

116 TEXANS TO BE COURT-MARTIALED

Militiamen Who Failed to Respond to Call for Service Must Stand Trial.

MR. BAKER ISSUES ORDER

Men Subject to Fine or Imprisonment—Secretary Says Trial Will Be Held Under Dick Law Provisions.

WASHINGTON, May 25.—One hundred and sixteen Texas militiamen who have failed to respond to the call for service on the Mexican border will be tried by court-martial by order of President Wilson. The offense for which they will be tried may be punished by fines or imprisonment, as the court may direct, with the approval of the President.

Secretary Baker announced today that the guardsmen would be tried promptly under the Dick law, reversing a previous decision to delay action in order to deal with the cases under the new Hay-Chamberslin army reorganization. The President himself will appoint the court-martial and Major-General Funston has been instructed to recommend its members, a majority of whom must be officers of the Texas National Guard.

Texas Only Now Involved.
So far no steps have been taken toward prosecuting New Mexico and Arizona guardsmen, who like the Texans have failed to "present themselves for muster." A further report from General Funston regarding them is awaited.

Secretary Baker tonight issued the following statement explaining the action of the War Department: One hundred and sixteen members of the Texas National Guard are reported to have failed to present themselves for muster when called upon by the President. Under the Dick bill they would be guilty of failure to present themselves for muster.

"When the pending legislation is approved and the militia of the states is reorganized and federalized thereunder, the militia of the states will be preserved the constitutions of the United States and their respective states and the lawful orders of the President and the Governors of their respective states. Thereafter, when the President issues a call to the National Guard, the call will, of its own force, muster each member of the National Guard into the Federal service and it will no longer be necessary for men to 'present themselves for muster.'"

Bill Remains in Force.
"The offense denounced by the Dick bill, therefore, will be impossible as it will not be required that the men should 'present' themselves for muster. The Dick bill will not be repealed, expressly or by implication. It remains in question having taken an oath to preserve the constitution of the United States and to obey the lawful orders of the Governor of Texas, and not having yet taken an oath to obey the President as commander-in-chief, must still present themselves for muster. They are capable, therefore, of committing the offense in the Dick bill and are therefore liable to punishment."

"I have decided to have the court-martial assembled by command of the President and have asked General Funston to recommend the members thereof. While I shall not prescribe, I shall be inclined to recommend that the proceedings be abated in cases where the men are willing to take the oath."

SLAYER ASKS NEW TRIAL

J. L. Sutherland Files Petition in Court at Vancouver.

VANCOUVER, Wash., May 25.—(Special.)—J. L. Sutherland, attorney for Charles A. Meyer, convicted of murder in the second degree by a jury in the Superior Court May 15, for killing John Kramer at Hazel Dell on the night of December 25, last, Wednesday asked the court to grant a new trial. Hearing of the petition was set for Monday, May 29.

In the motion for a new trial, it is alleged that the verdict of the jury was not in accord with the evidence, which tended to show that Meyer was never the aggressor in the fight following which the shooting occurred, according to the petition. The petition also alleges that the court erred in not allowing certain testimony.

Potash is being made by a West Virginia company from the waste stems of tobacco plants.

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DEFENDANT IN MURDER TRIAL WHO TELLS REMARKABLE STORY OF PETTY CRIMES IN EFFORT TO SAVE HIMSELF.



DR. ARTHUR WARREN WAITE.

WAITE BARES CRIMES

Friends and Classmates Tell of Mental Peculiarities.

WOOLING OF WIFE DETAILED

Ten Dollars Stolen From Fiancee's Mother, Confesses Dentist on Witness Stand in Trial for Murder of Father-in-Law.

(Continued From First Page.)

sented to marry him. He hung his head as he admitted the theft of a \$10 bill from Mrs. Peck's purse while at the Florida resort.

Telling of his betrothal to Miss Peck he said that two weeks before their marriage he almost broke the engagement.

"I was not so sure of her love," he explained.

He then told of coming to New York with his bride and taking an apartment on Riverside Drive. Soon after establishing himself here, he formed an acquaintance with Miss Katherine Peck, an elderly and wealthy aunt of his bride, which soon developed into an affection on her part which was reciprocated by him to an extent. He said his aunt-in-law was "always very kind" and that on several occasions she offered him money, but he refused to accept it.

