Mexican legation. There is no truth whatever in the report, it is officially stated.

Six Granted Retrials.

CHICAGO, Jan. 6.—The United States circuit court of appeals today granted appeals to six of the union men convicted at Indianapolis several months ago for illegally transporting dynamite. These men will be given retrials. In the same decision the court denied retrial for 24 others. The men granted retrials are Olaf Tevins, of San Francisco; James Kay, of Peoria; Richard Haulhan, of Chicago; William McCain, of Kansas City; Fred Sherman, of Indianapolis, and William Bernhardt, of Cincinnati. In reversing the decision in the case of the six men named for retrial, the court held that the evidence in each case was insufficient for conviction, and they were remanded for retrial. The court also overruled all challenges of error alleged by attorneys for the defendants.

WHITE REMOVED

Governor Dispenses With Officer on Military Staff.

MAYOR OF HUNTINGTON EXASPERATED

This Element Would Throw State Militiamen in Snake River—Some Same Ones Advise Methods of Peace.

SALEM, Jan. 6.—Governor West today removed from the military staff Samuel White, Judge Advocate General of the Oregon militia. Reason assigned for the dismissal of White was that he is alleged to have taken sides with those opposed to the governor's law enforcement activities.

Storms Subside.

PORTLAND, Jan. 6.—The severe storms which have visited the coast during the past three days subsided early this morning.

War On at Huntington.

HUNTINGTON, Jan. 6.—W. A. Bush, mayor of Huntington, seemed exasperated when told of the intent to declare martial law in Huntington, but he said that if that was Governor West's wish he would not oppose it and would do everything in his power to assist the military authorities to see that there was no physical resistance to any order that

NOTICE TO ROYAL ARCH MASONS.

Regular meeting of Laurel Chapter No. 31 R. A. M. this (Tuesday) evening. All members requested to be present. SAM JOSEPHSON, Secretary.

might be issued. The saloonmen of Huntington, however, declared that they would fight the issue through the courts. They have appealed to their attorney John L. Rand, of Baker. Mr. Rand is said, however, to be a strong advocate of Governor West's and the saloon men here have not yet heard from Mr. Rand. There are some few hotheads who advised physical resistance and who declared that a party could be organized to "throw the tin soldiers into the Snake river," but there were quickly silenced and the saloon men decided to keep on the side of the law and to hope for legal readjustment of conditions later.

NEW JEWELRY FIRM.

Eastern Men Find Roseburg Attractive Locality.

W. E. Clingenpeel, who has recently sold out his well-established jewelry business to Messrs. G. W. Young & C. Co., bespeaks for his successors in business the same liberal patronage that the people of Roseburg and the Umpqua Valley have recorded him since he first opened up the establishment some eleven years ago.

The gentlemen composing the new firm are from Maine, and finding the Umpqua Valley such a desirable place to live, immediately began negotiating for a business here. In taking over the Clingenpeel stock and business, these gentlemen have acquired a most desirable property. Old customers will be cared for in the same painstaking manner that their wares have heretofore been catered to. All guaranteed work turned out by Clingenpeel will be kept up by the new firm, and customers will find the same carefulness of the slightest details given personal attention the same as formerly. All accounts owing W. E. Clingenpeel may be paid to the new firm, who will receipt in full for same. While W. E. Clingenpeel may eventually make his home on his farm in the Looking Glass country, at present he and Mrs. Clingenpeel will continue to reside in this city.

CITY NEWS

The county court will convene in regular monthly session tomorrow. George Cateforth, of Riddle, arrived here this afternoon to look after business matters. J. J. Baker, of Eugene, is spending a few days in Roseburg looking after business matters. District Attorney George M. Brown will return here tomorrow after a few days spent at Salem. Miss Hermann returned here this afternoon after a few days spent at Myrtle Creek with friends. Arthur S. Sprague, of Portland, arrived here last evening to spend a few days visiting with friends. Mrs. Robert Hall and child returned to Oakland this afternoon after a brief visit with the former's brother, S. T. Swift. J. P. Snick, of Canyonville, came up this afternoon to look after business affairs and visit with his parents, Rev. and Mrs. W. A. Snick. Mr. Harrington left for his home at North Yakima, Wash., this afternoon after six weeks spent in Roseburg visiting with his daughter, Mrs. C. H. Claves. E. C. Skinner, local representative of the Producers Fruit Company, of Sacramento, Cal., left today for Vernum, R. C., where he has been offered a position with a fruit company at that city. The Fullerton Parent-Teachers Association will celebrate their first anniversary Friday evening, January 9, at the Fullerton school building in West Roseburg by having a short program and business session. The greater part of the evening will be spent in a social session and bus-

RIVER CLAIMS 75

Barge Loaded With Construction Crew Swamped.

FERRY OVER FRAIZER RIVER WRECKED

Men Thrown Into Icy Waters Were Unable to Swim Ashore—Twenty-Five Only Survived Disaster.

