DIRECTED VERDICT ASKED BY MR. WEST

Immunity of Chief Executive From Liability for Damages Argued in Baker Case.

THREE PRECEDENTS CITED

Defense Concedes Right of Governor to Send Militia, but Holds That Ousting of Civil Government Was Not Permissible.

BAKER, Or., April 15 .- (Special.)-In an effort to settle the damage case of William Wiegand against ex-Governor Oswald West without recourse to the jury, Frank Collier and Claude McColloch, attorneys for Mr. West, addressed Circuit Judge Anderson for nearly six hours today, asking that the jury be directed to bring in a verdict for Mr. West. Mr. Wiegand is suing for damages caused by confiscating his liquor and saloon fixtures when Governor West declared martial law at Copperfield following Fern Hobbs' visit, January 1914. Standing room was at 1914. ary 2, 1914. Standing room was at a premium in the courtroom most of the

Mr. Collier asserted that the declaration of martial law was discretionary with the Governor, and that the executive could no more be held for damages for such an action than a judge could be sued for a decision rendered. "Where the executive uses his discretion in enforcing the law, he is not liable for damages," he said. "You may impeach and remove him from office, but he is answerable only to the people who elected him."

Precedents Are Cited. Mr. Collier cited numerous cases as precedents, chief among them that of the cases brought against Governor Salomon, of Wisconsin; Governor Peabody, of Colorado, and Governor Graham, of West Virginia, for damages for acts as Governor during their term

of office. In all three cases the defendants were given the verdicts.

Mr. McColloch took up the assumption made by the plaintiff that the Governor had taken possession of Wiegand's stock. "The Governor recognized Mr. Wiegand's property right, and only exercised such police power as an officer would in depriving a prisoner of a gun and returning it to him on his release," he argued. "The defendant made a tender of the property to Mr. Wiegand, who is entitled to damages only for the use of the goods during the 30 days clapsing be-

goods during the 30 days elapsing between the time of the selzure and the offer of restoration."

Violation of the sancity of property rights was one of the main arguments of Mr. Nichols. "We admit that the Governor had the power to declare martial law, and to send out the militia, but we deny that he had a right to oust the civil government established in Copperfield, or to seize the property of the plaintiff," he said.

Admission Pleases Defendant. "I am grateful he made that admission." remarked Mr. West after the trial. "That is what we have been con-

tending all along."

In speaking of the police power of the State Executive, Mr. Nicholls in his argument further said: "To execute the Corvallis, April 15.—(Special.)—The corvallis, April 15.—(Special.)—The college gies club, which recently completed it to be. If the Governor had the authority under the law to scize property in Copperfield, a verdict should be found for the defendant, Oswald West. If he did not have the authority, the plaintiff is entitled to damages, there is no middle ground."

Mr. Nichols asserted that nowhere in the history of the United States was there a parallel for the conduct of Mr. West as exemplified in the Copperfield "performance."

The case is expected to be finished tomorrow.

MONTANA EDUCATOR LIKELY TO BE ELECTED AT SPOKANE.

Alice Joyce, of Pertland, Speaker on School Gardens at Four-State Session.

SPOKANE, Wash., April 15. - (Spe cial.)-C. W. Tenney, inspector of rural schools for the State of Montana, will probably be the next president of the two years ago to investigate cures for Inland Empire Teachers' Association, bubonic plague, Mrs. Roberg is with which convened here today, to succeed President George H. Black, of Lewiston, according to pre-election gossip about the halls of the convention. More than 2500 teachers are here.

membership of 5461 members.

Mrs. Herbert E. Snook, of Seattle, in giving a report for the state press and publicity committee, praised the work of newspapers of the state in helping along the parent - teacher movement. Charles Hord, of Olympia, report-

ell for the coming year are J. S. Landis, of Pendleton, and O. M. Elliott, of

COLLECTOR IS SENTENCED Man Who Impersonated Deputy Sheriff Pays for Action.