Waite sold real estate for Miss Peck and invested the money. Several months after his marriage he received \$30,000 from her with which he opened a brokerage account in his own name, paying her 2 per cent interest. Subsequently she entrusted him with about \$20,000 more. Finally, his personal funds and Miss Peck's became so confused he could not tell which were hers and which his.

Wife's Aunt Not Robbed.
"How much did you steal from Miss Katherine?" he was asked.

"None whatever," was the reply. "Waite declared all Miss Peck's funds either had been returned to her or were still on deposit. He said that while he was in the hospital after his arrest he signed a paper turning over to her not only her own money, but all that of his own which he had mixed with it."

Earlier in the day Waite's brother Frank had told of having this paper signed.

Waite said he put ground glass in a can of marmalade and gave it to Miss Katherine Peck prior to his marriage. He also put disease germs in a can of fish and gave that to her. Afterward he frequently gave her various germs, including typhoid, while he was studying bacteriology.

Germ Experiments Fail.
He tried to produce the germs himself, he said, but his cultures failed, and he purchased them. He was able to buy germs of diphtheria, pneumonia, influenza, spinal meningitis and other diseases.

"What did you want of the germs?" he was asked.

"I wanted to give them to certain people," he replied.

The trouble with the germs, Waite said, was that they were not virulent enough.

He began to take an interest in bacteriology long before his marriage, he explained. After he had given germs to Miss Peck for a while, he became discouraged, he asserted, because of his lack of success. He put the germs in her food, but he denied that he gave her arsenic.

Bacteria Given Wife and Mother.
"Was there any arsenical flypaper in her room?" the dentist was asked.

"Oh, yes," he answered. "I read somewhere of an arsenical flypaper, which if treated and put in a person's pocket would cause death, so I got some and put it in her room."

"Did you administer any bacteria to Mrs. Peck?"

"Yes," after she arrived, I had been working on them for some time and had them all ready for her."

"How often did you give them to her?"

"Quite often. I put them in her food on the first day she came and she grew ill almost immediately."

He had given Mrs. Peck millions of germs, he said.

Asked how many kinds of germs he administered to Mr. Peck, Waite replied:

"Typhoid, diphtheria, pneumonia and others. I gave him a spray and put diphtheria and later pneumonia germs in it and had him spray his throat every time he went out. They had no effect and I tried to make them stronger."

"I put water in the sheets on his bed so that he would catch cold, but he didn't. I also put a chemical com-

pound in his room which would create a poisonous gas, but it failed to produce results. One night I turned on the gas, but the superintendent of the building came up and turned it off."

"I gave him arsenic a few days before he was planning to go away. I got 90 grains. I think it was three or four days before Mr. Peck died that I began to give him arsenic. I gave him a little at first and increased the dose until all of it was gone. I gave him the doses in his food. Once or twice it was in eggs and once in rice pudding and then once in hot milk."

Waite told of sleeping on the couch on the night before his father-in-law's death so as not to disturb his wife. He got up an hour after retiring, he said, and administered chloroform to Mr. Peck.

Waite Fond of Mrs. Horton.
Telling of his acquaintance with Mrs. Horton, Waite said he heard her sing at a theater here last Fall and went frequently just to hear her. He met her behind the scenes, he said, and saw her every day after that, becoming "fond of her."

"Did she seem to reciprocate?" asked Mr. Deuel.

"She did," Waite replied.

He then told of taking up with her the study of foreign languages and dramatic expression.

"At 10 o'clock in the morning," he said, "we used to go to school together. Then we would have luncheon somewhere. Afterward we would go to the Plaza (where their studio was located) or I would take her to her music instructor and would return for her. Then we would go to the Plaza and study languages and play for a couple of hours. In the evening we often went to the opera together."

"Did you ever meet her husband?" the witness was asked.

"I have seen him."

Affair Kept From Wife.
"Did you ever tell your wife about Mrs. Horton?"

"No."

Waite then related his efforts to induce Eugene Oliver Kane, the embalmer, to put arsenic in a sample of embalming fluid which was to be sent to the District Attorney's office. He gave Kane \$500, he said, and agreed to give him \$40,000 more later.

