

# RICH BILLY BARKER SENT TO ROCKPILE

### Genial Man About Town, Prominent Clubman, Pleads Guilty to Speeding.

### FIVE DAYS IS SENTENCE

### In Company With Four Other Prisoners, Smiling Newlywed Goes to Sub-Jail—Attempt to Set Verdict Aside Is Probable.

W. C. (Billy) Barker, wealthy clubman, and heir to several hundred thousand dollars, was sent to the rockpile

## WEALTHY CLUBMAN BOARDING CAR FOR ROCKPILE TO SERVE FIVE DAYS FOR SPEEDING



WILLIAM C. "BILLY" BARKER.

for five days by Municipal Judge Stevenson yesterday, after Mr. Barker had pleaded guilty to speeding 50 miles an hour on Sandy Road near East Twenty-fourth street.

Mr. Barker left with four others in charge of a guard yesterday, but his last words as the United Railways train started for the Linton rockpile were: "I'll be out tomorrow."

His commitment to the rockpile came after a technical mixup, in which Municipal Judge Stevenson and Chief of Police Clark each declined to take the responsibility for sending Barker to the rockpile. After a conference between the two, Linton, Mr. Barker was committed to Linton.

Mr. Barker says his conviction was due to a mistake by his attorney. The lawyer saw Municipal Judge Stevenson privately Monday afternoon and said Mr. Barker would be willing to plead guilty if he were fined and his car ordered locked up for a period. Judge Stevenson refused to commit himself prior to the trial.

**Guilt Plea Announced.** "When Mr. Barker came into court his attorney announced his willingness to plead guilty," Judge Stevenson, without preliminary, said. "The sentence will be five days imprisonment."

"Your Honor, will you give me a few days to prepare an appeal?" queried the lawyer.

"There is no appeal," answered Judge Stevenson. "You have already pleaded guilty and the penalty has been named."

"Come," ordered Bailiff Johnson, and Mr. Barker was escorted into the prisoners' detention room.

Mrs. Barker, a bride of a few months, appeared in the courtroom, contrary to the orders of her physician, Dr. Sanford Whiting, to appeal for her husband.

Judge Stevenson's sentence was interpreted by jailors to mean a jail sentence. Accordingly he was about to be made a trustee at the City Jail, when others, who interpreted the sentence as being one upon the rockpile, interfered. Judge Stevenson declared that Chief Clark, as custodian of the jail, was the man to decide whether Mr. Barker was to be lodged in the City Jail or at the rockpile at Linton. Chief Clark contended that the sentencing magistrate was the one to designate the prison. They conferred and decided to send Barker to the rockpile.

**Photographer Is Accommodated.** Plentifully supplied with magazines, the wealthy prisoner started out with four others to the United Railways train, which was to take them to Linton. He held his handkerchief before his face to ward off a newspaper photographer, but when the photographer caught him off his guard as he boarded the train, he smiled and stood still while the picture was taken.

On board the train Mr. Barker was cheerful. The other prisoners were shackled together, but Mr. Barker was put on his honor and settled down to read a magazine.

"I'll be out of this tomorrow," he told a newspaper reporter. "My lawyer just made a slip in his speech, and I am going to the rockpile for it. But I'm all right."

"Just say that I'll be out tomorrow and make the story as decent as you can."

Mr. Barker is believed to be about to file habeas corpus proceedings, followed by a writ of review from Judge Stevenson's ruling.

The point of law involved is that the city auto ordinances, under which Mr. Barker was arrested by patrolman Coulter Sunday, apparently conflict with the state automobile law, in that they prescribe prison terms for speeders, and thereby make their penalties greater than the state law.

**State Law Provides Fines.** The state law says that cities may regulate the traffic within their boundaries, but may not prescribe penalties greater than that provided in the state law, which orders fines for the first two convictions of any speeder.

Mr. Barker's father was a wealthy timberman, who left the bulk of his estate to his son. His rapid dispersal of the money led his sister to appeal to the Circuit Court to appoint a guardian for him. Evidence was offered showing that Mr. Barker spent \$50,000 in a year. A guardian was appointed. Mr. Barker is a genial man about town. He is slightly below medium height, with a pleasing face. He wears

glasses and when talking of his experiences his eyes fairly twinkle. Though his sentence came as a complete surprise, beyond coloring and gulping a few times, Mr. Barker made no sign of distress, and laughed about the case.