W. C. Williams, who represented him-self to be a deputy sheriff from Los Angeles, was sentenced by Municipal Judge Stevenson yesterday to a term of three months in jail on a charge of vagrancy. A charge of defrauding an innkeeper lodged against Williams

number of fake subpoenas.

Williams was arrested Saturday night and has been in jail since that time. He is said to have previously had trouble with the authorities in Washington.

EXAMINATION IS WAIVED Alleged Assailant of Attorney W. T

Hume Is Bound Over.

Frank A. Consentino, who was ar rested on a charge of shooting W. T. Hume, attorney, in the Panama building. Wednesday, April 7, waived examination before Municipal Judge Stevenson yesterday and was bound over to the grand jury. His bond was placed at \$500. The charge is assault with intent to kill.

The shooting is said to have taken place as the result of misunderstand-

YOUNG MAYOR OF CORNELIUS SURROUNDED BY YOUNG MEN.



Frank Sholes. CORNELIUS, Or. April 15.— Frank Sholes, nominee on the Citizens' ticket, who was elected Mayor this week, has lived here for the past five years and has been cashier of the Cornelius State Bank for the past nine years. Although a young man, that he will have the support of the citizens has been shown by the large vote he drew.

A short time ago he was elect-ed president of the new Commer-cial Club, and has been chief of the volunteer fire department since its organization. A great deal of interest is being taken, for he is the youngest Mayor the city has ever had. Most of the other city offices are filled with young men. The administration is known as the "Young Men's Administration"

ing relative to a note which A. M. Brunswick, an attorney associated with Mr. Hume, is said to have col-Mr. Hume is recovering rapidly and was able to go to the polls and vote

O. A. C. GLEE CLUB ELECTS

June 10.

DR. D. M. ROBERG IS ILL

State Health Officer-Elect Stricken in Philippines.

Information has been received by Andrew C. Smith that Dr. David M. Roberg, his brother-in-law, who re-ently was appointed State Health Officer of Oregon, is seriously ill in the Philippine Islands. Physicians attend-ing have arranged to send him away from the islands as soon as he is able to travel. It is expected this will be in a month or six weeks. He is suf-fering from a recurrence of amoebic

dysentery.

Dr. Roberg went to the Philippine

TRAIN WRECKED BY SLIDE

In connection with this office, the name of President E. B. Craighead, of the University of Montana, is being mentioned, and it is probable that a spirited contest will develop.

In reports made at the state convention of the Congress of Mothers and Parent-Teacher Association to began Monday at 3 P. M. caused a spirited contest will develop.

In reports made at the state convention of the Congress of Mothers and Parent-Teacher Association tonight, it was said that there are 100 circles in the state, with a paid-up membership of 5461 members.

GATEWAY, Or., April 15.—(Special.)
—The heavy downpour of rain which began Monday at 3 P. M. caused a landslide on the Deschutes branch of the O.-W. R. & N., three miles south of this place, which wrecked the Tuesday morning passenger train. No lives were lost.

The freight train which had air ady passed was recalled and the pascen-gers, express and baggage transferred.

Mrs. Charles Hord, of Olympia, reported for the loan papers committee.

Miss Alice Joyce, of Portland, was among the star speakers of the afternoon. Her address dealt with school gardens and the beautification of the star speakers of the afternoon. There were the star speakers and the beautification of the star speakers of the afternoon. There were the star speakers and the beautification of the star speakers of the afternoon. There were the star speakers and the beautification of the star speakers of the afternoon. There were the star speakers of the afternoon.

cunds.

Credits for music taught outside the have been Wintered near Arlington, credits for music taught outside the public schools was discussed from the standpoint of layman and instructor. It was agreed that some degree of proficiency must be required of the music teacher, with less regard for playing ability than for pedagogy.