"What was your purpose in administering germs to all those people?"

"I wanted them to die."

"Why?"

"I wanted their money."

"When did you first get this idea?"

"About the time I first met Miss Clara Peck."

Early in his examination tonight, Waite admitted that he had had degenerate traits since he was a boy.

MILITARY ORDER ASKED
REPRESENTATIVE JOHNSON REQUESTS FOR COPY.

Exclusion of Foreign-Born Americans From Mine-Laying Boats Not Discrimination, Says Secretary.

WASHINGTON, May 25.—Representative Johnson, of Washington, renewed to Secretary Baker today his request for a copy of a War Department order supposed to require the employment of native Americans only on Army mine planters because information as to the location of mine fields is regarded as a most confidential military secret.

Representative Johnson had been informed that a sixth member of the crew of the planter Ringgold at Tacoma had been discharged because he is not American born.

Secretary Baker, according to Mr. Johnson, disclaimed any intention of discrimination against American citizens of foreign birth, and said the dismissal orders had been signed as routine matters upon recommendation of officers of the Coast Artillery Corps, under which the planters operate.

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130 in Cast, Besides Chorus and Orchestra

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Seats on Sale
SHERMAN, CLAY & CO.
Admission 25c and 35c

METHODIST BAN ON DANCING RETAINED

Cards and Theater-Going Also Continued Under Prohibition by Conference.

EXPULSION PENALTY KEPT

Negro Vote Has Balance of Power in Deciding Question Which Is Fought Through in Face of Serious Opposition.

SARATOGA SPRINGS, N. Y., May 25.—The penalty of expulsion provided in paragraph 21 of the discipline of the Methodist Episcopal Church for members who play cards, dance, attend the theater or engage in other similar amusements will remain in effect for another four years at least, as the result of action taken today by the general conference. An attempt led by Chancellor James B. Day, of Syracuse University, to obtain the removal of the prohibition failed by a vote of 43 to 360. The figures are almost identical with those of four years ago when a similar proposal was defeated.

Paragraph 21 of the discipline, which is the basic law of the church, was enacted in 1872 and has remained virtually without change.

Negroes Hold Balance of Power.
It has been urged as a basis for removal that this section is never enforced and that the specific warning which is given in another part of the discipline should be sufficient to convince members that the church strongly disapproves of these diversions. The opposite contention has always prevailed in the conference, however, that by withdrawal of the penalty the church will indicate that it favors lifting the ban completely.

The balance of voting power was held today by the 80 or more representatives of negro conferences who threw their support almost solidly against any change. The foreign delegates were about equally divided.

A majority of the others, particularly from the eastern part of the United States, voted for removal, although nearly every delegation was split. Baltimore, Newark, New York, Philadelphia and Rock River, Ill., voted overwhelmingly for the change. Detroit, Illinois, Cleveland, Ohio, Upper Merion, Pennsylvania, North-west Indiana, Minnesota and West Ohio also gave good majorities. Pittsburgh, Wisconsin and Kansas were equally divided.

Every Member Put on Record.
Pugot Sound and Columbia River, Washington; Erie, Pa.; Holston, Tenn.; North Indiana, Maine, North-west Indiana and South-west Kansas and Southern Illinois were strongly opposed. Every member was placed on record individually.

The conference shut off all debate by deciding to proceed with the voting as soon as Chancellor Day had read the report of the minority asking for a change, and Frank Neff, of Tulsa, Okla., had read the opposing recommendation.

After a long discussion the conference voted not to elect a successor to Bishop-elect William Fold F. Oldham, who was corresponding secretary of the board of foreign missions, but to restrict the number of secretaries to two.

It also was decided to postpone further the balloting for editors of the church publications which had been made an order of business for the day.

The conference voted tonight to transfer the headquarters of the church temperance society from Topeka, Kan., to Washington, D. C.

Tobacco Ban Is Urged.
The total abstinence by Methodist church members from the use of tobacco is urged in another report.

Polygamy and the social evil are condemned by the committee on temperance and public morals. The enforcement of laws prohibiting the former is urged.

