

ORNELAS IS SHOT BY ARMED SQUAD

Fugitive From Villa Is Taken From Train Near Chihuahua and Executed.

VILLA REPORTED TRAPPED

Carranza Forces Have Message That Rebel Leader Is Dislodged and Is Now Surrounded Near El Valle.

JUAREZ, Jan. 31.—General Thomas Ornelas, commander here until he fled to El Paso to escape a sentence of death at the hands of Francisco Villa, was taken from a Mexican Central passenger train at Laguna, north of Chihuahua City, today by an armed squad and shot to death, according to local Mexican officials.

According to reports from Chihuahua City, every passenger on the train, including several Americans, was robbed, but not otherwise molested. Ornelas, while commanding for Villa here, made overtures to surrender to Carranza forces. He was, however, turned over to the garrison last December. When Villa heard of it, he is said to have dispatched General Manuel Medina to this city to arrest him and take him to Chihuahua City, then Villa's headquarters. Subsequently Villa telegraphed to Medina that he need not bring General Ornelas to the city.

A friendly telegraph operator revealed the portentous contents of the message to Ornelas, who promptly fled to El Paso. He was granted amnesty when the Villa garrison finally surrendered and was on the way to Chihuahua City to confer with Carranza officials when the train was stopped and a firing squad took him off and executed him.

TORREON, Jan. 31.—The identification of a body buried at San Miguel as that of General Benjamin Argumedo, who was reported from Washington, have died of wounds, is sought by an order of Carranza officials that it be exhumed. Major Benson, of General Morgan's staff, arrived here today with further information of Argumedo's death.

CHIHUAHUA CITY, Jan. 31.—Francisco Villa, according to reports received here today, has been driven out of the Pichasca Hills and Santa Clara Canyon, and is now surrounded by Carranza forces near El Valle.

EL PASO, Tex., Jan. 31.—The Carranza consulate today received a telegram under date of yesterday from General Trevino stating that Villa had been "dislodged from his haunts in the Canyon del Oso," and that Miguel Trevino, the latest secretary of Villa, had been captured.

"Villa recently was making his way to El Paso in disguise," concluded Trevino.

JOSEPHINE TAXES \$301,240

Delinquent Roll of \$7,990 Is \$4,000 Greater Than in 1915.

GRANTS PASS, Or., Jan. 31.—(Special.)—Figures compiled by the Sheriff show the total amount of the 1915 assessment roll for Josephine county was \$301,240.13, of which \$224,245.44 was paid, leaving a delinquent tax roll of \$76,994.69. Of the total collection, including penalties, double assessments, etc., \$154,756.15 was made by the County Treasurer under the old 1915 law, \$151,937.79 by the sheriff under the 1915 tax law and \$154.53 by the Assessor.

The delinquent roll is approximately \$4,000 greater than for the year 1915. The assessment roll for the year 1915 will be open tomorrow morning.

COMPROMISE IS PROPOSED

(Continued From First Page.)

by the terms of the grant, as interpreted by the Supreme Court.

Generosity, he thinks, might allow the company to pay the balance of the valuation above \$2.50 an acre, according to the decision of the Supreme Court, the railroad had no interest in excess of that amount. It is said that the railroad company invited this higher valuation by the price at which it held the land.

Government Claims \$2,500,000.

To pay the railroad company \$2.50 an acre for all the unused portion of its grant without taking into account what it has already received in excess of what it should have received, might, it is held, "endanger the right of the government to receive in a new suit the excess over \$2.50 per acre, namely, \$1,500,000."

"If we pay the company \$2,500,000 while it is in the sum of \$2,500,000" asks the Attorney-General.

If the Government has the right to recover the excess of value of the unused lands, the Attorney-General maintains it has the right to recover the excess received for the lands sold.

The Attorney-General heretofore outlined that those who contracted to buy from the railroad company, but have not yet received deeds, should receive the same treatment as the innocent purchasers where claims have been adjusted and should have the lands upon grant to pay the railroad company, if they contracted for less than 1600 acres, or by paying the contract price plus \$2.50 an acre if they contracted for more than 1600 acres.

Taking up the rights of bondholders and stockholders, the Attorney-General shows there is a trust deed on the railroad's property, including the grant lands, for a balance of \$17,745,000.

Bondholders Ample Secured.

The railroad's testimony was to the effect that the lands and equipment are worth at least \$12,000,000. "Consequently," he says, "the bondholders are amply secured without reference to the grant lands. Still they have a lien upon them to the extent of the railroad's interest therein, which, of course, must be taken care of in any disposition made of the lands by Congress."