Oregonians on the educational council for the coming year are J. S. Landis,

> O. A. C. Man Accepts Baker Place. OREGON AGRICULTURAL COL-

LEGE, Corvallis, April 15.—(Special.)

George Hardman, a senior in the de-partment of agronomy, of the Oregon Agricultural College, left Corvallis yesterday to take a position on a Governdemonstration farm near Baker. Mr. Hardman specialized in irrigation farming and his duties will follow this line of work. He was a member of this year's wrestling team, which won the Northwest championship.

Moose Take Over Coos Bay Band.

an innkeeper lodged against Williams was remitted on condition that he settle his board bill.

The convicted man is said to have made a business of collecting bad bills and it was charged by the prosecution that he assumed the role of a deputy sheriff to intimidate the men from whom he was attempting to obtain money. He had in his possession a

CAPTURE BY EITEL

Captain W. J. King, of Invercoe, Writes Former Portlander Living at Klickitat.

Various Acts of Kindness Related and Sinking of Ship Outbound With Portugese Emigrants Is Only Deed Criticised.

LYLE, Wash., April 15,-(Special.)-Emphatic declarations of kindly treat-ment by the officers and crew of the Prinz Eitel Friedrich are made by Captain W. J. King, of the British ship Invercee, sunk by the German commerce raider.

Captain King was landed at Newport News and wrote from his old home in Nova Scotia to H. W. Hodges, of Klickitat, Wash., formerly a resident of Portland and Deputy Clerk of Multnomah County, Captain King says in

"I little thought when I said goodbye to you that I would be home again so soon. I did not expect that the Germans would be the cause of my coming home again.

"I was thinking that possibly we might meet a German crulser in the Pacific, but had no idea that they would be in the Atlantic. We were just getting the southeast trades and I was feeling pretty good, as we had got through the worst of the passage and had had a fair passage up to then. We were \$9 days out of Astoria. I was painting on the mainded: when one of the boys yelled to me and said there was a large steamer coming up astern. was a large steamer coming up astern I took the glasses and had a look at her and said to the mate, 'Get the numbers up and she will report us.' Courtesy Is Shown.

"I have thought since how the Dutchman must have laughed when he saw the English flag go up. He came close enough, but did not give us much war news. They were very nice, and when the officer boarded the ship he said, 'I am sorry, captain, but I must declare your ship a prize of war, and hauled the flag down. He said we were not to think that all Germans were bar-barians, although the newspapers said they were, and I say that they were as good as they could be under the circumstances. ircumstances.

"When we got on board we found ur ships' crews, one Russian, one four ships' crews, one Russian, one American and two French. The cap-tain of the American ship had his wife and two boys with him. We were al-lowed to take all our clothes, but nothing belonging to the ship, and they kept my chronometer and charts, but let me keep my sextant and binoculars. "We were 25 days on board, and it seemed a long time, especially the nights. We had to go in our rooms at 7:45 P. M. and the ports were closed and there were no lights, so you can imagine the nights were long. They changed guards every two hours and the watches every four. The days were not so bad. We could go on deck and we had some cards and there was a library of English books.

Sinking of Steamer Witnessed. "They captured three steamers after they caught us, and I saw two of them sink. The French steamer Floride they had to set fire to. She had a lot of passengers on board, mostly Portuguese emigrants, and it was pitiful to see them when they came on board. I thought that they might have let that ship go, as she did not have any contraband cargo on board and was out-

'I have had my name and picture in the papers at much lately that I feel as if I was guilty of something awful. Everybody has heard so much of the not allowed to talk to anyone but me. I did not sign the paper until they put a clause in at that I could go in a ship that carried contraband of war. But I signed that I would not take up arms against Germany. But the officers would not sign anything, so were prisoners. The mate had no cigarettes and I tried to beg some for him from

st of everything in the way of luck, alth and prosperity and Easter shes. Hoping to see you some day."