Regarding the social evil, the committee asserts that neither segregation nor punishment by fines is a remedy. The community should officially condemn and disperse vice, it continues, and the state should provide industrial settlements for the mentally deficient and an honest place in society for those mentally capable.

"Parents and churches charged with care of the young ought to give careful consideration to the proper education of our youth to the end that there may be health of body, purity of mind and righteousness of life," the report concludes. Action will be taken later.

MANY OFFICES SEEK MAN
C. R. Wade, Voted For for Five Jobs, Nominated for Senate.

BANDON, Or., May 25.—(Special.)—C. R. Wade, an attorney of this city, was mentioned as a candidate for more different offices by the voters at the primary, than any other man in the state.

Although his name did not appear on the ballots, it was written in on both the Republican and Democratic tickets. He received the nomination for Senator from the Eighth Senatorial District on the Democratic ticket, and also received votes for Justice of the Peace on both the Republican and Democratic ballots. Democrats also voted for him for Commissioner of the Port of Bandon, for County Central Committeeman and for State Representative.

School Gives May Pageant.
HOOD RIVER, Or., May 25.—(Special.)—Marking the close of the school year a May pageant was participated in this afternoon by the pupils of the Franklin School, on the Columbia River Highway west of the city. The pageant was given under the direction of Miss Aldine Bartness.

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A varied extensive variety of styles to select from, but don't fail to come early, for you know there is something in first choice. The gowns are all cut full to size and extra well made. They come in good quality muslin, trimmed with a variety of fine swiss baby edges and serviceable cambric edges. Also pretty designs in soft crepe, edged with white or delicate figured color combinations. We also include a fine lot of Combination Suits—sample garments in many styles and materials, but sizes 34 and 36 only. Regular values run up to \$1.25—your choice Bargain Friday at only **50c**

Closing Out of Broken Lines Children's Play Suits and Rompers, 29c
Priced for Bargain Friday's Sale at.....

Broken Lines in Values to 85c. 60 different styles in well-made Play Suits and Rompers, of good quality gingham, crepes, chambrays, etc.—broken lines from our regular stock—sizes from 1 to 6 years, in plain colors, checks, stripes and small figures. Attractive warm weather play garments, regularly sold up to 85c—on sale Bargain Friday at..... **29c**

EXTRA!—Wool and Plush Auto Robes

Plaid and Mottled Styles, Regular \$2.98

\$5.00 Grade, at..... **\$2.98**

Only 50 in the lot, so don't delay your coming if you would profit by this sale. You have choice from fine Wool Robes in plaid styles, finished with fringed ends; also Mottled Plush Robes, with tape-bound edges. Regular \$5.00 lines—Bargain Friday at..... **\$2.98**

An Important and Timely Sale of Women's Fine Cotton Union Suits

Correct Summer Weight; Short Sleeve, Low Neck Models in Knee Length; 35c Grade, on Sale **19c** Friday at.....

Few women will care to miss this sale of fine cotton, Summer-weight Union Suits—shown in low-neck, sleeveless styles, with tight or lace-trimmed knee. Perfect-fitting garments, in all sizes—regularly sold at 35c a suit—priced for Bargain Friday at..... **19c**

Women's Coats \$9.45

For Values to \$15.00

A splendid variety of models to select from in flare-back and belt effects—finely tailored Coats in check velours, wide-wale cords, poplins and white chinchilla—most every size in lines regularly sold up to \$15, priced as a great Bargain **\$9.45** Friday Leader at.....

Friday! Your Last Opportunity to Purchase \$2.50, \$3.00 and \$3.50 Pumps and Oxfords at 98c Pair

The season's greatest saving opportunity to purchase Women's and Misses' Pumps and Oxfords—2000 pairs in this special sale—one, two and three-strap Pumps and button or lace Oxfords, in all styles and leathers—patent, vici, velour, gunmetal, etc. Styles for street and evening wear. Broken lines in various sizes and widths, with McKay or hand-turned soles. Regular \$2.50, \$3 and \$3.50 lines, purchased by us at extraordinary price concessions, and offered to you the same way. This Sale, per **98c**

COMFORT SHOES for home wear, in all sizes and styles; plain toe, with patent tip, front gore and elastic side. Priced to close at, pair..... **98c**

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