

Tonight and Wednesday, fair.

ROSEBURG NEWS-REVIEW

In Which is Included The Evening News and The Roseburg Review

Highest yesterday 71, lowest last night 54. OREGON HISTORICAL SOCIETY, Public Auditorium

VOL. XXIII, NO. 115 OF ROSEBURG REVIEW

ROSEBURG NEWS-REVIEW TUESDAY, JULY 13, 1920.

VOL. IX, NO. 166 OF THE EVENING NEWS

THIRD PARTY PLAN SHAPING UP TODAY

Factions at Chicago Agree to Unite With the Labor Element.

STUDY HUN SITUATION

Allies Will Not Enforce Ultimatum Ending at 3 o'Clock Friday—Bolivia Revolution.

(By Associated Press.) CHICAGO, July 13.—Leaders of the principal groups in convention here attempting to form a third party, agreed to amalgamate this morning when the committee of 48 voted to join the national labor party.

Revolution in Bolivia. LIMA, Peru, July 13.—A serious revolution has developed in Bolivia, South America, according to dispatches received from La Paz late yesterday evening.

Japs Defeat Suffrage. TOKIO, July 13.—Universal suffrage was denied the people of Japan when the lower house of parliament yesterday defeated the resolution providing for it.

Germans Given Time. SPA, July 13.—The allied premiers decided today not to insist upon the Germans replying to the entente ultimatum regarding coal deliveries by 3 o'clock today.

Premiers in Deadlock. SPA, July 13.—A deadlock has been reached by the allied premiers and the German delegates on the coal situation.

Bolshevik Take Minsk. LONDON, July 13.—Minsk has been captured by the Russian bolshevik troops, according to an official statement received from Moscow.

May Arrive Armistice. LONDON, July 13.—It is rumored in authoritative circles at Spa that Lloyd George has received a message accepting the proposals of the allies for an armistice between Poland and Russia.

American Reported Killed. TRIESTE, July 13.—An officer of the United States army was reported killed in the recent street fighting at Spalato, Dalmatia, between Croats and Italians during the Jugo-Slav nationalist demonstration there.

Killing Unconfirmed. WASHINGTON, July 13.—No report of the alleged killing of an American officer during the 'street fighting at Spalato, or participation of United States naval forces in quelling the late disturbances there, has been received at the navy department.

Injunction Case Dismissed. WASHINGTON, July 13.—Justice Bailey of the district supreme court today dismissed the proceedings brought by Charles Fairbanks, of New York, of the American Constitutional league, to prevent promulgation of the ratification of the suffrage amendment, and to test the validity of the equal suffrage law.

Labor Shows Hand. LONDON, July 13.—The proposal to employ direct action, if necessary, to force the British government to withdraw its troops from Ireland, and to cease manufacturing munitions of war for Ireland and Russia.

MARKET UNCHANGED.

PORTLAND, July 13.—There is no change in livestock market quotations today. Butter and eggs are holding steady and the market is the same as yesterday.

was defeated today in the special trades union congress called to consider labor's attitude on the Irish question.

Will Consult Wilson. WASHINGTON, July 13.—Governor Jas. Cox and Franklin D. Roosevelt, democratic nominees for president and vice-president, will confer with President Wilson at the White House on Sunday.

Meeting at Frisco. TACOMA, July 13.—Republican campaign plans for the western states will be arranged at a meeting scheduled for San Francisco next week, according to Elmer E. Dover, recently appointed assistant regional director, with headquarters at San Francisco, who arrived here last night.

Peter Applegate, 13-year-old son of Mr. and Mrs. Clyde Applegate, of Canyonville, passed away at 5 o'clock yesterday afternoon. Death was caused by appendix trouble as a result of eating ice cream and cherries, and he had been very low for several days, little hope being entertained for his recovery.

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REPUBLICANS ARE SURE OF VICTORY

State Committeeman Neuner Says Meeting at Portland Very Harmonious.

RESOLUTIONS ADOPTED

State Managers for Various Candidates at Primaries Are Well Pleased With Choice Made at Chicago Convention.

The meeting of the state central committee, held in Portland on July 10, was a very harmonious affair, says District Attorney George Neuner, who was one of those present and participating in the meeting.

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AGED RESIDENT OF DILLARD KILLED

Dangerous Gun Explodes Accidentally and Blows Off Top of Head.