## SURVEYS ARE EXPLAINED

### Commissioner Dieck Issues Statement Regarding Changes.

In regard to the bench level surveys, which are being made by the public works department of the city, Commissioner Dieck yesterday issued a statement explaining the matter, in part as follows:

Prior to the passage of the ordinance establishing a new datum plane of elevations within the city there were in use within the city limits three distinct planes, the United States geological survey plane, with reference to mean low water at Astoria, Or.; the United States Army datum plane, with reference to mean low water in the Willamette River, and the city datum plane, referring to an arbitrary mark within the city limits.

Of course, the actual elevation of any point above the earth's surface is independent of the plane of reference used. For instance, if a certain object be 10 feet above the first floor level and 20 feet above the basement level, in no way is the actual elevation changed by reference to either one or the other of the surfaces, or to any other points of reference. The same statement, of course, is true with elevations of streets, sewers or sidewalks.

Of late it has become increasingly evi-

dent that the recorded elevations within the city were of questionable accuracy, and that a re-check of such elevations anterior to certain districts not yet covered by suitable points of reference (bench marks) were an absolute necessity.

To this end a re-establishment of datum plane was made by the Council. In no way does such re-establishment of city elevations or the work incident thereto imply any alteration in the surfaces, or grades or in street improvements. The only effect of such work will be the clerical adjustment of records and the desired is solely uniformity in procedure. The general instructions to the field party are that actual, existing elevations upon present street improvements shall be taken as standard, regardless of evident errors or inaccuracies in records.

CHANGING SHOW DATES UP

### Commercial Club Board Discusses Delaying Stock Exhibition.

Proposal to change the date of the Pacific International Livestock Show in Portland from the second week to the third week in December will be made to the board of governors of the Commercial Club next week. The matter was brought up at the meeting yesterday, but no action was taken.

The president of the Lewiston Commercial Club will come to Portland and will confer at the coming meeting with the board of governors. The livestock show in December is set for the first week in December, and the Lewiston show the second week. It is held by many that better attendance at both the Portland and Lewiston shows will be assured if the Portland date can be changed and the conflict in dates eliminated.

## LAND COMPANY DEFENDANT

### Wasco County Tract Declared Misrepresented by Buyer.

Charging that land in Mosier View Orchards, in Wasco County, which he had contracted to buy, is not as it was represented by the sales agent of the company, E. D. Lang yesterday filed suit against the Hood River Orchard & Investment Company and J. H. Devlin for \$1375, which he charges he has paid on the \$3600 contract. He demands further \$100 which he charges he has spent in labor on the place and \$40 on repairing buildings.

Another suit brought several months ago by T. H. Fields against the same defendant and on the same charges is in the hands of three referees appointed by Circuit Judge McGinn to examine the lands sold by the company.

## ALASKANS ARE ATTRACTED

### Portland Literature Is Complimented by North Folk.

Interest in Portland, among citizens of Alaska, has had an awakening as a result of the establishment of steamship service between this city and the ports of Southeastern Alaska. Just prior to the sailing of the Wand for Alaska, the Chamber of Commerce sent to Alaska a large amount of Oregon and Portland literature, and letters of acknowledgment are now being received in which high compliment is paid Portland.

In a letter of thanks from the Haines Democratic Club in Alaska, the secretary said: "It is by far the most attractive literature that has ever reached Alaska. I must say it has attracted much attention in this vicinity."

## BANKRUPTS DENY FRAUD

### Members of Former Firm of Robinson & Co. to Stand Trial.

"Not guilty" was the plea entered by W. W. Robinson and E. K. Oppenheimer in the Circuit Court yesterday when they were arraigned in United States District Court before Judge Bean yesterday.

Robinson and Oppenheimer were officers of the clothing firm of Robinson

FOUR years in collecting from the  
FOUR corners of the earth  
FOUR hundred heart songs for  
FOUR million American homes

# The Great Musical Treasury

## "HEART SONGS"

Now being presented by

# The Portland Oregonian

To its readers for Six Coupons and the cost of distribution

Says One Critic:

"There's a lot of fun in many of these old songs—good, honest, clean fun, without any subtle sex insinuations or cynical flings at the institutions once held dear—now merely high-priced.

That's the essential note in Heart Songs—cleanliness and decent regard for the good, the true and the beautiful."

—FRANK PUTNAM.

## Ten Classes of Song

Some Selections from CLASS I

- America
- Battle Hymn of Republic
- Bonnie Blue Flag
- British Grenadiers
- Cambells Are Coming
- Danish National Hymn
- Dixie
- Field of Monterey
- Girl I Left Behind Me
- Hail Columbia
- Hail to the Chief
- Italian National Hymn
- Just Before the Battle, Mother
- Lutzow's Wild Hunt
- Marsellaise Hymn
- Maryland, My Maryland
- Red, White and Blue
- Star Spangled Banner
- Tenting Tonight
- Tramp! Tramp! Tramp!
- When Johnny Comes Marching
- When This Cruel War is Over
- Yankee Doodle

## 400 Other Songs Just as Good!

- Arranged in Ten Classes
- Folk Songs
- War Songs
- Sea Songs
- Patriotic Songs
- Chanteys
- Lullabies
- Child Songs
- Dancing Songs
- Love Songs
- College Favorites
- Sentimental Songs
- Comic Songs
- Pioneer Songs
- National Songs
- Sacred Songs

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Get your book NOW—and sing tonight at home the dear old melodies of days gone by.

