GOVERNOR ACTS TO CONFINE MURDERER

Lloyd H. Wilkins' Sentence Is Commuted to Prevent His Being Set at Liberty.

LEGAL QUESTION IS RAISED

West Postpones Canvass of Vote on Abolishing Capital Punishment on Advice That Proclamation Makes Law.

SALEM, Or., Dec. 2.—(Special.)—That he might prevent Lloyd H. Wilkins, convicted of homicide in the first degree in Portland for killing Lou Winters, from being freed because the amendment passed by the people abolishing capital punishment does not contain a saving clause, Governor West today deferred canvassing the results of the recent election one day and commuted the sentence of the man to life imprisonment.

Whether the commutation will stand is a moot question and one which the defendant probably will ask the courts to determine. The Governor was advised by District Attorney Evans, of Multnomah County, that, according to his construction of the constitution, an amendment does not become effective until the vote on it is canvassed and the Governor proclaims it a law. The District Attorney holds that an amendment is different from a bill passed by the people, which becomes effective or is defeated as soon as a majority vote is cast for or against it. Mr. Evans quotes article 17, section 1, of the constitution, which says:

"The votes for and against such amendments, severally, whether proposed by the Legislative Assembly or by initiative petition, shall be canvassed by the Secretary of State in the presence of the Governor, and if it shall appear to the Governor that the majority of the votes cast at said election on said amendment or amendments, severally, are cast in favor thereof, it shall be his duty forthwith after such canvass, by his proclamation to declare the said amendment, or amendments, severally, having received said majority of votes, to have been adopted by the people of Oregon as a part of the constitution thereof, and the same shall be in effect as part of the constitution from the date of such proclamation."

Mr. Evans thinks this section of the constitution would make a commutation by the Governor prior to the issuance by him of a proclamation declaring the amendment to abolish the death penalty having been carried, valid.

John Arthur Pender, convicted of killing Mrs. Daisy Wehrman and child in Columbia County, was given a commutation of sentence from death to life imprisonment a few days after the election. His lawyer promised the Governor that in case the amendment to abolish capital punishment passed he would make no effort to free Pender on the technicality of lack of a saving clause.

The Secretary of State will canvass the returns of the recent election in the presence of the Governor tomorrow.

District Attorny Evans yesterday requested the Governor for a commutation of the death sentence of Lloyd Wilkins to life imprisonment, largely because of the possibility that he might have to be released following the passage of the anti-capital punishment amendment. Mr. Evans believes that the act of the Governor yesterday will be upheld, relying upon article 17, section 1 of the State Constitution, which provides that the Secretary of State must make a canvass of votes within 30 days after an election in the presence of the Governor and amendments that are carried become effective only upon a proclamation declaring they have passed.

"Taking this to mean what it says," said Mr. Evans, "the amendment does not become effective until after the proclamation is issued and the right to commute the death penalty undoubtedly exists until the new law takes effect. This does away with the possibility of Wilkins being set free and avoids a question being raised in the matter."

GUNMAN IS IDENTIFIED

LOUIE HING HELD FOR MURDER OF BOW LEONG TONG MEMBER.

Two Chinese Act as Witnesses, but Testimony Comes Hard When Factions Make Settlement.

Louie Hing, alias Chung Sing, member of the Hop Sing Tong, wounded in the recent war with the Suey Sings, has been identified in the County Jail by two Chinese who were positive in their statements that he is the gunman who on March 16, 1913, shot and killed Lum Chee Fon in a Chinese restaurant at 81½ Second street.

Louie Hing has been held following his arrest after the recent outbreak in the Oriental quarter, and after his wounds were attended to at the hospital he was transferred to the County Jail.

The man who was shot was a member of the Bow Leong Tong, and because of the settlement that has been made locally among the various tongs, considerable difficulty is experienced in getting members of the Bow Leong organization to testify. It was found necessary to place two Chinese, Sid Jon and Chin Sing, under bond to hold them as witnesses. These men testified at the Coroner's inquest into the shooting of Lum Chee Fon, and the first named was business partner of the dead man.

Louie Hing was indicted by a grand jury, charging first-degree murder, soon after the shooting, but he has been a fugitive from justice since. He will be arraigned within a few days and charged with the killing.