J. N. TEAL'S AID SOUGHT Grays Harbor Men Prepare to Push Fight for Lower Rates.

ABERDEEN, Wash., April 15 .-(Special.)-Compiling of more information to show that Grays Harbor cities are entitled to the same transcontinental rates recently given to Ta-coma, Seattle and Portland by the Interstate Commerce Commission began this morning with a committee of seven gathering statistics and prepar-

joseph N. Teal, rate specialist, of Portland, will be employed to coperate in the work of preparing the case of Grays Harbor buyers. Mr. Teal, in a telegram to the Aberdeen Chamber of Commerce, said that the citizens would be given more time to present written arguments. Local merchants aver that to make rates to Tacoma, Scattle and Portland less than to here will mean the death of all jobbing business on Grays Harbor.

VANCOUVER BANK WINNER Judgment Affirmed Against Wash-

ougal Woolen Mills.

OLYMPIA, Wash., April 15 .- (Special.)-Affirming the Clarke County Superior Court, the Supreme Court has given the Vancouver Trust & Savings Bank judgment against the Union Woolen Mills of Washougal for \$8790 advanced this concern, which later be-

came insolvent. The advance was made in connection with a \$50,000 bond issue of the mill, the bonds being given the bank as trustee to sell, to provide money to meet indebtedness. The bonds proved unsalable and the woolen mills then contended that the bank had no caim, as they were issued for the benefit

\$3,200,000 FOR HIGHWAYS

and Counties \$2,200,000.

OLYMPIA, Wash., April 15.—(Special.)—In addition to \$1,000,000 worth of state highway work planned by the Washington highway department for this year, there will be available approximately \$2,200,000 for permanent highway work, under the joint control of the state and the various counties, according to statistics prepared by Highway Commissioner Roy, The 39 counties of Washington had \$588,829 to their credit Warch 1 for

\$688,829 to their credit March 1 for permanent highway work. Mr. Roy's figures show that taxes now being col-lected include total levies of \$1,525,752 for permanent highways.

WHITMAN WILLED \$45,000

Of \$400,000 Denny Estate, \$185,-000 Given Institutions.

SEATTLE, Wash., April 15,-The will of the late Margaret Lenora Denny, who was killed two weeks ago in an sutomobile accident, disposes of a \$160,-000 estate. Public institutions and so-deties receive \$185,000. Among the eneficiaries are

Pulmonary Hospital, of Seattle, \$70,00; University of Washington, \$50,000 Whitman College, Walla Walla, \$45,000; Women's Relief Society of Scattle, \$5000; Plymouth Congregational Church, Scattle, \$5000.

The residue of the estate goes to near relatives. Miss Denny's father, Arthur A. Denny, was the founder of Seattle.

WHITE SALMON MEETING ON Columbia River Congregational Con ference Sessions Opened.

WHITE SALMON, Wash., April 15 .-(Special.)—The third annual meeting of the Columbia River Congregational conference was held here Tuesday and

Wednesday cruelty of the Germans that they seemed to think that we were lucky to get off with our lives. I could tell you of bits of kindnesses that were shown us. My three officers and three boys would not sign any paper, so were kept under guard all the time and were not allowed to talk to snyone but me.

Wednesday.

The speakers Tuesday were: Rev. J. E. Murphy, Rev. Charles H. Nelkor, Rev. W. W. Head, Mrs. J. L. Sutherland, Rev. H. V. Rominger, Rev. Thomas F. May, and Superintendent W. W. Scudder and Superintendent John H. Mathews.

The speakers Tuesday were: Rev. J. E. Wednesday. J. C. F. Holcomb and Rev. A. S. Donat.

wealthy and eccentric bachelor who has been difficult, will be ready for lived in a cabin nine miles south of travel as far as Easton soon. the purser, but they had mone to spare.

I was talking to the commander and mentioned it to him and he got me a package of 180. It was not so much the cigarettes as the way it was done that made it look good to me.

"We all join in wishing you all the top of his head having been blown the top of his head having been blown that made it look good to me.