WINNIPEG, Jan. 6.—That 75 men, laborers in railroad construction work, were drowned Saturday while trying to cross the Fraizer River near Fort George, British Columbia, was this morning reported to the immigration authorities by Angelo Pugliese, a railroad worker, who just arrived from the scene of disaster. The men, numbering about 100, were ferrying across the river in a steam barge, Pugliese said, when the craft became unmanageable and finally struck on boulders in the rapids and was swamped. The swift current made swimming almost impossible, and the men, all wearing heavy winter clothing, were unable to make a successful fight for life. Many of them were dashed to death on the rocks or carried through the rapids to death. Of the 25 who escaped from the river, among who was Pugliese, the majority were injured. The men were all employed in construction work on the Grand Trunk Pacific railway.

Earthquake Shakes Greece.

ATHENS, Jan. 6.—A severe earthquake did great damage in the vicinity of Pyros today, and it is feared that many lives were lost. Communication with the stricken district was interrupted by the quake, and but few details concerning the disaster are available.

Johnson Likes His Job.

SACRAMENTO, Jan. 6.—Governor Johnson today announced his candidacy for re-election to the governorship of California. In his announcement the governor intimated that he has sacrificed his personal desire to become a candidate for the United States senate, but said that he believed that the best interests of the progressive party of California could best be served by his remaining in the field for re-nomination and election.

C. R. McPherson, of Oregon City, spent the day in Roseburg. Mr. McPherson owns considerable land in Douglas county and will inspect the same during his present visit here.

LAW ENFORCED

Quiet and Sobriety Rule at Copperfield.

TOWN IN THE HANDS OF STATE MILITIA

Huntington Officials Worried Over Rumors Concerning Their Own Town—Wait for Reliable Government.

COPPERFIELD, Jan. 6.—All liquor has been transported from Copperfield and the town is quiet. Col. Lawson left Captain Metcalf and Special Agent Abbott, together with seven guardsmen, to watch the town while he returned to Huntington yesterday afternoon with the remainder of the militia. He is expected to return here Wednesday, and the militia will be retained until the establishment of a stable town government.

Holds Out Olive Branch.

SALEM, Jan. 6.—In a message today to Sheriff Rand, of Baker county, Governor West offered to withdraw the militia from Baker county in return for the earnest co-operation of the sheriff's office in suppressing alleged violations of the liquor law, and in closing disorderly houses in this county. As a pledge of good faith the governor has asked Rand to appoint Special Agent Hodgman as deputy sheriff for sixty

WEDDING ANNOUNCEMENT.

Mr. and Mrs. Clark H. Pier-son announce the engagement of Rev. A. R. Maclean, of Roseburg, to Miss Maude Kenworthy, of Portland. The wedding will occur early in the spring.—Oregonian.

End of Lawlessness.

HUNTINGTON, Jan. 6.—An early end of the conflict between the state military forces and Baker county officials seemed near today as a result of the conference being held by Col. Lawson and Sheriff Rand. They have progressed to a point where sheriff has agreed to name a deputy to take charge of the conditions existing at Copperfield and relieve the necessity of maintaining martial law. The only hitch is as to how the deputy shall be paid. There has been no attempt made by the state agents to close up the saloons here.

Investigate Copper Strike.

HOUGHTON, Mich., Jan. 6.—Governor Ferris today began a personal investigation of the copper mines strike situation with this city as his headquarters. He arrived here last night and this morning held a long conference with Sheriff Cruze.

OREGONIAN TELLS OF JURGENS' ESCAPE FROM THE STATE PENITENTIARY.

Bored Hole Through the Wall and Has Made Good His Escape—West is Criticized.

The Morning Oregonian, in today's issue has the following to say regarding the escape of Edwin Jurgens from the penitentiary yesterday: "In the absence of Superintendent Lawson and two guards, who, as members of the national guard, are maintaining martial law for Governor West at Copperfield, Edwin W. Judgens, regarded as one of the state's most dangerous convicts, early yesterday bored and sawed his way out of the state penitentiary. The man was committed from Douglas county last January, and was serving a term of from 10 years to life for robbery and assault with a dangerous weapon. "Jurgens is the first man to escape from the penitentiary at night by cutting his way out for several years, and it has been suggested that the man still might be within the prison walls had Colonel Lawson and the guards with him been attending to their duties here. Announcement, however, was made at the penitentiary that the force of guards last night and this morning was the same as when the superintendent is here. "The man bored through the floor of his cell, lowered himself to the basement, sawed the bars of a window, and, gaining the yard, obtained a ladder with which he scaled the wall. One of the guards patrolling the wall saw a man in the yard about 4 o'clock, and thinking he was the engineer of the pump-house, paid no further attention to him. It is believed this man was Jurgens. "An auger used by the convict in making the hole in the floor of his cell and the saw with which he cut the bars of the window were left behind. It is thought he stole the tools from one of the shops and secreted them in his cell until the opportune time to make his escape. "A reward of \$50 has been offered for the man's capture."

THE NUISANCE ORDINANCE.

Editor News:

An outsider present at last night's meeting of the city council must have seen a strange sight. Only recently the council, with a great deal of public approval, passed an ordinance to declare places where liquor is illegally sold to be nuisances. An owner of a building permitting such thing after knowledge, could be punished. As the ordinance reads any one could give notice. The city marshal gave such a notice, and the council last night repudiated it. Is this enforcing the law? Does the council mean to go back on its own ordinance, because an attorney appeared before it and made a spite? Men ought to be made of better stuff.

OBSERVER.