Those who purchased from the railroad company and paid more than \$2.50 an acre have no claim against the company for excess, in the Attorney-General's opinion.

"In harmony with the Supreme Court's definition of the railroad company's rights," said Mr. Gregory, "Congress may buy back the unsold land within a reasonable time, or provide new methods of disposing of the lands and satisfying the just claims of the railroad company out of the proceeds."

Sales May Be Invalid.

"I also believe that in all cases not settled under the act of 1912, where

lands have been sold in violation of the granting act, Congress, if it chooses, may deal with the lands as if the sales had never occurred, for legally speaking, such sales, having been made in contravention of express statutory prohibitions, are absolutely void.

"The amount of money which the company has collected in excess of its rights should be deducted from the payment to be made unless the company and its lenders shall justify a more liberal adjustment by consenting to the act and thus precluding the possibility of any further controversy and litigation. The amount, the act itself should not attempt to fix. On the contrary, the act, in fairness as well as for its own sake, should provide for the ascertainment of the amount through judicial proceedings, wherein all questions of fact and law may be conclusively determined."

Private Ownership Desired.

It is held that if Congress buys back the land it can make such disposition of it as it sees fit. The Attorney-General does not say whether or not he should buy the land, but he does, however, recognize the desire of the state and the counties to have the land pass to private ownership that it may be developed and be subject to taxation. He especially emphasizes the desirability of insuring to the counties the prompt payment of accumulated unpaid taxes, no matter how the lands are disposed of.

"These accumulated taxes," he holds, "whether technically valid or not, should, in my judgment, be paid immediately when Congress resumes the title."

Amendments Are Suggested.

In general the Attorney-General approves the Chamberlain bill but suggests that such amendments as will make that bill conform to his opinion as here given. He would add a proviso that "all timber sold under this act shall be subject to the taxing power of the state apart from the land."

The Attorney-General does not approve the Baker bill, which proposes to buy the land outright from the railroad company at \$2.50 an acre. This bill, he shows, would give the railroad company \$2,500,000 more than it is entitled to in any judgment and, in addition, about \$1,300,000 if the accrued taxes are to be discharged.

The McCumber bill giving preference rights to new applicants, is also reported on adversely. The Attorney-General holds that the application, under the court decision "have no claim for special consideration." At the time he wrote his opinion, the Attorney-General had not received the Hawley or the Wilson bill.

NEW ARMY IS FAVORED

MILITIA NEEDS LONG TRAINING, SAYS GENERAL MILLS.

Antipathy of War Department to National Guard Denied Statement Before Committee Disputed.

WASHINGTON, Jan. 31.—Six months' intensive training at least would be required to fit the National Guard of the proposed continental army for service as first-line troops, Brigadier-General Mills, chief of the division of military affairs of the War Department, today told the House military committee. The general vigorously defended the continental army plan, and denied the War Department had any antipathy to the National Guard.

Judge Advocate-General Crowder told the Senate committee that control of the state forces by the National Government was the most vital part of the scheme for national defense. He told of the conflict of authority between the Government and the states. General Mills believed the continental army plan was less cumbersome than the National Guard, and would give general military efficiency.

Discussing the question of federalizing the guard, General Mills said several states were opposed to any Federal control over guardmen. Pressed to name them, General Mills said Colorado, Kansas, Montana and Colorado were conspicuous examples.

"Mr. Chairman," interrupted Adjutant-General Chase, of the Colorado National Guard, "it is an opportunity given us to object to that statement. We most emphatically deny it."

Chairman Hay said the guardmen would have full opportunity to be heard.

TIMBER CASE IS LOST

OREGON LUMBER COMPANY SAVED BY LIMITATIONS BAR.

Judge Bean Holds Fraud Proved in Eccles Transfer, but Decides Government Acted Late.

In an opinion handed down yesterday Judge Bean, of the United States District Court, held that the Oregon Lumber Company was guilty of fraud in obtaining patents for 42 timber claims, including 32 acres, near Sumner, Or., but that the Government had been so dilatory in taking action that the statute of limitations had expired, and the suit automatically knocked out of the Government's suit for cancellation of the patents to the claims, valued in themselves at between \$200,000 and \$250,000, and for an accounting for damages for approximately 60,000,000 feet of timber cut off the property.

The value of this timber, at its sale price of \$100 a cord, was fixed by experts testifying for the Government at from \$10 to \$20 per thousand. Thus the lowest appraisal in the action for damages was \$600,000, the whole suit involving between \$500,000 and \$900,000.

John J. Beckman, assistant United States Attorney, who handled the case for the Government at the trial, said that an appeal undoubtedly would be taken from Judge Bean's decision.

