

QUAKE DEATH LIST GROWING RAPIDLY 600 Dead Are Counted in Vallendar Alone.

ONLY THREE HOUSES LEFT Many Fugitives, Still Fearful, Stay in Hills.

PROPERTY LOSS GREAT Steps to Relieve Sufferers Are Taken—Appropriation Asked of Chilean Congress.

SANTIAGO, Chile, Nov. 13.—(By the Associated Press.)—The latest figures from Vallendar tonight said the entire town had been destroyed. Only three houses were left standing. Thus far 600 dead had been counted, but many of the streets had not yet been cleared of debris, under which additional bodies were expected to be found.

There was no way in which the number of other devastated points could even be estimated. Condemnation was growing as the extent of the quake toll was beginning to be revealed. The number of dead also was growing hourly as belated reports came in from the stricken provinces of Coquimbo and Atacama.

Fate of Villages Not Known. The two provinces contained a total population of 200,000, and what part of this number were left homeless was useless to attempt to estimate. Many towns and villages of populations of around 100 had not been heard from and their fate will be known only when communication is fully restored.

Only the more important places had been mentioned in the advices thus far received, and the reports pictured them as scenes of ruin and desolation, with the inhabitants wandering aimlessly in search of food and camping in crude shelters. Many persons, helpless from injuries, were in need of medical attention. Numerous refugees, fearing a repetition of the phenomenon, continued to stay in the hills to which they fled when the earth shook.

Relief Measures Undertaken. The government was devoting its attention to relief measures, but owing to distances to be covered over the single railroad communications with the different provinces had been cut off. Adequate food and medical supplies were considered likely to be a matter of several days. Some naval vessels had reached suffering coast towns and others were on their way thither with supplies.

The homeless at Coquimbo and vicinity number 2500, according to official dispatches. The suburb of Victoria was destroyed. Other dispatches confirmed the quake's destructive work at Copiapo and Chanaral, the latter place being without food. Copiapo was in dire need of medical assistance. Firemen and boys scouts were doing all possible to render aid to the destitute.

The municipal theater and the principal church were among the buildings wrecked by the shock and nearly all the dwelling houses at Copiapo were leveled.

1000 BOXCARS DAILY TO RELIEVE FARMERS RAILROADS WILL RUSH AID TO NORTHWEST STATES.

More Than 4500 Empty and All Refrigerator Cars Possible Assigned to Lift Famine.

THE OREGONIAN NEWS BUREAU, Washington, D. C., Nov. 13.—One thousand empty box cars a day in solid trains will begin moving to the northwest from Chicago within a few days, and the movement will continue until the demand for equipment to transport farm and forest products has been met.

An order for the movement of the cars has been issued by the car-service division of the American Railway association, and the cars will move over the Great Northern, Northern Pacific and Union Pacific railroads. Demands already received in response to a call coming almost entirely from Oregon, Washington and Idaho, where, according to telegrams received, both by the American Railway association and the Interstate commerce commission, industry in many sections virtually paralyzed by lack of railroad equipment.

Conferences of railway and car-service officials were held here today to discuss means of rushing to the northwest as rapidly as possible more than 4500 cars belonging to western roads standing on tracks throughout New England. One of the questions to be solved is to find the motive power for moving the equipment, and another question of almost equal importance is to clear the right of way in such fashion as to speed the transfer.

Another problem being worked out, it was said at the offices of the car-service officials, is to find more refrigerator cars for the Pacific northwest. Demands already received would call for that section many more than one-half of all the refrigerator cars in existence, showing, it is pointed out, that the production of perishable products in Oregon, Washington and Idaho has outstripped the progress of the carriers in providing equipment of the special requirements to move them.

HANDS OFF, SAYS COURT Canvass of Votes in Kelso-Kalama Fight to Proceed.

