

COURT WOULD SEND EDITOR TO PRISON

Colonel Nelson, at 75, Held in Contempt.

DIVORCE CRITICISM STINGS

Habeas Corpus Writ Averts Actual Incarceration.

EVIDENCE IS RULED OUT

Kansas City Judge "Grimly Determined" Defendant Shall Be Punished and Sentence Is Written in Advance.

KANSAS CITY, Feb. 1.—Only the persistent efforts of his attorney in the face of elaborate denials by the court saved Colonel William R. Nelson, editor and owner of the Kansas City Star, from immediately being placed in jail today, after a sentence of one day's imprisonment pronounced by Judge Guthrie, of the Jackson County Circuit Court, upon his conviction of contempt of court.

The charge was that Mr. Nelson, through his paper, had defamed the court by the publication of an article saying that the judge, upon the advice of attorneys' fees to take precedence over alimony in a divorce suit that was dismissed without being brought to trial.

Sheriff Grasps Editor.

A hush fell over the packed courtroom when, upon the court's order, Sheriff Winstanly grasped Mr. Nelson by the arm and started to lead him to jail. Mr. Nelson is 75 years old.

"I'll not run away," he said, looking at the Sheriff.

"Just one moment," thundered Frank P. Walsh, attorney for the defendant. Sheriff Winstanly tugged at his prisoner. Mr. Nelson started to go with him.

"Your honor," fairly shouted Mr. Walsh, "has the court ever in the annals of criminal contempt cases heard of a sentenced prisoner being denied the right of a few minutes' consultation with counsel before being hustled off the jail?"

Court "Washes Its Hands."

"Fulfill the order, Mr. Sheriff," the court said and turning to Mr. Walsh, pronounced slowly:

"This court is through with the case. I wash my hands of it. It is in the Sheriff's hands."

Mr. Walsh dashed backward and forward, pleading first with the Sheriff, then with the judge, that the action contemplated was without precedent.

"Is it the intention merely to humiliate my client or am I to be allowed five or ten minutes in which to procure a writ of habeas corpus which even now is being prepared in the Court of Appeals?" he asked.

After ten minutes of argument the court finally relented and granted the time. In a few minutes one of Mr. Walsh's assistants pushed through the crowd with the writ which stayed the execution of the sentence and carried the defendant immediately to the Kansas City Court of Appeals, where Judge Johnson made the habeas corpus immediately effective and released Mr. Nelson on his own recognizance to appear for a hearing Wednesday, February 5.

Testimony Not Admitted.

Judge Guthrie's decision came after the court's refusal to permit the introduction of evidence to show that the statement in the article complained of, that a judge had allowed a divorce lawyer to decide whether alimony or a lawyer's fee should be allowed, referred

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TWO MEN AND BOAT RESCUED FROM SEA

VESSEL SPRINGS LEAK AND DRIFTS OUT 60 MILES.

Launch Buggy Damaged as She Hits Tillamook Bar—Water Lost and Food Exhausted.

ASTORIA, Or., Feb. 1.—(Special.)—The steamer Paraiso arrived from San Francisco this evening, having in tow the Portland Fish Company's launch Buggy, leaking badly and partially water-logged, with George Thompson and H. Thiberson on board.

The launch left Bay City four days ago for Portland, and while crossing Tillamook bar was struck by a huge sea which loosened some of the planking, allowing the water to pour in. The engine also went out of commission and the craft drifted helplessly to sea.

On account of the leak one man was compelled to stand by the pump constantly, but the other rigged a sail from gunnybags and an effort was made to beat up the coast as the bar was too rough to put back into Tillamook Bay. Contrary winds and currents drove the launch fully 60 miles off shore.

The one can of water on board was lost while crossing the bar and within a short time the small supply of provisions was exhausted. Desperate with hunger and loss of sleep for four days, the men determined to beach the craft if possible. Accordingly, during last night they headed directly for the shore and picking up a favorable wind arrived about six miles off Tillamook Rock, when they were sighted by the Paraiso, which took them in tow.

While completely exhausted, the men are uninjured and the launch is not seriously damaged.

FLORIDA FRUIT UNDER BAN

California Officials Order Citrus Shipment Out of State.

SAN FRANCISCO, Feb. 1.—(Special.)—Hope which had developed among some of the commission houses that owing to the recent cold weather in Southern California supplies of grapefruit might be drawn from Florida, were badly shattered today by the action of the State Horticultural Commissioner, when a carload of grapefruit was stopped and the owners received the 48-hour notice customary in such cases. This car must be sent out of the state and the consignees will ship it North, where there is no citrus industry to be guarded.