The real legal point at issue was whether the statute of limitations, six years, should date from 1906, the year most of the claims were patented, or from 1908, the year the Government contends the deeds, which had been entered for record by the late David Eccles, president of the company, after having been withheld from the records for a little more than six years.

The Government contended that it had had no notice of alleged fraud until 1914. On the other hand, the defense introduced a mass of letters and notifications sent to the Commissioner of the General Land Office, the Secretary of the Interior and the Secretary of Agriculture, by persons in the vicinity, forest supervisors and others, specifically calling attention to the alleged frauds on an extensive scale.

The Government in answer held that these complaints did not constitute legal notice unless made direct to the Attorney-General. Judge Bean held that the Government had received ample notice and had not displayed due diligence in investigating and taking action.

The defense's most important witness in the trial was Sherman R. Neuhausen, an expert agent for the United States, who went to Washington some months ago and returned with photographic facsimiles of the various charges of fraud brought before the Government, as taken from records at Washington.

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FLOOD MENACE IN MIDDLE WEST GRAVE

Ohio, Mississippi and Arkansas Rivers Are Spreading Out of Banks.

MANY PERSONS IN DANGER

Indiana, Kentucky and Other Valley States Are Damaged—Further Loss Is in Prospect, as Levees Are Threatened.

WASHINGTON, Jan. 31.—Serious floods threaten the lower Ohio Valley, the Mississippi Valley from Cairo, Ill., to the Gulf of Mexico, and the valleys of Arkansas, because of the heavy rains of Sunday and last night in Arkansas, the lower Ohio Valley and the Mississippi Valley from St. Louis to Vicksburg.

LITTLE ROCK, Ark., Jan. 31.—The White River levee at Newport broke at 2 o'clock this afternoon, allowing flood waters to pour into the town, covering the streets to a depth of from two to six feet. The break had been expected and 1500 people left the city yesterday. Those who remained had moved to safety in upper stories of their homes.

Fifty families are hovering behind the Arkansas River levee at Redfield, between Little Rock and Pine Bluff, and unless they are rescued within four hours, they probably will be drowned.

Dam Is Washed Out.

Ferche River dam, four miles from Little Rock, has collapsed and 20,000 acres of plantation land in the state is under water.

Churches in Newport, Ark., last night abandoned service, and virtually every able-bodied man joined in the work on the levees about the city.

At Batesville and at Newport many families are moving.

The Arkansas River is ascending steadily. Backwaters have flooded the west portion of Argentina. Residents have begun to move.

The Arkansas is 10 feet above flood stage at Fort Smith and still rising. More than a score of residents were taken off Arbuckle Island. The plant at Van Buren is out of commission.

At Pine Bluff the situation is regarded as critical. Collapse of dikes is feared.

INDIANAPOLIS, Jan. 31.—Indiana

and streams are bankfull or overflowing today as a result of heavy rains. The situation is threatening. Hundreds of families have been driven from their homes.

Property Loss Is Heavy.

The property loss already is estimated by the Potrero and Cottonwood grades, roads which form the most important links in the highway connecting San Diego with the Imperial Valley, is \$1,000,000.

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MR. BROWNELL IS ASPIRANT

Legislative Candidate Delivers Address at Estacada.

ESTACADA, Or., Jan. 31.—(Special.)—The 1916 political year was sounded here this afternoon, when 100 or more voters of the county gathered to hear George C. Brownell, of Oregon City, who is a candidate for the Legislature on the Republican ticket, tell what he plans to do if elected to the lower house. Mr. Brownell is a good road advocate, and wants Federal aid as well as the money received from the income tax to be devoted to upbuilding the highways.

Ed. O. Oak Grove, also a candidate for the Legislature on the Republican ticket, and John Albright, candidate for Sheriff, also spoke.

FRENCH LOSSES ASSERTED

Germany Declares Efforts to Retake Trenches Have Failed.

BERLIN, via London, Jan. 31.—The French have been making repeated attempts to regain the ground recently lost by them near Neuville, army headquarters announced today.

All their attacks have been beaten off, the Germans still holding their newly won trenches.

Jinney Ordinance Tested Today.

OREGON CITY, Or., Jan. 31.—(Special.)—City Attorney R. C. Neuhausen, representing the Portland Railway, Light & Power Company, will go to Salem tomorrow to defend the Oregon City Jinney ordinance. The measure was invalidated by Circuit Judge Bagley, and the city appealed the case when the traction company offered to meet all expenses of taking it to a higher court.

Vancouver Man Gets News Job.