For Warm Days

When you buy a thin suit, you should be careful to see that you get reliable fabrics and good tailoring. The easiest way to be sure of these things is to come here and ask for one of our

Hart Schaffner & Marx

suits. Varsity Fifty-Five is a good model to ask for.

\$25 Is an Economy Price Some more, some less.

Sam'l Rosenblatt & Co.



JITNEYS KNOCKED OUT

Quality and Service

WASHINGTON'S NUMBER CUT FROM 1000 TO 100 BY NEW LAW.

Decison Expeted in Sult to Invalidate Emergency Clause on \$2500 Bond Requirement.

OLYMPIA, Wash., April 15 .- (Special.)—Washington's new jitney bus law, requiring a state license, to be procured only after filing a \$2500 surety bond with the Secretary of State, ap-pears to have administered a decided joil to the industry in first-class cities. to which it applies.

a short time ago, considerably less than 100 had filed bonds and applications for state licenses prior to today, which was the last of five days of grace allowed by Seattle authorities, where the jitneys have their stronghold.

Tacoma city authorities have announced, however, that they propose no steps toward enforcement of the new state law. Secretary of State Howelhas no funds at his command to enforce the law in his home city, so the jitneys may ply ther trade there undisturbed. Spokane plans to enforce the law strictly as does Seattle.

There is a case pending in the State Supreme Court in which the emergency clause putting the new law into effect

clause putting the new law into effect April 10 is attacked. A decision is expected this week. If the emergency clause should be declared invalid the law will not be in offect until June 10 and the litney men will attempt to stop it by referendum. The bill was passed over Governor Lister's veto on the last day of the legislative session. not one vote to spare in the

SUNSET ROAD NEARLY DONE

way Most of Length.

OLYMPIA, Wash., April 15 .- (Special.)—Automobile tourists who wish to travel over the Sunset Highway, the great east and west trunk road of great east and west trunk road of Washington, can do so by the end of this month by shipping their cars by railroad over the short Snoqualmie Pass section between North Bend and Easton, Highway Commissioner Roy

Eccentric Bachelor Murdered.

SEATTLE, Wash, April 15.—The sody of Stephen Ranage, 65 years old, a yealthy and eccentric bachelor who have a been difficult will be ready for the Snoqualmie Pass section will be open by July 1. Three crews now are following the snow line, removing slides and putting the readbed in first-class condition. The east side approach to the Snoqualmie Pass, where passage wealthy and eccentric bachelor who

Junction City Plans School Fair. 22 and 23.

or sacrifice, or skimping? Investigate

a luxury beyond your possibilities.

strument concern in Western America.

Be Satisfied

Why let imaginary obstacles stand in the way of your home enjoy-

ment of music and entertainment, when our 500 Club plan will provide

you with a strictly high-grade piano, without strain on your income,

Eilers Music House "500 Piano Club."

This will bring within easy reach just what you have imagined to be

We have made an extra special effort to make this Club one that would appeal to every home without a piano. We have included every

high-grade make we handle in order that you could obtain the best.

We have made it possible to secure a good, durable piano at a price within reach of all. Even the home that can spare only \$1.50 per week can be benefited by this club plan. Not only that, but if it is not right and just as represented, you don't have to keep it. We guarantee satisfaction and our guarantee is backed by the largest musical in-

Would you like to go to the Panama Exposition in San Fran-

cisco at our expense? We are offering free trips in connection

with our "500 Piano Club." Let us explain how easy you can go.

Call, write or phone today. It is to your interest.

Your Longing for Music Can Easily

heating system, drinking fountain and sectional bookcase. Governor Withy-combe and Superintendent Churchill are expected to be present. Three thousand people may attend the fair.

MAYOR'S RECALL SOUGHT Junction City Executive Accused by

JUNCTION CITY, Or., April 15 .- (Special.)—Efforts are being made to have Forest Miller, Mayor, recalled. A peti-tion is being circulated charging that the Mayor has failed to have the cit; ordinances enforced and has been indo-ent in regard to administering the

Discharged Watchman.