ELKS LAY CORNERSTONE

LA GRANDE LODGE HAS CEREMONY OVER $65,000 HOME.

More Than 2000 Persons Present, and K. K. Kubli, of Portland, in Charge for Occasion.

LA GRANDE, Or., Dec. 2.—(Special.)—More than 2000 persons witnessed the ceremonies this week attendant upon the laying of the cornerstone in the new $65,000 Elks' clubhouse in course of construction in this city. F. C. Bramwell, of this city, delivered the address of the occasion, and K. K. Kubli, of Portland, district deputy for Northern Oregon, had charge of the cornerstone ceremonies.

La Grande Lodge, No. 433, was organized April 11, 1898. The first five years of its existence was a continual struggle to keep alive the organization. In 1910 the first effort was made toward securing a home through the purchase and equipment of a building which has been used up to this time as the clubhouse. Today the order has a membership numbering over 500, and the new building when completed and equipped will represent an investment of more than $80,000.

This building will be three stories, of brick and concrete, the first story being faced with white terra cotta. The building will contain, besides a commodious lodge room, all the conveniences of a modern clubhouse, with pool and billiard tables, bowling alleys, reading-rooms, restrooms, swimming pool, baths, etc. The order here is a force in social activities.

NAVY NEEDS TORPEDOES

ACCUMULATION IS SLOW; MANY ARE LOST EVERY YEAR.

Efficiency of Men in This Branch of Work Even More Deplorable Than Lack of Supply.

WASHINGTON, Dec 2.—Lack of long-range torpedoes is pointed to as a paramount weakness of the United States Navy by Rear Admiral Joseph Strauss, chief of the Bureau of Ordnance, in his annual report made today to Secretary Daniels. All of the battleships, except the two latest dreadnoughts, the armored cruisers of the Tennessee class, the scout cruisers and the older destroyers, the Admiral says, are equipped with "a short-range torpedo, which may be considered obsolete for the battle fleet."

Since the battleships Nevada and Oklahoma were designed, however, all vessels have been provided with the modern type of torpedo and as rapidly as possible the equipment of older ships is being changed. Private plants are now constructing 650 torpedoes for the Navy; 350 are being turned out by Government yards and funds are available for 550 which will be ordered in the near future. Appropriations for 250 more will be asked for this year.

Accumulation of torpedoes is a slow process; it takes about 12 months to complete one, and many are lost every year in practice.

Even in view of the serious situation presented by shortage of torpedoes, Admiral Strauss thinks improvement in the efficiency of officers and men who handle this branch of the Navy's work has not kept pace with the development of material.

"The bureau is of the opinion," he reports, "that the torpedo material has developed much more rapidly than the torpedo personnel. In order to reduce the loss of torpedoes at various torpedo practices which are necessary to develop the personnel, the bureau is endeavoring to perfect a scheme of firing all torpedoes at practice with positive buoyancy and in deep water. This plan looks promising and if developed will probably decrease the loss of torpedoes."

2 ACCUSED OF LARCENY

DETECTIVE'S SECOND THOUGHT IS RESPONSIBLE FOR ARREST.

Trail of Stolen Clothing Leads to Vancouver and Suitcase Check Reveals More.

Frank Gelindo, alias Joe Moran, is in the Vancouver, Wash., jail awaiting extradition to Portland on a charge of larceny, because Detective B. F. Smith indulged in a suspicious second thought.

Adrian Gonzales was arrested by Officers Craddock and Smith Friday for having in his possession a suit of clothes stolen from a store at Fifth and Couch streets. He explained that a man had given him the suit to sell. He said he could identify the man, who, he thought, was in Vancouver.

As a result Detective Smith accompanied Gonzales to Vancouver yesterday in an attempt to locate this man. Hotels, rooming-houses and all sections of the town were searched before a man answering the description was met on the street. Confronted with Frank Gelindo, Gonzales would not absolutely deny that he had seen him, but refused to identify him as the man who had given him the clothes to sell. There seemed to be no occasion to arrest the suspect, so Detective Smith started for the Portland car.

Then Detective Smith had his afterthought, and wheeled abruptly about and returned to where he had left Gelindo. He stopped the man again and searched him, finding a baggage check on a Portland transfer company. Placing Gelindo under surveillance, Detective Smith returned to Portland, called for the checked suitcase, and in it found several suits of stolen clothing. He returned for his man, who consented to waive extradition, but on the way to the ferry broke and ran from his captors. Retaken, Gelindo refused to be extradited without proper papers, and was placed in the Vancouver jail.

