

DE ANON GIRL DEFENDS ACTION OF WAITER COHEN

SKYMEN TRY FOR WORLD'S RECORD FOR AEROPLANES

Special Feature of Aviation
Meet at Los Angeles Is Test
of Farman Machine—Paul-
han Popular Hero.

HIGH FLIGHT IS GOAL OF AVIATORS

First Appearance of Two Bleriot
Monoplanes; One Meets
With Disaster.

(United Press Leased Wire.)
Aviation Field, Los Angeles, Jan. 11.—The first attempt to fly in a monoplane in America was made at noon by Masson in one of Paulhan's aircraft, and resulted in the total destruction of the plane. After two or three attempted flights Masson finally succeeded in getting the craft up as high as 30 feet, when the engine suddenly went down and the bird-like craft came heavily to the ground. The wheel in front was torn completely off, the main wooden truss snapped and the steel frame was buckled so badly that it will necessitate the building of a new machine.

In the second effort to fly, Masson came to the earth, and when within about five feet of the ground jumped out, falling on his face and getting a bad shaking up.

This is the first serious accident since the opening of aviation week.

Los Angeles, Jan. 11.—Following his spectacular flight yesterday Paulhan is a popular hero here today. As a result, it is expected that aviation field will be crowded this afternoon when the "bird men" will attempt to break the world's record for altitude from Latham, according to announcement. Should Paulhan attempt the high flight he will use a Farman biplane.

This afternoon the elimination trials will continue. This is the last day and all machines that do not leave the ground before this evening will be ruled out of the meet.

A special feature of the meet that is causing much interest is the first appearance of two Bleriot monoplanes of the same type as the one in which Bleriot crossed the English channel. They will be operated by Masson and Mascorol.

**BISHOP COMPLAINS
BECAUSE WRIGHTS
GUARD THEIR OWN**

(United Press Leased Wire.)
Los Angeles, Jan. 11.—Courtland Field Bishop, president of the Aero club of America, who arrived here last night to act as chairman of the judges during the aviation meet, said today that if the Wright Brothers were upheld in the courts and their allegations against Curtiss sustained, thus forcing all who fly to pay their royalties, it will retard the development of aeronautics as nothing has done since the first flight was made.

He said that as far as he could judge from the recent actions of the Wrights they were not only trying to uphold their patents, but were endeavoring to secure the exclusive right to soar.

(Continued on Page Four.)

SPRECKELS WILL NOT CONTESTED

Regard for Aged Mother Reason for Avoidance of Fight Among Brothers.

(United Press Leased Wire.)
San Francisco, Jan. 11.—In a statement made public today, John D. Spreckels and Adolph B. Spreckels stated their position in the rumored contest of the will of their father, the late Claus Spreckels, the sugar king. The legal time limit for the filing of a contest expired yesterday.

The statement is as follows: "John D. Spreckels and Adolph B. Spreckels and their attorneys believed that a successful contest of the will of their father, the late Claus Spreckels, could be maintained; but they realized that a contest of this kind would not be made without drawing into the long and distressing battle which would necessarily ensue, one who occupies a sacred relation to them, who is of great age, and is at present in a precarious condition of health. As they honored their father, so they honor their mother.

"They have felt that no sense of wrong, however great, could justify them in doing anything to cause their mother pain. Their regard and consideration for her have avoided such a contest."

"Their attack on the trust clauses contained in their father's will now pending before Judge Coffey will not affect any provision of the will in her favor. It involves only questions of law."



Upper Picture—Sketch of Binger Hermann, made during trial yesterday.
Lower Picture—Sketch of A. S. Worthington, counsel for Hermann.

HERMANN WINS FIRST ROUND OF HIS BATTLE

Binger Hermann won the first round in his contest before the United States court this morning when his attorney, A. S. Worthington, won 10 peremptory challenges for him in the selection, as against three for the government, Mr. Heney, after having opposed the contention of the defense, and having made a long argument against it, conceded the position of the defense and withdrew his objections.

This move gives the defense a big advantage in the selection of a jury, in that after the government has exhausted its three peremptory challenges, and the defense an equal number, the defense will be able to call out the jury with seven additional challenges and secure a jury that meets with its approval. To check this juggling the government can challenge for cause, but not otherwise.

Selection of Jurymen.
According to the procedure of the court, in challenging peremptorily, the defense exercises its right by one challenge, the man challenged is excused, and a new man chosen from the jury list. This man is examined by both sides and then either challenged for cause or passed. The government then exercises one peremptory challenge. Should the government fail to make a challenge in its order it forfeits the right to do so later.