WAS WARNED OF RIFLE

Was Told to Use Smaller Calibre Gun and Leave Larger Weapon Alone as It Had Special Home-made Lock and Safety.

Thomas Alexander, of Dillard, was accidentally killed, presumably Sunday evening, when a .22 calibre rifle, shooting a set-nosed bullet was discharged, the bullet tearing off the entire upper portion of his head.

The body was found yesterday afternoon by R. S. Walker, a resident of the Dillard vicinity, and the coroner notified of his death. The coroner's report was that death was purely accidental and was occasioned by the careless handling of a dangerous gun which he had been warned to leave alone.

Mr. Alexander had been in poor health for several years. He and his wife had been living in the city and only recently decided to go to his son's ranch, a considerable distance from Dillard, where he has been spending the past few months. On Sunday, the son and his wife went to Round Prairie to take work on the highway there, leaving the old gentleman there alone. It is evident that after their departure Mr. Alexander decided to make his bed in the yard and dragged a mattress out under a big tree. It is further presumed that he decided to kill several of the chicken hawks, which had been carrying off the small chickens. He had been told to use a 22 calibre gun and to leave the larger gun alone.

The larger gun had been made over by the son so that it operated on a hair trigger, and also had a specially devised safety, which no one except the son knew how to operate. An empty shell on the porch is evidence that Mr. Alexander fired one shot prior to his death, presumably firing at a chicken hawk. Neighbors heard two shots fired about fifteen minutes apart just before dusk on Sunday evening.

The conclusion reached is that Mr. Alexander after firing the first shot, went to his bed and placed the gun on the ground beside him. He then probably saw another bird, and not understanding the mechanism of the gun, which was easily discharged, started to sit up, drawing the gun toward him, muzzle foremost. The quick movement, it is thought, discharged the gun, and the bullet took effect in the head, striking the bridge of the nose, mushrooming and tearing off the entire top of the skull.

The body was not found until just shortly after noon yesterday when Mr. Walker, who happened to be going by stopped to talk to Mr. Alexander for a short time. He called to him, and getting no response started around the house only to find the body lying on the blood soaked mattress. He called the coroner, but with the various evidences pointing to accidental shooting, no inquest was deemed necessary.

The deceased is survived by a widow, Edith Alexander, of this city, and two sons, W. A. and M. A. Alexander of Dillard. The funeral was held this afternoon at Brockway with interment in the Civil Bend cemetery.

HEREFORD CATTLE FOR SALE.

Consisting of 9 purebred and high grade cows and 2 registered Hereford bull and two high grade bulls.

one of the several states that have not ratified the amendment ratifies it the same becomes effective.

A strong resolution was also passed condemning the red tape and the neglect of the administration in providing for the maimed and wounded soldiers, sailors, marines, and nurses in the late war and also the inefficiency of the administration of the present war risk insurance as applied to soldiers of the late war. The resolution expresses sympathy for the relatives and parents of the deceased soldiers and urges and requests congress for the immediate enactment of soldiers' aid and relief measures that will equalize the services rendered by these patriotic men and women. The resolution further pledges and commits the republican candidates for senate and congress to immediately carry out this request.

The fourth resolution was merely a congratulatory message to Harding and Coolidge pledging the support of the republicans of Oregon.

The meeting was free from personalities but enthusiastic of a united desire and effort to carry on an effective, clean, and active campaign for the election of a complete national, state and county ticket.

These are of the famous Beau Donald and Beau Brummel Hereford families. Inquire of George Ward, box 1035, Roseburg.

ROSEBURG REALTY BOARD HAS MEETING LAST NIGHT

The Roseburg Realty Board met last night and several important matters were taken up for discussion and settlement. A committee was appointed to confer with the directors of the Chamber of Commerce with reference to co-ordinate a campaign of advertising the city of Roseburg and the Umpqua valley. The report of the committee and the steps to be taken will be given at the next meeting of the realty board. A committee was also appointed to communicate with the United States Department of Agriculture with the point in view of securing a crop survey for this county. In the event that this is obtained, crop experts will be sent to various parts of the county to give tests in soil conditions and will render complete information concerning the soil conditions here. The question of welcoming tourists to the city was also taken up, but no definite action was decided upon.

TO MANAGE DINING ROOM.