Gonzales is suspected of being an accomplice of the man arrested. The latter gave his name as Frank Gelindo, but on his person was an I. W. W. card bearing the name Joe Moran.

Larceny charges have been lodged against both men. The police are looking for two more men suspected of connection with this robbery.

Will There Be a

VICTROLA

In Your Home This Christmas?

The $100 Victrola

There is certainly no gift that would give greater pleasure to the receiver and the whole household for many Christmases to come than a VICTROLA. These wonderful instruments are priced to suit every purse—$200, $150, $100, $75, $50, $40 and even $15—and on the easiest terms.

Do not wait until the week before Christmas to select that VICTROLA. Come in now and select at your leisure. We will hold the VICTROLA and deliver it any day—Christmas day if you desire.

Sherman, Clay & Co.

STEINWAY, WEBER AND OTHER PIANOS. PIANOLAS

VICTROLAS AND ALL THE RECORDS

Morrison at Sixth, Portland

GROW PEARS ADVICE

Japanese Root Declared Antidote for Blight.

200 AT MEDFORD MEETING

Assertion Made That Oregon Fruit Should Rival Products of Sicily or Naples and Filberts Vie With Terragona Yield.

MEDFORD, Or., Dec. 2.—(Special.)—That the secret of counteracting pear blight lies in grafting on a Japanese instead of a French root, and that Oregon, particularly the Willamette Valley, should rival the fruits of Naples, Sicily or Terragona in the production of filberts, were the two most striking points brought out at the opening session of the twenty-ninth annual meeting of the State Horticultural Society today. There were over 200 delegates in attendance when R. C. Washburn, temporary chairman, made an address of welcome, responded to by A. P. Bateman, one of the trustees, in the absence of C. E. Whisler, president.

County Pathologist Henderson, of Medford, was the first speaker, and he gave a minute history of apple and pear scab and the best way of fighting the pest. He declared that cutting infected twigs, spraying and plowing in the dead leaves every season should hold the disease in check.

Professor Reimer, in charge of the Oregon Agricultural College Experiment Station at Talent, has made an exhaustive study of pear blight and he gave a lecture upon the experiments he is now carrying on to develop a type of pear immune to this devastating disease. His conclusion was that by grafting upon a Japanese root eventually a tree could be evolved which would be blight proof.

"Plant more pear trees in Oregon," he said, "wherever they can be grown to advantage as in this valley, for the time is near when pear disease will be absolutely under control and this market will never be oversupplied. Reduce your apple acreage and increase your pear acreage is my advice."

Some discussion followed and then it was voted to extend the society's greetings to Dr. J. R. Cardwell, a former president and one of the oldest members. The most important session of the convention will be held tomorrow, when plans for obtaining uniform horticultural laws in Oregon, Washington and California will be discussed. This will be followed by a luncheon and an automobile trip through the Valley.

DR. BARKER IS COMING

Health Adviser to Mr. Taft Will Speak at Y. M. C. A.

Dr. Charles E. Barker, health adviser to Ex-President Taft, comes to the Portland Young Men's Christian Association Sunday to begin another one of his "Health and Happiness Weeks" that have made him nationally famous as a lecturer.

Talks to men, boys, women, girls and high school students of both sexes are on the programme for the week. Meetings will be held almost every afternoon and night. The first, after the one at the Young Men's Christian Association at 3:15 o'clock Sunday, will be held at the Centenary Methodist Church.

Throughout the country wherever these meetings have been conducted by the Young Men's Christian Associations the work and interest in health has been increased wonderfully. From the largest associations in the country he comes highly recommended to Portland.

MABEL ZIMMERMAN DIES

End Comes After Operation at Good Samaritan Hospital.

Mabel Zimmerman, daughter of Mr. and Mrs. George Zimmerman, died at the Good Samaritan Hospital at 1 A. M. yesterday.

Miss Zimmerman became ill Sunday at her home and was not considered in any danger until Tuesday, when she was taken to the hospital and there operated on.

Miss Zimmerman was born at Fairview, Or., 23 years ago and was graduated from the University of Oregon in the class of 1913.