WILBUR WRIGHT POURS SCORN UPON FRENCH AVIATORS

(United Press Leased Wire.)
New York, Jan. 11.—After attacking the American patent laws on the ground that they are too lax, compelling inventors to take steps to protect their patents which should be taken by the government, Wilbur Wright, in an interview given to the United Press, flayed Louis Paulhan, the French aviator, who is participating in the Los Angeles aviation meet. Wright said:

"My brother and I are not straining aviation, as the French charge, for the simple reason that we created aviation. We went to Paris to show the French people something new. Following our visit there, Paulhan was quoted as saying that the French aviators tip their hats to us. That's not all they do; they go through our pockets with their other hand, and steal our patented ideas."

"Paulhan is not a scientist, nor an inventor. He leaped from a tightrope into an airship. He is a remarkably skillful operator, but he doesn't know the science of aviation."

"We are not impelled by any desire to monopolize the air. We simply hold that if other persons want our patented machines or devices, let them pay for them."

"Isn't it impossible to manufacture an equilibrium device without infringing our patented method of warping lateral tips?" Wright was asked.

"We do not know," he replied. "The equilibrium problem was considered impossible of solution until we accomplished it. But some one else invent a device that will not infringe our rights and he will swiftly break any monopoly we are claimed to possess."

Wright professed indignation over the actions of the French aviators, who, he claims, have come to the United States to exhibit aeroplanes constructed along lines that incorporate many of his ideas.

"But you are called poor sportsmen because of the attitude you have assumed," was suggested.

"It's not a matter of sportsmanship at all," he returned. "We went to Paris to show them what we could do. Now these Frenchmen turn around, come over here on big salaries, and propose to give exhibitions with the very devices we showed and explained to them. Their action is one of sheer nerve."

Wright said the airship factory the brothers have established at Dayton would be able to deliver machines by next spring. He stated, however, that few would be turned out the first year.

UNION MEN FAVOR DIRECT VOTE FOR STATE OFFICIALS

State Federation of Labor, in
Convention, Advocates Pro-
portional Legislative and
Councilmanic Representation

POPULAR RIGHTS LAWS WOULD BE PASSED

International Organizer Says
Union Rights in State Insti-
tutions Are Disregarded.

Proportional representation, legislative and councilmanic, was enthusiastically approved as today's feature of the State Federation of Labor. That the plan be framed as a law and voted on at the 1910 election is the subject of a resolution to be put for formal adoption before the session this afternoon.

Advocates Direct Election.
The scheme includes the direct election of state officials who will be equally representative of all classes. Labor by this means, it was advocated, will have representation sufficient in the state senate and house of delegates to secure the passage of numerous laws named as necessary for protection of popular rights. Among these laws were named the non-exemption of timber lands from taxation, a boiler inspection act, state ownership of railroads, regulation of swinging scaffold width, taxation not assessed unless voted on at popular election, and many others.

Condemns High Cost of Living.
Over the head of President Daly a cartoon was hung, entitled "Tax Land, Not Food." The federation, by committee, will report its condemnation of excessive living cost, and will attempt to define the cause as related to capitalistic grasping. This report will be heard later in the session.

Proportional councilmanic representation was stated by H. J. Parkinson to be a plan whereby all councilmen of Portland will be elected at large regardless of party affiliation.

Would Benefit Labor.
Organized labor, numbering one third of the local vote, would thus secure one third of the representation in the council, and, by securing the support and sympathy of other members, be equal to the passage of ordinances and regulations for which the labor interests of Portland contend.

Herman Ross, international organizer of the bakers' union, was given the floor long enough to denounce an alleged disregard of union rights in the operating live stock grants.

"We must come to the front and show our backbone or we will never secure protection," said Ross.

Colonel C. E. S. Wood was invited to address the session on behalf of state ownership of railroads at the afternoon session.

Free Text Book Law.
A free text book law, passed by the legislature of 1911, enforced beginning 1913, when present contracts will have

(Continued on Page Four.)

900 GRANGERS IN WASHINGTON RAP ASSEMBLY PLAN

Beaverton Order of Patrons of
Husbandry Pass Resolutions
Pledging Allegiance to State-
ment No. 1.