The fruit was found to be infested with the Florida red scale and the purple scale, both of which are strangers to California.

This is the second car of grapefruit to come through from the Florida citrus section. An experimental car was received last week, and being free from insect pests was promptly absorbed by the local market.

The Horticultural Commissioners want it understood that this fruit was not stopped because it came from Florida, the quarantine having been raised December 17, but because it carried Florida fruit pests that are not wanted in California.

TEMPLE OF APOLLO BARED

Professor Spinazzola Digs Up Valuable Relics at Cumae.

ROME, Feb. 1.—(Special.)—Professor Spinazzola, in recently exploring the ruins of Cumae, the habitat of the earliest Sily, and the road leading from the gate of the town to the Acropolis, entirely unearthed a temple of Apollo adorned with Ionic columns and surmounted by a frieze decorated with Apollo adorned with Ionic columns and the discovery and partially reconstructed it. An inscription was found which proved it was positively a temple dedicated to Apollo.

Other finds include fragments of a marble statue of Livia Augusta. The statue of Apollo has many inscriptions relating to visitors to the oracle. There is an octagonal temple dedicated to an unknown divinity. There are also walls of an ancient city and traces of the ancient town of Sinuessa which are now being explored.

ONE-TERM MEASURE NARROWLY PASSED

Margin of One Vote in Senate Is All.

ALL AMENDMENTS DEFEATED

Former Presidents Not to Be Exempt From Terms.

TURN OF HOUSE IS NEXT

If Resolution Musters Two-Thirds of Lower Body, It Will Require Three-Fourths of States to Become Law of Land.

VOLE ON SINGLE TERM AMENDMENT ADOPTED BY SENATE YESTERDAY.

Senators who supported the single term resolution on its final passage: Democrats—Ashurst, Bankhead, Bryan, Chamberlain, Chilton, Clarke, (Arkansas), Fletcher, Gardner, Hitchcock, Johnson, Johnston (Alabama), Kavanaugh, Kern, Newlands, Overman, Jones, Kenyon, La Follette, Perkins, Pomeroy, Simmons, Smith (Arizona), Smith (Georgia), Smith (Maryland), Swanson, Thomas, Thornton and Williams.

Republicans—Brandenburg, Brown, Burnham, Burton, Cator, Clark (Wyoming), Cummins, Dillingham, Du Pont, Gamble, Guggenheim, McCumber, Nelson, Penrose, Perkins, Smead, Sutherland, Wetmore and Works.

Against the resolution: Republicans—Borah, Bourne, Bradley, Bricker, Curtis, Gallinger, Jackson, Jones, Kenyon, La Follette, Lippitt, Lodge, McLean, Oliver, Page, Richardson, Sanders, Stevenson and Townsend.

Progressives—Dixon and Poindexter. Democrats—Shively.

WASHINGTON, Feb. 1.—A Constitutional amendment which would restrict the President of the United States to a single term of six years, and would bar Woodrow Wilson, Theodore Roosevelt and William H. Taft from seeking election again, was approved today by the Senate, by the narrow majority of one vote.

After a three-day fight, in which the Progressives joined with many Republicans in opposing the restricted Presidential term, the Senate adopted the original Works resolution by a vote of 47 to 22.

Article Two Is Changed.

The language which it is proposed to insert in the Constitution in place of the first paragraph of article two is as follows:

"The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years, and no person who has held the office by election or discharged its powers or duties or acted as President under the Constitution and laws made in pursuance thereof, shall be eligible to hold again the office by election."

The resolution proposed for the Constitutional amendment now goes to the House for its approval. If ratified there by a two-thirds vote it will be submitted to the Legislatures of the states and will become effective when three-fourths of the 48 states of the Union have officially approved it.

Attempts at Amendment Fail.

The adoption of the resolution came at the close of a three-day fight, in which repeated and unsuccessful attempts were made to so change it that it would not affect ex-Presidents or

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INDEX OF TODAY'S NEWS

The Weather. YESTERDAY'S—Maximum temperature, 50 degrees; minimum, 35 degrees. TODAY'S—Fair; variable winds, mostly northwesterly.

Legislature. Good roads measures up to Legislature above three factions at work. Section 1, page 8.