OLYMPIA, Wash., Nov. 13.—(Special.)—The supreme court today issued an alternative writ of prohibition directing Judge Kirby to refrain from interfering with the canvassing of the vote of the Kelso-Kalama county seat fight in Cowlitz county. Judge Kirby had issued a restraining order to prevent the canvassing of the vote on the ground that hundreds of illegal ballots were cast in and around Kelso.

The petition for the writ of prohibition holds the superior court without jurisdiction. Judge Kirby also is directed to appear before the supreme court November 17 to show cause why the writ should not be made peremptory.

WOMAN CONQUERS THUG Mask of Robber Torn Off and Pocketbook Retained.

TACOMA, Wash., Nov. 13.—Mrs. Bertha Eldridge turned into the police station today a mask she tore from the face of a robber who attempted to hold her up with an imitation revolver.

When the woman was stopped on a dark street last night she thought the revolver that she faced was real. But she grasped the wrist of the man and the glass weapon fell to the sidewalk, where it broke into bits. The robber was then bested in a fight to obtain the woman's pocketbook.

CROSS RECALL IS LOST Clackamas County Judge Victor by Majority of 694 Votes.

OREGON CITY, Or., Nov. 13.—(Special.)—The recall of Harvey E. Cross, county judge, failed by a majority of 694 votes of a total of 10,575 cast, according to the complete official figures compiled today by County Clerk Miller. Failure of the boxer in precinct No. 19 in Oregon City to make an immediate return upon the recall held up the official tabulation.

The vote on the recall was as follows: Yes, 4915; no, 5564.

SPIRIT OF TURK INSPIRES WONDER BRILLIANT VIENNESE DIVA TAKES GOTHAM BY STORM.

Chicago Opera Season Opens Simultaneously With That of New York, With "Aida."

NEW YORK, Nov. 13.—To Marie Jeritsa, the sensational coloratura soprano from Vienna, who captured New York by storm last season, fell the honor tonight of opening the 1922-23 Metropolitan opera season. Singing the title role in "Tosca," the fragile opera for many years linked with the name of Geraldine Farrar, the newer star earned a tremendous ovation from the first-nighters.

The opening was the usual brilliant social event. The famous diamond horseshoe sparkled with all its old-time charm of pretty women and distinguished men—the women in rare gems and costly gowns, the men in conventional black and white.

Orchestra, parterre, balconies and gallery were crowded, too, and there were the usual hundreds of music-loving standees—and the claque. This time there weren't any Gerry flappers in the claque, or if there were they were silent before Jeritsa, who had risen to the place of their idol.

But if the voices of Gerry flappers were still, those of the followers of the vivacious Viennese soprano were not. Her's was a great reception—a tribute to the new and vivid "Tosca" whose voice sought out and found all the golden magic of the music Puccini has wrought around the grim Sardou play.

It marked Gatti Casazza's beginning of his 15th season as general manager. Scotti, who sang the wily Scarpia in "Tosca" first American presentation in February, 1901, again sang the role tonight. Mariajilli was Manio. Signor Moranzoni conducted.

CHICAGO, Nov. 13.—With every seat occupied and the boxes glittering with the most brilliant array of jewels and gowns seen in the auditorium, a notable presentation of "Aida" opened the first season of the Chicago Civic Opera company here tonight.

Three debates marked the inaugural of the opera under the direction of the civic sponsors who have replaced the wealthy promoters of other years. In Boukaiya, a young Russian in the role of Amneris, the regal Egyptian princess in love with Radames, the captain of the guard; Cesare Formich, the Italian baritone, in the part of Amonaro, and singing Radames, also was well received. The baton was in the hands of Georgia Polacco, principal conductor and artistic director of the company.

Mary Garden, director of the organization last year, but this year appearing only as an artist, will make her debut tomorrow in "Carmen."

France-Italian Treaty Signed. ROME, Nov. 13.—A commercial treaty between France and Italy was signed at the foreign office today.

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MERELY KU KLUXED, SAYS EDITOR WHITE

KANSAS "OFFENDER" INSISTS ON TRIAL OF CASE.