Ray W. Clark, secretary of the Greater Association of Oregon, and an experienced hotel man, has purchased a half interest in the dining room of the Umpqua hotel and will assume active management the latter part of the week. Mr. Weaver still retains an interest but will give his attention to the hotel while Mr. Clark will have complete charge of the restaurant. No plans have been announced but it is possible the present restaurant room will be turned into a refreshment and light lunch room while the main dining room will again be opened. Mr. Clark will arrive Friday to take charge of the business and will announce his plans as soon as they can be properly arranged. He has been in the hotel business for a great number of years, except during the period of the war when he served in the army and he has an excellent record in the hotel business.

GETS CANADIAN BILL.

A lady tourist visited the office of M. Fiekle, local postal telegraph operator, a few days ago, and after informing him that she was a telegrapher and peddling a fine line of "bunk," she presented a \$5 bill with the request that he change it for her. Always willing to oblige anyone, Mr. Fiekle counted out the correct change and handed it over. A short time later, on examining the money, the local operator found that he was in possession of a Canadian bill on which 75 cents would be due in the event he attempted to cash it. He lost no time in hunting up the tourist and told her of the discovery. With a blank look on her face she replied: "Why, my dear friend, surely you've made a mistake. I never saw you before in my life."

ALBERT KARCHER DEAD.

Albert Karcher, a well known resident of South Deer Creek, died at his home this morning at the age of 65 years. Mr. Karcher was a native of Germany and came to this country when but a child. He has been a resident of Douglas county for the past 24 years and has been engaged in farming. He leaves a large family and a wide circle of friends and acquaintances. The funeral services will be held tomorrow afternoon at the South Deer Creek grange hall at 1 o'clock and burial will take place at the L. O. O. F. cemetery.

SCHOOL BOARD MEETING

The Roseburg School Board met in executive session last night and completed the filling of several vacancies in the teaching staff for next year. The list of teachers is nearly complete and will be published within a short time, as soon as the various contracts are in. The regular monthly bills were also passed on at the meeting last evening and the usual routine matters attended to.

CONDUCTING HERRICK HOUSE.

Mrs. D. Y. Allison and her sister, Mrs. Margaret Stanley, have taken over the management of the Herrick rooming house on the corner of Pine and Lane streets. They are having the lower portion of the building repaired and within a few days will open a family style boarding house. They are fitting up the dining room so that a large number can be served for meals.

DIVORCE HEARING TODAY.

The divorce case of Martha Turner against W. H. Turner was heard in the circuit court today. Mr. Turner is drayman who recently figured in a whirlwind family row at Dillard. The case was an interesting one from the spectator's standpoint.

Mrs. J. G. Russell, who has been nursing her sister at the sanatorium in this city, left this afternoon for Wilbur where she will rest for a few days, returning to Roseburg the latter part of the week.

From Grants Pass—

B. L. EDDY CLAIMS BONDS ARE ILLEGAL

At Request of Mayor Opinion On Legality of Proposed Aviation Bonds Given.

NO AUTHORITY IS CITED

Attorney Says That the Legislature Has Not Given the City Power to Go Outside Its Boundaries to Buy Land.

Whether or not Roseburg has the right to issue bonds for the purpose of buying an aviation field outside the city limits is a question which the courts must settle. At the present time the opinion of Attorney B. L. Eddy, who at the request of Mayor Hamilton, investigated the matter quite thoroughly, is that the city has not the right to buy these lands and that the issuance of bonds for the purpose of buying Hannan field as authorized by the citizens at the recent election would be illegal and the bonds, if issued, would be invalid.

In order to determine this question, satisfactory to all concerned, the city council last night decided to advertise the bonds for sale affixing a clause that the purchaser must satisfy himself as to the legality of the bonds. In this case the purchaser of the bonds must bring a suit against the city to enjoin them from issuing the bonds and the merits of the case can then be taken before a court and the rights of the city determined. If a municipality has not the power to issue bonds for the purchase of an aviation field then the decision of the court will have a material effect upon the proposed purchase in other places such as Eugene where the citizens voted over \$20,000 for the purpose of buying a field outside the limits of the city. Attorney Eddy holds that the city only has power to buy land outside the limits of the city when that power is expressly granted by the legislature. He quotes authorities where the city can buy land for water rights, drainage, sewer systems, etc., but aviation fields are not mentioned and he holds that a special act of the legislature giving the cities power to buy land for aviation fields will be needed before the city will be able to issue bonds.