When You and I Were Young

Geo. W. Johnson I. A. Butterfield

1. I want to go to-day to the hill, Maggie, To watch the scene be -  
2. A ci - ty as it - last and lone, Maggie, When the young and the gay and the  
3. They say I am too - ble with age, Maggie, My steps are less sprightly than

Found on Page 478, "Heart Songs"

**When You and I Were Young, Maggie**

The old couple who have made the journey of life together, hand in hand; who have bowed their heads to the tempest, and bared them to the sunshine; who have been one through all their joys and sorrows;

As they sit together tonight—alone by the fireside—all but one of the fledglings flown from the home nest—what "thoughts too deep for tears" are theirs!

The music and words of this tender old song illustrate beautifully its matchless sentiment:



Look for HEART SONGS COUPON with music border published elsewhere in today's paper.

### United States Fidelity and Guaranty Company,

of Baltimore, in the State of Maryland, on the 31st day of December, 1913, made to the Insurance Commissioner of the State of Oregon, pursuant to law.

Capital	\$2,000,000.00
Amount of capital paid up	\$2,000,000.00
Income	
Net premiums received during the year	\$6,293,907.97
Interest, dividends and rents received during the year	276,067.67
Income from other sources received during the year	61,502.32
Total income	\$6,631,477.96
Disbursements	
Losses paid during the year, including adjustment exp.	\$2,708,002.82
Dividends paid during the year	200,000.00
Commissions and salaries paid during the year	2,378,420.66
Taxes, licenses and fees paid during the year	291,097.10
Amount of all other expenditures	294,728.47
Total expenditures	\$5,672,250.05
Assets	
Value of real estate owned (market value)	\$69,400.00
Value of stocks and bonds owned (market value)	4,866,377.00
Loans on mortgages and collateral, etc.	36,149.00
Cash in banks and on hand	863,753.31
Premiums in course of collection written since September 30, 1913	977,133.13
All other assets	251,288.28
Interest and rents and accrued	62,730.35
Total assets	\$7,701,973.00
Less special deposits in any state (if any)	\$151,800.71
Total assets admitted in Oregon	\$7,550,172.28
Liabilities	
Gross claims for losses unpaid	1,083,537.72
Amount of unearned premiums on all outstanding risks	2,871,284.23
Dues for commission and brokerage	191,198.70
All other liabilities	294,895.42
Total liabilities	\$4,990,916.00
Total premiums received during the year	\$10,540,000.00
Year	93,672.32
Premiums returned during the year	14,289.11
Losses incurred during the year	29,957.91
Total amount of premiums outstanding in Oregon December 31, 1913	\$6,811.97

UNITED STATES FIDELITY & GUARANTY COMPANY  
By JOHN H. HANCOCK, President.  
Statutory resident general agent and attorney for services, J. L. Hartman, Portland, Or.  
Hartman & Thompson, General Agents, Portland.

## IF MEALS HIT BACK AND STOMACH SCURS

"Pape's Diapepsin" ends Indigestion, Gas, Dyspepsia and Stomach Misery in five minutes.

If what you just ate is hurting on your stomach or lies like a lump of lead, refusing to digest, or you belch gas and eructate sour, undigested food, or have a feeling of distension, heartburn, fullness, nausea, and taste in mouth which is sour, headache, you can get blessed relief in five minutes.

Ask your pharmacist to show you the formula, plainly printed on these fifty-cent boxes of Pape's Diapepsin, then you will understand why dyspeptic troubles of all kinds must go, and why they relieve sour, out-of-order stomachs or indigestion in five minutes. "Pape's Diapepsin" is harmless; tastes like candy, though each dose will digest and prepare for assimilation into the blood all the food you eat. Besides, it makes you go to the table with a healthy appetite; but, what will please you most, is that you will feel that your stomach and intestines are clean and fresh, and you will not need to resort to laxatives or liver pills for biliousness or constipation.

This city will have many "Pape's Diapepsin" crates and some people will call them, but you will be enthusiastic about this splendid stomach preparation, too, if you ever take it for indigestion, gas, heartburn, sourness, dyspepsia, or any stomach misery.

