

ACTRESS HAS BAD TIME OF IT

Maude Fealy Has Flood Experiences That Are Far From Pleasant.

MAROONED IN REPAIR CAR FOR THE NIGHT

Goes Two Days on Cold Lunch and Splashes Around in Mud and Water Trying to Get Somewhere—Finally Reaches Tacoma.

Not the least sufferers from the inconveniences of the recent floods in the Northwest were the members of the Maude Fealy company. In their cases even personal privations were encountered. In a trip from Spokane to Tacoma a mild form of starvation was endured and one night Miss Fealy and

other female members of her company spent in a repair car, marooned on a Castle Rock siding.

On Saturday night, November 17, the Maude Fealy company finished an engagement at Spokane. The next dates were Yakima, Ellensburg and Tacoma, in the order of their naming. Not being able to get to Yakima via the Northern Pacific, the company left Spokane at midnight Saturday night, and after ploughing slowly through leagues of shallow lakes, in which the railroad tracks were submerged, the company arrived in Portland Sunday afternoon. Sunday night was spent in sleepers and Monday afternoon the travelers arrived at Castle Rock, only to find that they would have to wait nearly 24 hours longer for the repairing of the track on the other side of the booming Cowitz. That night the women members of the company spent in a repairing car. The following morning they were ferried across the river and their entire outfit followed, being carried down the steep embankment on one side and up a steeper one on the other by a dozen strong men hired for the purpose. Cold lunch—and very little of it—made up the refreshments between Spokane and Portland and between Portland and Tacoma. The company was 48 hours on the way and missed the Yakima and Ellensburg dates, but arrived in Tacoma with their entire company in time to keep the engagements in that city.

ADJUDGED IN CONTEMPT

(Continued from Page One.)

the court, after having carefully considered the matter, hereby adjudges both of said lawyers in contempt of this court, and orders them to appear at 3 o'clock p. m. of this day to receive such punishment as the court may adjudge.

Appear for Punishment.

Both McGinn and Manning appeared in Judge Sears' courtroom promptly at 3 o'clock in obedience to the order, which had been served upon them. Judge Sears stated that the duty he had to perform was disagreeable, referring to the occurrences in the courtroom in the morning. He continued:

"I suppose, strictly speaking, I should have acted at the moment, but perhaps it is simply an admission of being human when I say that my feelings were so much aroused at the time when both gentlemen addressed me it was with extreme difficulty that I felt myself able to act in a manner that would be just and equitable to both parties. I have given this matter consideration since, and have reflected over it without consultation with anyone. The course I now pursue is my own solely. It is such a course as I believe justified by the interests of justice.

"At the coming in of court this morning Mr. McGinn, one of the counsel for whom I have referred in the order served upon the two gentlemen, arose and employed language of an exceedingly offensive character, applied opprobrious epithets, and contumacious conduct which certainly under any code of

morals which looks to the preservation of the dignity of the bench should be severely reprobated.

"This was done in the absence of the person whom he reflected upon. The truthfulness, or otherwise, of what was said by the parties, of course has no bearing whatever upon the conduct of itself, nor upon the question of whether a contempt of court was committed.

Cells Manning Offensive.

"The language of Mr. Manning was perhaps more offensive to the court than the language of the other counsel, and for that very reason it is always more difficult for a court to deal with. I may say likewise as to him that some allowances must be made for the provocative language used in his absence. I am not certain that Mr. Manning fully contemplated and recognized some of the language that he employed, and I am unwilling to think that he intended to make a disrespectful allusion to the judge who at the time presided over the court.

"In several instances of this kind where improper language has been employed by both sides I have usually restricted the punishment to the one who provoked the affray. Considering these matters I have adjudged both lawyers in contempt.

"In the case of Mr. Manning there will be no imposition of any penalty, but I desire to censure him severely for the language he employed in addressing the court. In the case of Mr. McGinn the judgment of the court is that he pay a fine of \$25.

Asks for Larger Fine.

"Would your honor put \$25 more on that, for I reiterate, in the strongest possible manner, what I said this morning," said McGinn at this point. "You can just put \$25 more to it and make it \$50, and give me an appeal to the supreme court."

"I will add \$15 more and make it \$100," said Judge Sears.

"The court has been taking a little hand in this thing, too," declared McGinn.

District Attorney Manning arose to address the court, but was checked by Judge Sears.

"I am exceedingly sorry that you used that language, Mr. McGinn," said the judge.

"I am using it, and I am using it knowingly," returned McGinn. "I know what has been going on here. I have not been fooled in the least. I propose to probe this matter and show."