VANCOUVER, Wash., Jan. 31.—(Special.)—Austin McCoy, son of Mr. and Mrs. George McCoy, who is taking a course in the law school in Portland, has taken a position as Vancouver correspondent for the Portland Telegram. He will begin work February 1, and succeeds P. W. Randolph, who joins the staff of the Vancouver Columbian.

C. C. Martin Believed Insane.

VANCOUVER, Wash., Jan. 31.—(Special.)—C. C. Martin, about 24 years old, was picked up by the police today and turned over to the Sheriff on an insanity charge.

Lipman Wolfe & Co.
"Merchandise of Merit Only"

Never So Pretty in Material and Style
That Is What You Will Say of Our New Model
Spring Veribest Blouses
Sold at Lipman, Wolfe & Co. Exclusively
At Special \$1.00
Three New Styles Illustrated

—Last season our Veribest blouses won an enviable reputation among women who are fastidious in their wearing apparel. And now come the Spring styles, so dainty and fresh that every woman will want several at once.

—Made of plain voile and all-over embroidered organdie, with touches of Valenciennes lace, panels of fine embroidered organdie and clusters of pin tucking. The collars can be worn in high or low-neck styles and all waists with long sleeves.

Third Floor.

FREE—Tuesday and Thursday Each Week
From 10 to 12 and 2 to 6, on the Eighth Floor

Mr. Gurney, Well-Known Custom Tailor
Will Give All Women Purchasing Their Materials in the Silk or Dress Goods Sections, Second Floor

Free Instructions in Tailoring Skirts
Free Press Irons and Free Sewing Machines

at your service on these days. On every day of the week Mr. Gurney will cut and fit skirts **FREE** of charge, when materials are purchased here. This is a rare opportunity that should interest every woman, whether or not she can sew. Mr. Gurney will show you how.

Second Floor

2 SLAIN; ONE DYING

Mother and Son Killed and Daughter Fatally Wounded.

NEGRO ATTACKS AUTOISTS

One or More Blacks Shoot and Club Family, Take Money and Jewels and Flee—Another Son Is Beaten on Head.

SCHOOL DRILL PROPOSED

Washington Commission to Recommend Compulsory Training.

TACOMA, Wash., Jan. 31.—(Special.)—Two years of compulsory military training for all able-bodied male students in the high schools of the state will be recommended to the next session of the State Legislature by the commission named at the last session to investigate the school system of the state.

Victor Zednick, of Seattle, a member of the Legislature and House representative on the commission, while in Tacoma today said such recommendation could be made in the report of the commission to the Governor.

This report will be filed with the Governor under the resolution which created the commission May 1, 1915.

MISSING SEAMEN SAVED

Some of Crew of Philadelphia Landed at Milford Haven.

LIVERPOOL, Jan. 31.—Seven missing seamen from the American liner Philadelphia were landed today by a trawler at Milford Haven, Wales. After the Philadelphia's collision Saturday with the British sailing ship Ben Lee, off the coast of Wales, the seamen put off in a lifeboat to rescue the Ben Lee's crew. They became lost in the darkness and were adrift all night, being finally picked up by a passing steamship.

The Ben Lee sank while being towed in one man being drowned. The pilot boat that was alongside her was dragged down and two men were seriously injured.

POSTOFFICE GRANT RAISED

Appropriation of \$320,509,879 Reported to House.

WASHINGTON, Jan. 31.—The postoffice appropriation bill, carrying \$320,509,879, an increase of more than \$7,000,000 in excess of last year and over \$4,000,000 more than was asked by the Postoffice Department, was reported today to the House.

The committee increased the department's recommendation for rural free delivery service by \$4,500,000 to a total of \$53,000,000. The bill carries \$29,725,050 for railway mail pay.

Seattle, Spain, will soon spend \$6,000,000 on public improvements.

Danish Steamer Released.

LONDON, Jan. 31.—The Danish steamship Vidar, which was seized by a German submarine off Elnor Saturday while bound from Copenhagen for British ports with provisions for British troops, has been released.

MARIE DORO
The Fascinating and Beautiful, as the Next-to-Nature Girl in the Film Classic

WOOD NYMPH
A story that is unusual in Theme, Exciting, Romantic and Spectacular.

Tea served daily in our beautiful Ladies' Room from 3 to 5 P. M. FREE

JOE JACKSON
Vaudeville's Famous Star, in 4 Reels of Melodious Mixups

A Modern Enoch Arden

COLUMBIA
SIXTH AND WASHINGTON

Lipman Wolfe & Co.
"Merchandise of Merit Only"

You Will Have to Come Early if You Wish to Participate in This Sale of

New Spring House Dress Aprons
That Are Regular 75c and 85c For 50c

In Four Styles, as Illustrated

—Middy styles which slip on over the head, laced in front, with sailor collars, kimono sleeves, belted all around, side pocket. Made of percale, in stripes, plain or figured designs.