Get some now, this minute, and rid yourself of stomach trouble and indigestion in five minutes.—Adv.

## WE CAN NOW SUPPLY THIS HAIR PREPARATION

Our big Harmony Laboratories in Boston have caught up with their orders now and so we won't have to disappoint any who are using Harmony Hair Beautifier and want more of it or any who have been advised by your friends to use it. We can now fill all demands, even if it becomes even more of a race than it is now.

Harmony Hair Beautifier is just what it is named—a hair beautifier. It is not a hair dye or hair oil—but a dainty, rose-perfumed liquid dressing to give the hair its natural gloss and brightness, wavy softness, rich beauty. Easy to apply—simply sprinkle a little on your hair each time before brushing it. Contains no oil, and will not change color of the hair, nor darken gray hair.

To keep your hair and scalp dandruff-free and clean, use Harmony Shampoo. This pure liquid shampoo gives an instantaneous rich lather that immediately penetrates to every part of hair and scalp, insures a quick and thorough cleansing. Washed off just as quickly, the entire operation takes only a few moments. Contains nothing that can hurt the hair, leaves no harshness or stickiness—just a sweet-smelling cleanliness.

Both preparations come in odd-shaped, very ornamental bottles, with sprinkler tops. Harmony Hair Beautifier, \$1. Harmony Shampoo, 50c. Both guaranteed to satisfy you in every way or your money back, only at the more than 7000 Rexall Stores, and in this town only by us, The Owl Drug Company.—Adv.

## Raw, Cold, Windy March

Many who go through the Winter months in comparative good health fall easy victims to disease during the month of March, with its raw, cold, windy weather.

**Duffy's Pure Malt Whiskey** a bracing tonic, enables the system to defy the debilitating March weather and gain health and strength.

"Get Duffy's and Keep Well"

Sold by druggists, grocers, and dealers at \$1.00 a bottle. In sealed bottles only.

The Duffy Malt Whiskey Co., Rochester, N.Y.

## JURY AT SCENE OF KILLING

Opening Statements Made in Mitchell Murder Trial.

Opening statements by counsel in the E. B. Mitchell murder trial were made yesterday, after which the jury was taken down to view the scene of the killing, near the corner of Third and Buraside streets. The shooting occurred December 30, following. It is said, a request made by George Morgan, who was killed, to Mitchell for money. Mitchell's defense, his attorneys have announced, will be self-defense. He says that he shot Morgan only after

& Co., which became bankrupt last Summer. Trial of the case will begin May 14.

## CANDIDATES TO EAT FISH

### Transportation Club Gives Invitation to Salmon Day Feast.

Salmon day will be appropriately observed in Portland on Friday. The celebration here will be under auspices of the Portland Transportation Club. W. A. Robbins, president of the club, issued an executive order yesterday, in regard to the observance.

The club will give a feast at noon in the blue room of the Multnomah Hotel.

Candidates for the different political offices, both state and county have been invited to be present and the chairman of the day will allow each candidate three minutes to speak.

Judge William A. Munly will give an

## FARE HEARING IS MONDAY

### Garden Home and Linton Cases Before State Commission.

Hearing on the petition of the United Railways to increase rates of transportation and of the residents of Garden Home to compel the Oregon Electric to reduce fares to Portland will be held by the State Railroad Commission Monday.

The connection between the two cases hinges on the complaint of the Garden Home people that the fare to Linton was only 5 cents, while to Garden Home, the same distance, it is 10 cents. To remove this alleged discrimination the United Railways seeks to have the fare to Linton raised to 15 cents.

The conditions of the franchise, however, demand a 5-cent fare to Linton, and on this fact the people of Linton

## PLAN IS TO AID FARMERS

### Idaho Official Would Provide Dairy Cows on Long Payments.

LEWISTON, Idaho, March 10.—(Special.)—Major Reed, Idaho Immigration Commissioner, has outlined a plan to assist the farmers of Idaho in increasing and improving their dairy herds. It is his intention to interest Eastern capital in the venture to the extent of \$250,000. With this in view he will soon make a trip East.

The Major's plan contemplates the sale of high-grade dairy stock to farmers on the long-time payment plan. He recently laid his plan before Professor Carlyle, head of the Agricultural College and the experiment station of the University of Idaho, who wrote him a strong indorsement, in part as follows:

"If, through your plan, the farmers

## will base an objection to the proposed raise.

address on the importance of the salmon industry.

of Idaho could secure improved livestock in sufficient numbers to consume the surplus forage and grain of the state, they would soon be financially independent, and without some such assistance I can see no hope for their ultimate success in developing that section of the state as it should be developed."

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