Funeral services will be held tomorrow at 1 o'clock at Centenary Methodist Episcopal Church. Pallbearers will be Donald Pague, John Black, Earl Murphy and Francis Curtis.

ANOTHER WOODYARD NEAR

Deal Closed by City Will Provide More Work for Unemployed.

The City Council closed a deal yesterday for another municipal woodyard for the unemployed residents of the city. A deal was made whereby the city will purchase 5000 cords of timber from the Morris Investment Company on land near Linnton on the Salzman Road. A camp will be established for laborers and the unemployed will receive 75 cents a cord for reducing the timber to cordwood.

This is the third camp arranged for by the city. The first now is operating with a full crew of 50 men on property owned by M. J. Kelly at Beaverton. A second camp is to be established at Oswego, where there are 4000 cords of wood ready for cutting.

Miss Katherine Shay, a freshman at the University of Michigan, taking the engineering course, swings a heavy sledge for four and a half hours once a week, as part of the work of her course.

Greatest of All Human Blessings

The most wonderful thing in the world is love expressed in the helpless infant. And among those aids and comforts for expectant mothers is the well known "Mother's Friend."

This is an external application to enable the abdominal muscles to become more pliant, to expand naturally without undue pain from the strain upon cords and ligaments.

Applied as directed upon those muscles involved it soothes the fine network of nerves with which all the muscles are supplied. Thus a great share of the pains so much dreaded may be avoided and the period of expectancy passed in comfort.

There is no question but what such relief has a marked influence upon the general health of the mother.

In a little book sent by mail much useful information is given to inexperienced mothers. It tells how to use "Mother's Friend" and how to avoid caking breasts. It has been prepared in our laboratory for over forty years and is known favorably to most druggists everywhere. Get a bottle to-day and write for book to Bradfield Regulator Co., 309 Lamar Bldg., Atlanta, Ga. Be sure to ask for and see that you get "Mother's Friend."

COURAGE IN WAR.

What war teaches—as well as business life.

Courage in war or business is born of good pure blood. Pure blood is the greatest blessing mankind can have.

Millions of people need this powerful vegetable remedy that puts the stomach, liver and bowels in fine condition; that clears the skin of pimples, rash, blemishes and eczema; that dissolves boils and carbuncles; that makes nerves stronger and steadier and gives to pale, weak, rundown people the fullest measure of health and happiness.

Dr. Pierce's Golden Medical Discovery, free from alcohol or narcotics, does just what is stated above, simply because it banishes from the blood all poison and impure matter. It is the world's great Blood Purifier; so enters joints, dissolves the impure deposits and carries them out, as it does all impurities, through the Liver, Bowels, Kidneys and Skin.

If you have indigestion, sluggish liver, backache over the kidneys, nasal or other Catarrh, unsteady nerves or unsightly skin, get Dr. Pierce's Golden Medical Discovery today and start at once to replace your impure blood with the kind that puts energy and ambition into you and brings back youth and vigorous action.

A GREAT BOOK EVERY WOMAN SHOULD HAVE

If you will pay the mailing charges, Doctor Pierce will send you his cloth-bound book of over 1000 pages newly revised with color plates and illustrations.

Everyone should read and have it in case of accident or sickness in the home.

Treats of so many subjects in such an interesting manner that knowledge of the human body is quickly and easily attained by all who read the book.

Send 20 cents in stamps for mailing charges to Dr. Pierce, Invalids' Hotel, Buffalo, N. Y., and enclose this notice. —Adv.

LIFE INSURANCE COMPANIES

They Are Closely Observing Public Health Conditions

An examining physician for one of the prominent Life Insurance Companies, in an interview on the subject, made the astonishing statement that one reason why so many applicants for insurance are rejected is because kidney trouble is so common to the American people, and the large majority of those whose applications are declined do not even suspect that they have the disease.

According to this it would seem that a medicine for the kidneys, possessing real healing and curative properties, would be a blessing to thousands.