Prosecutors Seem Not Disposed to Proceed Against Man Who Sided With Strikers.

EMPORIA, Kan., Nov. 13.—Attorney-General Hopkins of Kansas has written County Attorney Boynton of Lyon county that the attorney-general's office will not participate in the trial of William Allen White, Emporia editor, for putting up in a window of his newspaper office a poster expressing 50 per cent sympathy with striking railway workers during the recent shopmen's strike. White was arrested shortly after the poster incident and charged with violation of the state industrial court act. His close friend and comrade in arms, Governor Allen of Kansas, brought about the arrest, but the case has never come to trial.

The attorney-general, who has gone on a wedding trip, declares that he did not bring action and will not push it. He is said to have told mutual friends he did not believe there was any law for conviction of White under the facts.

But White demands trial and is depending on his friend, Governor Allen, to give him an opportunity to test his case in the courts.

"It is unthinkable that this case should be continued or dismissed," said White. "The facts are indisputable. It is merely a question of law. It is an important question. It should not be open for another governor to deny the right of free utterance to any citizen. If the governor was wrong and if I am wrong, it should not be possible for any citizen to mistake his rights."

"If I am arrested, and not to be tried, I have merely been ku kluxed. Whatever attitude the attorney-general may take, I have unbounded faith that the governor will bring this case to trial and if it can be appealed to the supreme court through conviction upon the facts that the administration will fight it honestly and vigorously through the courts. Governor Allen is too good a sport to quit this case now. I don't mind arrest. I don't mind conviction. I don't mind even going to jail to prove to the people of Kansas what kind of a law they are carrying on their books, but I would not like to rest for life under the suspicion of taking up a case that means nothing and gets nowhere—just for a little notoriety."

Another Case Also Heard. "No reference is to be found in the decision to the 'gentlemen's agreement' under which Japanese immigration into the country has been regulated. The government did not object to the argument of the case when it was reached at this term and the court advanced and heard at the same time the case brought by Takuji Yamashita and Charles Hiro Kono against the secretary of state of Washington. In the latter case the two Japanese had been naturalized prior to 1906, the date of the present federal naturalization statute, and at a time when it was considered section 2169 of the revised statutes, which restricts naturalization to "free white persons" and those of African birth or descent, was in full force.

Inferiority Not Implied. In the Osawa case the court stated that "there is no implied inferiority in the legislation or in our interpretation of it—any suggestion of individual unworthiness or racial inferiority. These considerations are in no manner involved."

JAPANESE LOSE CITIZENSHIP SUIT

Supreme Court Passes on Federal Statutes.

TWO OLD CASES SETTLED No Reference Is Made to Diplomatic Significance.

WASHINGTON, D. C., Nov. 13.—Japanese cannot be naturalized in the United States and cannot become citizens of this country, the supreme court of the United States decided today, in its first construction of federal statutes bearing on the subject. The decision was the first delivered by Justice Sutherland as a member of the court and was handed down in a case brought by Taka Osawa, who in 1914 applied for citizenship in Hawaii.

The ruling is expected to attract wide attention not only in the United States but abroad, notwithstanding the failure of the court to make any reference to its diplomatic significance. The case has been long pending in the supreme court, and last term when reached for argument during the conference on limitation of armament and far eastern questions, its consideration was postponed at the request of the department of justice.

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It also referred to the "complimentary terms used in describing in the papers presented to the court the culture and enlightenment of the Japanese people." With such an estimate, the court said, it had no reason to disagree. Such matters, however, Justice Sutherland stated, could not enter into the decision of the case. "We have no function in the matter," he said, "other than to ascertain the will of congress and declare it."

Exhaustive Analysis Made. The two questions decided by the court were whether the general naturalization act of June 29, 1906, was limited by the provisions of section 2169 of the revised statutes, authorizing the naturalization of "free white persons" and those of African birth or descent, and whether, if so limited, Japanese were eligible to naturalization. In an exhaustive analysis of the history of the legislation the court held that section 2169 was in full force and that under it Japanese could not obtain citizenship in this country.