—Fitted models which close down the back, fitted front, loose belt across the back. Finished with bias pipings. In plain colored and striped or figured percale.

—Envelope-style apron, which slips on over the head and fastens from the neck to under the arms, belted all around, pockets. Of percale, in plain colors, stripes or figured designs.

—Another new style of apron of percale that slips over the head and fastens down the left side, belted all around, finished with bias pipings.

Fourth Floor

HIGHER PENSION ASKED

BILL INTRODUCED TO GIVE MRS. M. C. THORP \$50 A MONTH.

Representative McArthur Seeks Increase for Widow of Brigadier-General Thorp.

OREGONIAN NEWS BUREAU, Washington, Jan. 31.—Mrs. Mandana C. Thorp, of Portland, widow of Brigadier-General Thomas J. Thorp, U. S. Volunteers, will receive a pension of \$50 a month in lieu of the pension of \$12 she is now drawing, if favorably action is taken on a bill introduced by Representative McArthur. In pressing this bill Mr. McArthur expects to have earnest support from Representative Ferris, of Oklahoma, nephew of the proposed beneficiary.

General Thorp died at Corvallis last August. He had a long, active and romantic career. While attending college in 1861, the Civil War broke out, and he promptly left his studies to enroll in the Eighty-fifth New York Infantry, mustered in his native town. During the first Peninsula Campaign he won honorable distinction as a Captain at the battle of Fair Oaks, where he was wounded. At the close of the Seven Days' battle he was promoted to the grade of Lieutenant-Colonel in the 130th New York Volunteers.

In the midst of the Civil War General Thorp married the daughter of General John Major. After his marriage General Thorp participated in the battle of Gettysburg. Widened General Thorp was severely wounded and was made a prisoner of war and sent to Macon, Ga. While still a prisoner General Thorp delivered a Fourth of

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Barrett, Dr. H. Lester, 419 Morgan Bldg. Phone Main 420.
Boyle, Dr. W. H., 915 Selling Bldg. Phone Main 420.
Main 213, A. 2220.
Keller, Dr. William C., 508 Taylor St. Phone Main 524, A. 3444.
Lacy, Dr. H. N., suite 301 Morgan Bldg. Phone Main 420.
Leonard, Dr. H. F., 707 Morgan Bldg. Phone Main 109, A. 1709.
Lewen, Dr. Virginia V., 612 Morgan Bldg. Phone Main 1497, Marshall 4088.
Moore, Dr. F. J. and H. C. P., 908 Selling Bldg. Phone Main 109, A. 1709.
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BELL-ANS
Absolutely Removes Indigestion. One package proves it. 25c at all druggists.

Lipman Wolfe & Co.
"Merchandise of Merit Only"

Women Who Are Economically Inclined Will Not Miss This Odds and Ends Sale of

Muslin and Crepe Underwear

Gowns, special 98c, that were reg. to \$1.50
Drawers 69c to \$1.43, regularly \$1 to \$2.50
Corset Covers 29c to 39c, regularly 45c-75c
Combinations 59c to \$3.39, reg. 85c-\$4.50

—Some of our prettiest, daintiest garments are included in this sale—some have been musued from handling, others soiled from window display, which we have added to garments taken from our regular stock, all new styles.

—The Gowns are of longcloth and crepe, slip-over style, with lace and embroidery yokes, also white crepes with fancy striped yokes, and dotted crepes.

—The Drawers made open or closed style, of fine longcloth, trimmed with fine embroidery and lace.

—The Corset Covers with pretty yokes of embroidery, lace, beadings, edgings combined. Made of longcloth.

—Combinations of longcloth in waisted or Princess style, trimmed with lace medallions, organdie insets, lace insertions, embroideries, veenings and edgings. Also of flesh batiste with tucks and lace edgings.

Fourth Floor

Lipman Wolfe & Co.
"Merchandise of Merit Only"

35 Washable Corduroy Suits for Boys
New "Billy Boy" Style
Sizes 3 to 8 Years
Very Special \$2.98

—35 suits like these will not last long at this price. Mothers who have bought washable corduroy suits for the little fellows will know how durable and convenient they are. When soiled, give them a good tubbing, like any other wash suit, and they come out fresh and just like new.

—Made in style as illustrated, with yoke and box pleat, wide patent leather belt and straight trousers. In shades of brown, navy blue, gray and white.

—Sizes 3 to 8 years.

Fourth Floor