J. M. Devers, District Attorney, was Although upwards of 1900 of the J. M. Devers, District Attorney, was litneys were in operation in the cities in town Tuesday investigating the matter and obtaining evidence. The re-

amputated King's leg were erroneous, but the member cannot be saved except through grafting six inches of bone t

HAVE YOU HAD THE GRIP?

The debility and depression follow ing an attack of the grip is not a fancied disorder. "Post-grippal neurasthenia" is the medical name for this condition and its seriousness is recognized by all medical writers.

ing, every victim of grip will suffer from post-grippal neurasthenia also Lowering of nervous tone, with increased irritability is the most striking effect of the disease, with langue of mind and body, disturbed sleep and vague pains in the head and elsewhere.

Every sufferer will recognize the After the fever has passed and the influenza has subsided the diet sho influenza has subsided the diet should be more liberal but be limited to articles as a subsided the diet should be a subsided the diet should be constant and Dr. Williams fronch guired in most cases. This treatment should be continued until the patient is completely restored to normal health and spirits. It is a specific treatment and rarely if ever fails.

Send today for the booklet "Building Up the Blood." It is free if you mention this paper. Address the Dr. Williams Medicine Co., Schenectady, N. Y. Your own druggist seils Dr.

JUNCTION CITY, Or., April 15.— tion this paper. Address the Dr. (Special.)—An industrial school fair Williams Medicine Co., Schenectady, N. will be held in Junction City April 21. Y. Your own druggist sells Dr. 22 and 23. The 45 school districts of Williams' Pink Pills.

Northern Lane County will compete broken out and lost when the leg was

Girl Hurt by Car.

Miss Winifred Balston, 126 Seventeenth street North, was badly brulsed when a car with the license number 5253 struck her, the accident occuring on Alder street near the Seward Hotel. about 5:20 P. M. yesterday. She was taken into the hotel and Dr. John G. Swensson attended her. After she had recovered from the shock she was removed to her home. Dr. Swensson said that the bruises were not serious Miss Raiston is stenographer for J. L.



WE HAVE BEEN TO

Expositions

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LOW FARES-FAST

TIME—RAIL OR

M. J. GEARY, General Agent, Pass. Dept., III Third Street, Portland, Or.

DRESS WARM AND

Tells Rheumatism Sufferers to Take Salts and Get Rid of Uric Acid.

Rheumatism is no respecter of age, sex, color or rank. If not the most dangerous of human afflictions it is one of the most painful. Those subject to rheumatism should cat less meat, dress as warmly as possible, avoid any

dress as warmly as possible, avoid any undue exposure and, above all, drink lots of pure water.

Rheumatism is caused by oric acid which is generated in the bowels and absorbed into the blood. It is the function of the kidneys to filter this acid from the blood and cast it out in the urine; the pores of the skin are also a means of freeing the blood of this impurity. In damp and chility, cold weather the skin pores are closed thus forcing the kidneys to do double work, they become weak and sluggish work, they become weak and sluggish and fail to eliminate this uric acid which keeps accumulating and circu-lating through the system, eventually settling in the joints and muscles causing stiffness, soreness and pain

called rheumatism.

At the first twinge of rheumatism get from any pharmacy about four ounces of Jad Saits: put a tablespoonful in a glass of water and drink before breakfast each morning for a

week. This is said to eliminate urie acid by stimulating the kidneys to normal action, thus ridding the blood of these impurities.

Jad Salts is inexpensive, barmless and is made from the acid of grapes and lemon juice, combined with lithin and is used with excellent results by thousands of folks who are subject to thousands of folks who are subject to rheumatism. Here you have a pleas-ant, effervescent lithin water drink which overcomes uric a ld and is ben ficial to your kidneys as well. - Auv.

Broadway at Alder