(Special Dispatch to The Journal.)
Beaverton, Or., Jan. 11.—At its regular meeting Beaverton grange No. 324 passed the following resolutions:

"Whereas, There seems to be a disposition on the part of unscrupulous politicians of the state, ably assisted by the Oregonian, to assail the initiative and referendum, together with its most vital part, Statement No. One, whereby the whole people choose their candidates, instead of the boss politicians or cliques;

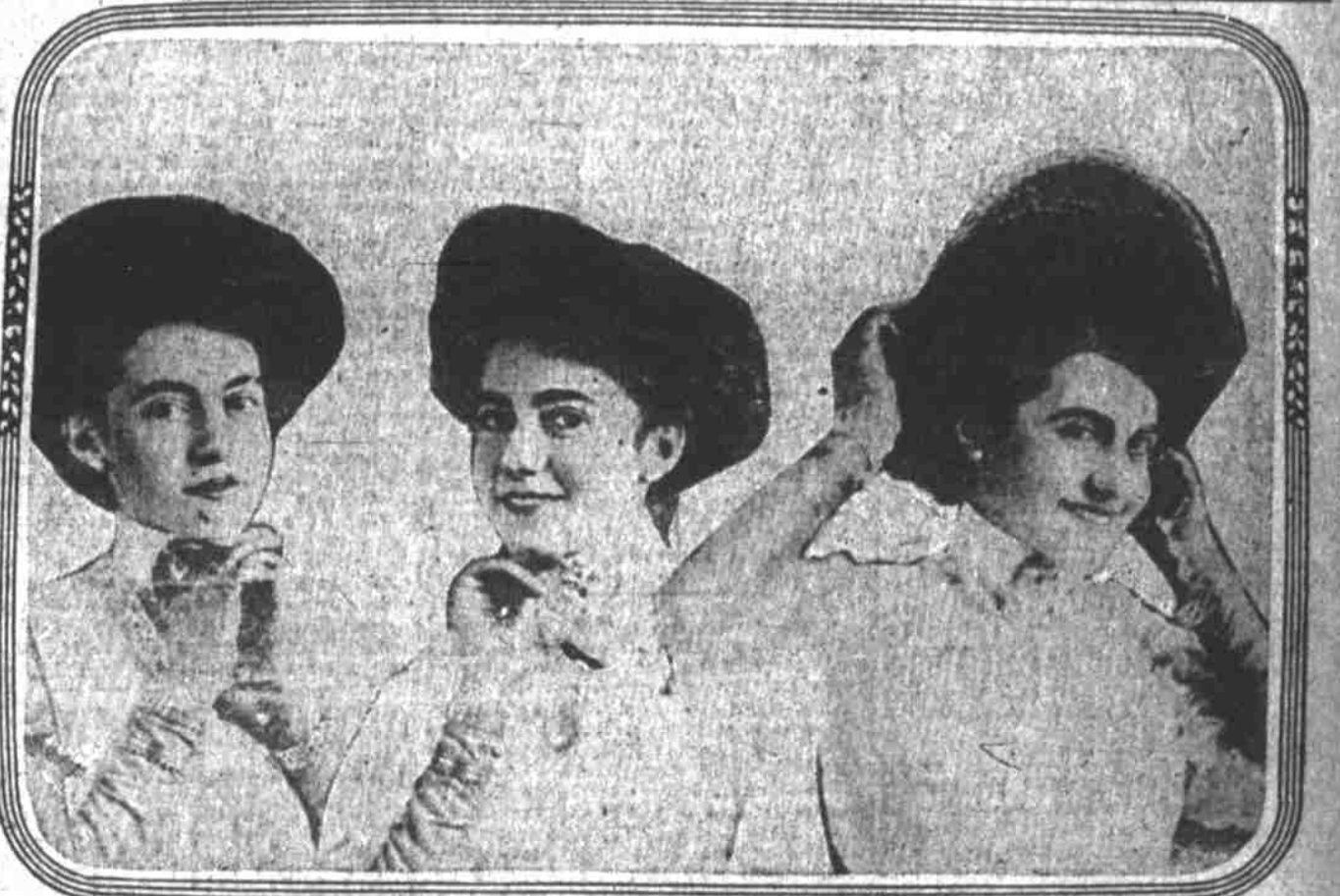
"Whereas, The direct primary is the best and only way the whole people have of defeating the candidacy of unfit persons for office that secure the sanction of the 'machine'; therefore, be it

"Resolved, By Beaverton grange No. 324, Washington county, Oregon, in regular session assembled January 8, 1910, that we wish to go on record as opposing the so-called assembly plan, and renew our allegiance to the principles of the initiative and referendum, and the direct primary law; be it further

"Resolved, That we oppose the increase of salary of any public officer in Oregon, either county or state, other than by the initiative."