The court stated that "in all of the naturalization acts from 1790 to 1906, the privilege of naturalization was confined to white persons (with the addition in 1876 of those of African nativity and descent), although the exact wording of the various statutes was not always the same."

GENERAL WALKOUT PLANNED BY I. W. W. INTENT IS TO FORCE RELEASE OF WAR PRISONERS.

Proposals for Strike Next Spring Are Laid Before National Convention in Chicago.

(By Chicago Tribune Leased Wire.) CHICAGO, Nov. 13.—Proposals to call a general strike in all essential industries next spring, to force release of all I. W. W. still held in federal prisons for seditious utterances and acts during the war, were made today at the opening of the 14th convention of the wobblies, which is scheduled to run 21 days. The proposition was the principal topic today and met with much favor.

The agricultural branch of the I. W. W., which includes the harvest hands, is strong for the general strike. Another live topic at the convention is the fight of the Marine Transport workers branch, which is under way at Portland, Or., San Pedro, Cal., and Philadelphia.

The general executive board of the I. W. W. has ordered all foot-loose members to flock to San Pedro, to protest in various ways against the large number of arrests made by the police. Eastern wobblies have been ordered to pursue similar tactics in Philadelphia, which they consider their stronghold and which is endangered by the activities of the police.

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General Wright is ill. Condition of ex-Secretary of War Reported Critical.

MEMPHIS, Tenn., Nov. 13.—Physicians attending General Luke E. Wright, ex-secretary of war and governor-general of the Philippines during the administration of President Taft, who is ill at his home, reported his condition today as critical.

General Wright was the first United States ambassador to Japan.

PHONE RATE CUT BRANDED UNJUST

Company Argues Plea for Injunction.

TECHNICAL POINTS DEBATED Order Also Held Arbitrary and Confiscatory.

ELECTION TRICK CHARGED Action Week Before Election Declared to Have Been Move to Win People's Votes.

With the charge that the telephone rate reduction order, issued by the state public service commission on October 30, is arbitrary, unjust and confiscatory, and that its commission was influenced by the fact that one of the members of the body was a candidate for re-election, the Pacific Telephone & Telegraph company yesterday argued its plea for an injunction against an execution of the order in the United States district court.

Three federal judges—William E. Gilbert, of the circuit court of appeals of San Francisco, and St. Bon and Charles E. Wolverton, local district judges, sitting en banc, heard the arguments. The entire day was taken up in the presentation of the phone company's case and the state's rebuttal of their claims. The matter was taken under advisement by the court. An opinion is expected within a week.

Another Case Pending. Yesterday's action was but another chapter of the long and bitter fight for lower telephone rates. Another case is now pending in the state circuit courts. Two public service commissioners have been recalled from office because of their stand on the matter, and for more than two years the question of telephone rates has been dragged from commission to courts and back again.

The telephone company, through one of its attorneys, Omar C. Spencer, did not mince words in throwing the charge of playing in the gallery at the public service commission. "All these things—this sudden determination to reduce rates—were done a week before election, when one of these commissioners was a candidate for re-election. They were elected on the promise to reduce telephone rates, and their principal plan was rate reduction," Spencer stated.

Emergency Need Is Denied. "The commission claims that an emergency existed, that these new rates are emergency rates. The only emergency that I can see is that emergency caused by the election."

The history of the telephone reduction fight is a hectic one. On May 21, 1921, Commissioners Williams, Buehler and Corey, constituting the commission, granted an increase in rates on the application of the telephone company. Immediately thereafter a wave of protest arose throughout the state. Different municipalities demanded a rehearing, which was granted. Nothing was done, though, to reduce rates.

SEA BOTTOM THOUGHT SUNK Explanation of Tidal Wave Is Offered by U. S. Astronomer.

VALLEJO, Cal., Nov. 13.—An explanation of the probable cause of



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