Dr. Kilmer & Co., Binghamton, N. Y., who prepare Dr. Kilmer's Swamp-Root, the well-known kidney, liver and bladder remedy, claim that judging from evidence received from druggists everywhere, who are constantly in touch with their customers, and also indisputable proof in the form of grateful testimonial letters from thousands of reliable citizens, this preparation is remarkably successful in sickness caused by kidney and bladder troubles. Every interesting statement they receive regarding Swamp-Root is investigated and no testimonial is published unless the party who sends it is reported of good character. They have on file many sworn statements of recoveries in the most distressing cases. They state that Dr. Kilmer's Swamp-Root is mild and gentle in its action and its healing influence is soon noticed in most cases.

Swamp-Root is purely an herbal compound and Dr. Kilmer & Co. advise all readers who feel in need of such a remedy to give it a trial. It is on sale at all drugstores in bottles of two sizes—50c and $1. However, if you wish first to test this great preparation send 10 cents to Dr. Kilmer & Co., Binghamton, N. Y., for a sample bottle. When writing be sure and mention The Portland Daily Oregonian. —Adv.

STOMACH SUFFERERS! READ THIS!

So many stomach sufferers have been benefited by a simple prescription of vegetable oils which cured a Chicago druggist of chronic stomach, liver and intestinal trouble of years' standing that we want you surely to try this remedy. It is known as Mayr's Wonderful Stomach Remedy. One dose will convince you. It usually gives wonderful relief within 24 hours—even in the most stubborn cases. Mayr's Wonderful Stomach Remedy is now sold here by all druggists.—Adv.

Money-Saving Size

A handy, useful package

Our New Airtight 5-lb Tin

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During M·J·B· Coffee Week Only

M·J·B· packed by special process in this airtight tin, will keep fresh and hold its strength and flavor.

You Take No Chances Our Guarantee Is Your Protection

Our 5-lb. Tin

PORTLAND STREET EXPERT SAYS AKOZ PRACTICALLY CURED HIM

John Kaufman, 586 Leo Avenue, Correcting Sciatica of Long Standing.

John Kaufman.

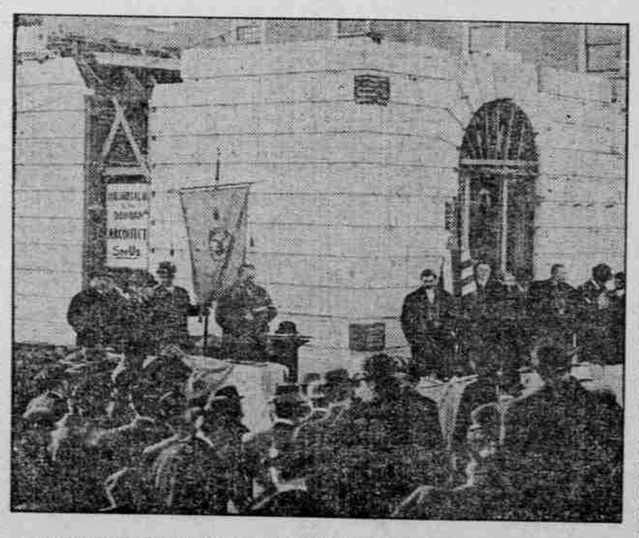
As foreman of the Portland street repair department, John Kaufman, residing at 586 Leo avenue, Portland, Or., an expert on street affairs, has been exposed to all kinds of unfavorable weather and as a penalty he has for many years suffered from sciatic rheumatism and lumbago. After trying many remedies he says Akoz in a few weeks practically cured him. Here is his letter:

"I have been troubled with sciatic rheumatism and lumbago for many years. The pains from sciatica were almost continual in my legs, and so bad at times that I was unable to work. My knees would swell up and become stiff. At times I also had a touch of rheumatism in my arms, while the lumbago pains caused intense suffering. I have taken all kinds of medicines without results. I can say that during the month or so I have been taking Akoz that I am practically cured. My appetite, which had failed me some, is better now and my health generally is improved. I have been with the city engineering department for eight years and during that time have been exposed a great deal during wet weather. Akoz has now taken from me fear of such exposures."

Akoz has proven as effective in thousands of cases of rheumatism, stomach, liver, kidney and bladder trouble, catarrh, ulcers, skin diseases, eczema, piles and other ailments. Akoz is sold at all leading druggists, where further information may be had regarding this advertisement.

Phone Your Want Ads to THE OREGONIAN, Main 7070, A 6095

ELKS' TEMPLE CORNERSTONE LAID AT LA GRANDE.



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