Foreign. Speech by Lloyd-George creates sensation in London. Section 1, page 4.

Domestic. Court, stung by criticism, orders Editor Nelson, aged 75, to jail. Section 1, page 1.

Pacific Northwest. Two men and launch rescued at sea. Section 1, page 1.

Commercial and Marine. Plans formed for distributing Northwest wheat in New York. Section 2, page 12.

Portland and Vicinity. Shriners initiate class of 74 with elaborate ceremonial. Section 4, page 12.

Groundhog. Groundhog due to see his shadow today. Section 1, page 1.

POWERS HAMPERED BY LACK OF TIME

Europe Desires Peace but Loses Faith.

ALLIES PROMISE "SURPRISE"

Intention of Driving Turk From Europe Asserted.

FUTURE RESTS WITH ARMS

Bulgarian Envoy Says Contest Will Be Short and Sharp—Balkan Compact to Be Made Enduring, It Is Declared.

LONDON, Feb. 1.—In Turkish and Balkan headquarters the expectation has been intense the whole day of some move by the powers, either collectively or separately, to avert the threatened war. Russia and Austria, the two nations most interested in Near Eastern conditions, and Great Britain, which has peculiar reasons as host of the conference for wishing to see it succeed, are looked to particularly for an effort to bridge the narrow gulf which separates the peace terms of the combatants.

Impression of Britain Poor.

Although the delegates thanked England in glowing terms for her hospitality, some of them think she did not give as much assistance as she might have given. They point out that they came a great distance from the Balkan states to London, which in some ways is not adapted to intercourse between delegations, only because they trusted that British influence in favor of peace would make itself strongly felt.

The delegates of this mind opposed the idea of returning to London for the conclusion of peace, if the war is renewed. The Ambassadors of the powers met today and later notified their respective governments that the sense of the meeting was that the Turkish reply to the powers' note afforded a poor basis for resuming peace negotiations. They suggested bringing this view to the attention of Bulgaria, but any attempt by the powers toward a reconciliation of the belligerents is hampered by the fact that only two days remain before the armistice ends.

Turks to Renew Declaration.

The Turkish delegates have received instructions from their government to renew the declaration to the representatives of the powers and to the British Foreign Secretary, Sir Edward Grey, that Turkey desires peace and has made great sacrifices to attain this object, as well as to show deference to the powers' wishes, but cannot be expected to accept terms wounding her dignity and causing internal disorders.

Rehad Pasha and Nazim Pasha, speaking to the Ambassadors, added to the foregoing statement such strong expressions of their desire for peace and such condemnation of what they called the "ingenuous conduct" of the allies, and the advisability of the belligerents' reaching a compromise, that they gave the impression that the Ottoman government perhaps is ready to make further concessions in the matter of Adrianople.

Allen Speak for War.

The Balkan plenipotentiaries, speaking for publication today, reasserted their desire for another campaign which would make them absolute dictators of peace on their own terms and would satisfy their ambitions to absorb European Turkey entirely, which would include Constantinople. M. Danoff, head of the Bulgarians, said:

"We leave England having shown the world that the Balkan union is not a bluff, but a real and important factor

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GROUNDHOG DUE TO SEE SHADOW TODAY

SUNSHINE TO CONTINUE, SAYS WEATHERMAN BEALS.

Legend of Six Weeks More of Winter Discounted as Penalty for Spring Days Now at Hand.

Mount Hood apparently moved a few miles nearer the suburbs of Portland yesterday in the perfect, clear, sunshiny atmosphere that marked the beginning of February, and people hung their overcoats on their arms and shed a few years off their ages under the brisk stimulus of what was really a Spring day.

While the Saturday afternoon crowd in the business section of the city was as large as ever, it was supplemented with another crowd that strolled all afternoon in the districts further out, in the parks and along the bridges over the river; and the pioneers of the boating season raided the boxhouses along the riverfront for canoes and skiffs, so that they might get out upon the surface of the Willamette and enjoy the full beauty of the day.

The weather forecaster announced last night that yesterday was not to be merely a lone incident in the Oregon midwinter, for today is scheduled to be equally fair and mild, which, if the old legend is true, gives warning that this splash of sunshine is to be followed by six weeks of real Winter, for February 2 is groundhog day.

If the groundhog gets a glimpse of his shadow, says the legend, when he slips out of his hole on "groundhog day" to take a look at the weather, back he goes and stays hidden for six weeks more, and Spring is delayed just that long in coming.