"Will you be silent?" asked Judge Sears, sternly. "If not, the court will not be satisfied with a fine."

"Well, I can't lie in jail if I have to," said McGinn, turning away. Judge Sears referred to the code, lying open on the bench before him.

"You may put a fine of \$150 against Mr. McGinn," he said, after a moment, to the clerk of the court.

"And I appeal to the supreme court of the state of Oregon from the ruling of the court," said McGinn. "If not permitted to appeal—"

"You can have an appeal," interrupted the judge.

District Attorney Manning arose again

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 - Roast Spring Chicken with Dressing.....25c
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and began to address the court. After listening a moment McGinn asked if he would be permitted to go on his own recognition. Judge Sears replied that he would, and McGinn left the court room.

"If the court will pardon me, I want to say that I was laboring under excitement this morning," said District Attorney Manning. "Mr. Moser, my deputy, had just come into the court room when Mr. McGinn was finishing his last remarks, and he telephoned me that I had better come to the courthouse."

Manning Explains.

"When I arrived there I was told by several attorneys who had been there. It is needless for me to say to your honor that I was very much excited and very much worried, because I have always conducted myself as an attorney should before this bar. That, your honor well knows. Not having been confronted with such an accusation before in my life, I was laboring under excitement when I addressed your honor. Your honor well knows that the epithets, names and accusations made in the presence of your honor against me are absolutely false.

"Mr. McGinn said, solely for the purpose of getting into the newspapers, that I sold public justice on the streets as farmers sell cordwood, and that if I was not stopped I would own the Wells-Fargo building. I was certainly very much offended with that sort of treatment. I never have been used to it. I never in my life accorded that kind of treatment to a member of the bar, or even a man in business.

Humbly Apologizes.

"So I say to your honor now that I most humbly apologize for the language I used this morning. It was provoked. If a crazy man entered the courtroom and addressed the court thus, why should the newspapers take it up? "If a north-end bum, a man who had been a prostitute himself, who had been a drunkard, as Mr. McGinn has been, who had been a man without word or honor—"

"Well, Mr. Manning, you are simply doing what I have punished you both for," interrupted Judge Sears.

"That is true, your honor. I apologize again," said the district attorney. "But he has been a man without word, who simply abuses his fellowmen because he himself enjoys it. And when such a man comes before a respectable court and intrudes upon that court, I believe it to be the duty of that court to suppress such expressions as Mr. McGinn used in your honor's presence. I am a citizen of this county, and an officer of this court. Such treatment is ridiculous. It is absurd, and, to say the least of it, I did not believe that the court would allow a man like McGinn, who has neither word nor honor—"

Manning Warned Again.

"Mr. Manning, you are simply repeating your offense," said Judge Sears again.

"When such a matter was brought before your honor in my absence, of course I should defend myself and be permitted to defend myself," said Manning.

"I think you had better say no more about it," said the judge.

"Mr. McGinn would not dare to attempt to say those things in my presence," concluded the district attorney. "I am perfectly satisfied with what your honor has done, but I was very much vexed about it." Mr. Manning sat down.

"It was with extreme pain that the court had to add anything to Mr. McGinn's fine," said Judge Sears. "It is the only case in the many years that I have been upon the bench that I was ever grossly insulted in open court. Such a thing never occurred before from the mouth of any man. The proceeding is closed."

DIES OF WOUNDS AN INDIAN AMAZON GAVE

(Special Dispatch to The Journal.)
Lawiston, Idaho, Nov. 24.—Breathing from three perforations which exposed his lungs from front and behind, Henry Carsaw, who died tonight at Fort Lapwai, had lived for 48 days after he received fatal stabs at the hand of Lucy Allen, an Indian woman.

Carsaw and the Indian woman were engaged in a game of cards when the trouble arose. Lucy Allen, a Miss Barre, was to be the largest squaw on the reservation and muscularly very powerful. Three other men were in the room at the time Carsaw was fatally stabbed, and they all received more or less serious wounds. The woman is held in the county jail awaiting a charge of murder, which will now be preferred against her.

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TO PAY CHILDREN TO GO BACK TO SCHOOL

St. Louis, Nov. 24.—A proposition to take all children under 14 years of age that work in factories and other places

of employment and send them back to school has been made by N. O. Nelson, the millionaire manufacturer, to the women's clubs of St. Louis. Mr. Nelson to pay the children one-half of the amount they would have received for their work and the women's clubs of their half.

The clubs now have the matter under consideration and have promised to give Mr. Nelson a positive answer after their December meeting.

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