Excerpts from Attorney Eddy's opinion follow: Hon. W. S. Hamilton, Mayor, Roseburg, Oregon.

At your request I have given some study to the question of the power of the city to issue bonds for the purchase of an aviation field outside the city limits.

Under our state constitution the people of a city have a broad power of enacting amending their own charters, as relates to matters within the boundaries. The ownership of property beyond the corporate limits involves the consideration of questions other than those arising upon the charter amendment recently adopted by the people of the city. I assume, without examination of the record, that the charter amendment authorizing the purchase of a tract of land outside the city limits for a park and aviation field was duly submitted to the people and duly adopted, and is now a part of the city charter. For this part of the charter to be operative, however, it appears to be necessary that some express or implied power shall have been given the city by the state to acquire property beyond the corporate limits for the particular purpose in question. (Authorities quoted.)

The legal voters of cities and towns are not obliged to look to the legislature for the right to exercise any intramural power; but the whole sum of intramural authority is set at large, and the legal voters may exercise all of that authority or only such part of it as they may desire, subject of course, to the constitution and criminal laws of the state, and subject also to the right of the people of the commonwealth to amend charters of enact supervisory legislation by the use of the initiative. (Quoting authorities.) Extramural authority, however, is not available to legal voters of cities and towns, unless the right to exercise it has first been granted, either by a general law enacted by the legislature or by legislation initiated by the people of the whole state.

The legislature of the state has granted to municipal corporations the power to acquire lands outside of corporate limits in connection with various municipal uses, including light and water supply, drainage sewers and railroads.

It should be born in mind that a municipal corporation can not expend public funds or create a public debt for anything which is not for public use, without legislative

authority. \* \* \* Land for a public park for a city is undoubtedly a public use. The power merely to acquire a park is, however, not the power in question. Even if the park could be legally acquired in this way, the joining of the aviation field would seem to vitiate the whole transaction, unless the aviation field can be lawfully acquired by the city. Where the courts have sustained the acquisition of land beyond corporate boundaries, it appears to have been where the land was necessary for a well known municipal use, such as a post house, a drain a sewer, or the like.

I fear that the issuance of bonds for an aviation field outside the city limits, and the creation of an indebtedness to be met by taxation is not a proper municipal purpose, and has not been authorized by the state legislature. When the city of Roseburg contemplated a bond issue for railroad purposes, it relied not upon an amendment of its charter, but upon an act of the legislature which was considered indispensable. I trust that yourself and members of the city council will bear in mind that I am writing as a lawyer only and am not expressing my preferences or desires as a citizen of Roseburg. Yours very truly, B. L. EDDY.

In dismissing the matter the council was divided. Councilman Nichols said that the people had expressed their desire for the purchase of the field and that the city should go to court to test the validity of the bonds. Other councilmen expressed their opinions, Councilman Fisher, Croason and Powell opposing the testing of the bonds, while Lindsey, McClintock, Nichols and Seely favored a court settlement. Consequently the city attorney was authorized to prepare an ordinance advertising the bonds for sale with the protective clause inserted and it is believed the bonds will be taken into court within a short time.

ENGINE TROUBLE CAUSED ACCIDENT

Aviators Forced Down In Umpqua Forest Reach City After Long Trip.

LEAVE FOR EUGENE

After Wrecking Plane in Landing, Cadet Flyer and Observer Walk Over Twenty Miles to the Nearest Ranger Station.

After a three day journey from Big Camas, making the trip by pack train, Cadet Heyers and Observer Don Davis, reached this city last night after a very thrilling experience, when their DeHavilland forest patrol plane was forced down by engine trouble at Thorn Flats. After landing that afternoon, they were out in the woods all night, and for a portion of the next day before they reached the Big Camas ranger station where they secured food. From Big Camas, they made the journey by pack train and reached Roseburg late yesterday afternoon. They left this morning for Eugene, where after a short rest they will resume their work with the forest patrol.

Both show the effects of a hard forced trip from the interior and are still sore and lame from the long walk and climb through the woods following their falling. However, they enjoyed the time spent in the forest and say that as soon as they can find time are going to take a hunting trip in the forest as they saw a great many deer and other wild animals which will provide excellent sport for hunters.