The announcement of Forecaster Beals seems to indicate that Oregon is in for six weeks more of Winter at least, for if today is as fair as yesterday was, the groundhog cannot miss seeing his shadow. But in spite of legends and prophecies, the throng of people that was on the streets yesterday enjoying the sunshine seemed to think that one such perfect day this early is amply worth the danger of six weeks of Winter.

WOMAN'S AGE IS QUESTION

Senator Miller Asked to Introduce Bill Asking Correct Data.

STATE CAPITOL, Salem, Or., Feb. 1.—(Special.)—Senator Miller was approached by a woman in the lobby of the Capitol who urged him to introduce a bill which will make it binding and mandatory upon all women who register to give their correct ages. The woman did not give her name to Mr. Miller.

He says he is opposed to any such bill, but possibly will introduce a bill that women need only take oath, in registering, that they are 21 years of age or over to obviate the general feminine shyness in giving their ages.

Mr. Miller said he already has a sufficient number of troubles on his hands to assume the responsibility of introducing a bill such as that suggested by the woman who conferred with him, but he is inclined to favor the latter idea as being one which probably would be agreeable to a large majority of the women electorate of the state.

LO WOULD AVOID TAXES

Pueblo Tribe Sends Delegation to National Capital.

SANTA FE, N. M., Feb. 1.—Indians from every Pueblo tribe in New Mexico arrived here today, preparatory to leaving tonight for Washington, where they propose to urge the Secretary of the Interior to accept deeds to approximately 600,000 acres of land, owned by them in New Mexico. The object of the Indians in deeding their land to the Government as trustee, for a period of 25 years, is to avoid paying taxes.

A recent decision by United States District Judge W. H. Pope that the Indians were citizens, subjects their property to taxation.

The delegation is headed by Francis C. Wilson, special United States Attorney for the Pueblos.

BOND ISSUE FOR SCHOOLS REJECTED

Vote Cast Heavier Than Was Expected.

MAJORITY IS OVERWHELMING

Representatives of West Side Are in Minority.

OFFICIALS ARE SWAMPED

Rush at Polls Makes More Judges and Clerks Necessary to Handle Crowd—Sewer Assessment Affects Result.

"No," was the overwhelming verdict of the voters in the school election yesterday on the proposal to issue \$1,000,000 bonds to provide in district No. 1 funds for the purchase of school grounds and construction of school buildings. There being 841 votes cast against the bond issue out of 1108, 259 votes favoring it and eight votes defective.

The vote was more than three times as heavy as the Board of Education had expected and during the three hours the polls were open, the line outside the Board room doubled back into the hallway, while on the first floor, another waiting line beset the single elevator that was making trips as rapidly as possible, filled to full capacity each time.

Election Officials Increased.

It became necessary to select a second and finally a third corps of judges and clerks to handle the rush of voters, but everyone who came had an opportunity to vote and when the polls closed, the "left-overs" in the waiting line were easily attended to within about half an hour. The Board was called upon to cope with a situation which was entirely different from what they had expected, in view of the apparent lack of interest in the approach of the election and the figures of elections of previous years.

The West Side was very lightly represented in the vote, the heaviest ballot coming from the Arleta and Lents districts and from other sections of the East Side.

Men were in the majority, School Clerk Thomas estimates that the proportion of votes cast by men and women was about three to one. Remarks among men and women who had come to vote, as they stood in the hall and outside the elevator shaft, indicated at all times that the sentiment of opposition to the bonds was predominant.

Other Expenses Affect Vote.

"The polls close in a few minutes," said one, "you'd better hurry."

"I don't care when they close. I'm going to get in and take a whack at that bond issue before I leave," was the reply.

One rumor that went about the halls, explanatory of the large turnout of East Side voters, was to the effect that the Stark-street sewer assessment and other expenses that have recently fallen upon those sections, are regarded as "sufficient unto the day" and that the general feeling has been that any move to issue bonds should be postponed at the present time.

The first crops of Judges was composed of G. A. Brodie, A. T. Workman and G. D. Pollack, with A. W. Schmale and H. E. Wood acting as clerks. Other corps were appointed when the rush became strong, as follows: William Wolfstein, T. J. Kruder and E. J. Godman, judges, with G. F. Moffitt and

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SOME OF THE PAST WEEK'S EVENTS PRESENT HUMOROUS PHASES TO THE VISION OF CARTOONIST REYNOLDS.