"Engine trouble developed when we were about an hour and fifteen minutes out of Medford," said Cadet Heyers, in telling of the experience. "We were flying at about an elevation of 9,000 feet, when with a quick spitter, our engine went dead. We picked out the best landing in sight and fortunately picked out a fairly clear spot. In landing, we tore off one of the lower wings, and then we nosed over, wrecking the wings and fuselage beyond repair.

"We took out what stuff we had in the ship, and after looking over our maps pretty thoroughly to get the lay of the land started out for the Big Camas station. Our maps did not show any trails, so we went through the woods. We were out over night, and went over 24 hours without food and we were sure glad when we hit the ranger station and could get something to eat.

"It was a real experience, all right, and we consider ourselves lucky to be alive. Since landing and on the way out we have enjoyed ourselves greatly. A rip in the Umpqua forest is worth any man's time although it is not very much fun to be dumped in the middle of it when you're not prepared for it.

"I don't think that there is any value in talking about repairing the machine. The wings and fuselage are a total wreck, and anyway the most

CITY TO CONDEMN RIGHT OF WAY

Will Proceed to Connect Up Stephens Street With Pacific Highway.

COST VERY EXCESSIVE

Cost of \$3900 per Acre is Deemed to Be Too High and the Council Will Proceed with Condemnation Suit For Title to Land.

Proceedings to condemn the strip of land between the end of Stephens Street and the city limits to connect up with the Pacific Highway will be started by the city at once, the council decided last night. The committee recently appointed to investigate the purchase of the land found that the Cobb real estate company is asking \$250 per lot, basing their lot on a basis of 40 x 100 feet and the cost of a right of way through the Livingston property would be \$250 per lot on a basis of 40 x 100 feet. This would make the purchase price \$3,900 for a tract less than one acre in size, and was deemed to be excessive by the committee which recommended that the city either force an opening by condemnation or else request the county court to open up Mill street along the city limits line, connecting up with the new grade on the Parrott property. The city charter provides that the city can appoint viewers to view the proposed street and that these viewers can fix the value of the property, and that the city can pay the price for it. In the event the city is enjoined from opening the road it can post bonds and proceed with the improvements and settle the damages in court. On a unanimous vote it was decided to follow this policy. A committee from the Chamber of Commerce, headed by W. J. Weaver, presented a number of petitions signed by business men and taxpayers of the city asking that this section be bought at once.

City licenses were issued to Ray Shields, F. A. Clements, Frank Shields, E. T. Shanks, H. G. Gilbert, D. Wallis, H. Troxay, M. G. Williams, J. B. King, V. C. Bodewell, C. M. Wilson, H. Crocker and J. H. Hayes. The members of the street cleaning department were each granted a salary increase of \$10 per month. The camp grounds came up for consideration and it was decided to make several changes in the electric wiring to conserve electricity. The reports of the officers and departments were read and approved. Attorney Abrahams appeared and asked that the ordinance vacating a portion of Spruce street be repealed. An ordinance making such a repeal was placed on first and second reading. The cannery company requested that the curb be eliminated on the side of the street adjoining their building, when the paving is laid in order that they may drive vans and autos up to the structure. If the consent of the adjoining owners can be secured, this request will be allowed.

The marshal reported a number of sidewalks to be in bad condition and a committee will go with him to determine which ones shall be replaced. The usual bills were allowed and the ordinance for the paving of north Jackson street passed on third reading.

A resolution providing for viewers to lay out the street at Park Bridge was considered, but no action was taken as it is understood that the state engineer will recommend to the county court that the bridge be constructed at a point about a hundred yards farther south on Mill street, so that it will start from the right promontory there and avoid a trade crossing.

IS IN PORTLAND.

B. B. Bullwinkle is in town from Riddle, Or., and the prospects are that he will be here for some time. Yesterday the job of being foreman of the federal grand jury was wished on Mr. Bullwinkle, which will give the citizens of Riddle almost as much satisfaction as the decision of Judge Skidmore to the effect that the state highway commission has no right to build the Pacific Highway without opening the road to and out of Riddle—Portland Oregonian

AIM FOUND BELOW FALLS

NIAGARA FALLS, N. J. July 12.—The right arm of a man was taken from the Niagara river near the Canadian Maid of the Mist landing today. It is believed to be part of the body of George C. Stephens, of Bristol, Pa., killed yesterday in an attempt to go over the Horseshoe falls in a barrel.

valuable part of the machine is the water and instruments. They can be taken out in sections by way of Diamond Lake, and the most valuable part of the plane can be saved.