Beaverton grange is the strongest in Washington county, having over 900 active members.

GIRL WHO ELOPED WITH WAITER



Three of the latest photographs of Roberta de Janon, the 17-year-old heiress to \$10,000,000, who eloped from Philadelphia recently with Ferdinand Cohen, a waiter, who used to bring her meals in the fashionable Bellevue-Stratford hotel. Yesterday the girl and her lover were found in Chicago. Cohen is 45 years of age and married. Miss de Janon had always been carefully guarded from the possibility of falling in love indiscriminately. Her grandfather, Robert Buiat, had confidence in Cohen, and thus the girl was enabled to meet and talk with him without hindrance.

GETS HUSBAND; LOSES PARENTS

Society Girl Marries "Candy Kid," Chauffeur, and Is Banished From Home.

(United Press Leased Wire.)
Flushing, N. Y., Jan. 11.—As the result of her secret marriage to Joe Smollen, her former chauffeur, Margaret G. Leavitt, daughter of Howard Leavitt, a Flushing millionaire, will not be permitted to return to her home until she gives up her husband, according to a report current here. The rumor has caused almost as great a stir in fashionable circles as did the announcement yesterday of her marriage.

Miss Leavitt left her home yesterday after she had told her parents of her marriage at Jersey City on January 8. At the Leavitt home it was stated her whereabouts was unknown.

Smollen, who is a handsome youth of 21 years, was once James J. Corbett's chauffeur. He is known as the "Candy Kid."

At the time of his marriage to Miss Leavitt, who is four years older than he, Smollen was employed in a west side garage.

SIDEWALK FALLS; 1 DEAD; 4 INJURED

(United Press Leased Wire.)
Chicago, Jan. 11.—One man was killed and four were seriously injured today when a sidewalk in front of the Boston store caved in, while many persons were standing upon it. At least 30 persons fell into the opening.

A panic among the shoppers in the vicinity caused greatly exaggerated reports to be circulated. Ambulances were rushed to the scene. Firemen from a nearby station aided in raising the victims to the street.

The accident was caused by men working in a tunnel under the pavement. They had miscalculated their position and dug away the support of the sidewalk.

ROBERTA DE JANON DEMANDS IMMUNITY FOR WAITER COHEN

(United Press Leased Wire.)
Chicago, Jan. 11.—"If papa will give me his word to do nothing to harm Mr. Cohen, I will go back to him and grandfather," today declared 17-year-old Roberta de Janon, who was found by the Chicago police with Frederick Cohen, a waiter, with whom she fled from Philadelphia on December 19.

Miss de Janon is a granddaughter of Robert Buiat, of Philadelphia and heiress to his estate, said to be worth \$10,000,000. She declared tearfully to the police that she had run away because her grandfather was determined to send her to a girls' school in Pennsylvania and that she had compelled Cohen to accompany her.

"Mr. Cohen," she told the police, "is in no way to blame for what has happened. I simply made him come with me, and he has treated me as though I were his own daughter."

"Why," she continued, "papa should be very, very thankful for what Mr. Cohen has done for me. He simply must promise that he will treat him as he deserves to be treated, or I'll never go back to Philadelphia."

"From Philadelphia we went to New York, Montreal, Halifax, and Boston, and then to Chicago. Every minute of the time Mr. Cohen was considerate and kind; he did everything to save me trouble and embarrassment, and was as nice to me as papa could have been himself."

"In the first place, when I determined to leave home, I knew that someone I could trust must go with me. Mr. Cohen had been so good to me at the Bellevue-Stratford that I knew he would be just the person. It took me a long time to persuade him to go, but finally he gave in."

"Our leaving Philadelphia in the way we did was every bit my fault," the girl emphatically declared.

Cohen, listening to the recital, voiced his affirmation of her assumption of all blame.

HEIRESS EXCUSES HER ELOPEMENT

Roberta De Janon Says Abused and Lonely—Waiter Was Like Father to Her.

(United Press Leased Wire.)
Philadelphia, Jan. 11.—Robert Buiat, grandfather of Roberta De Janon, announced today that he intended to push the prosecution of Frederick Cohen, who was captured in Chicago with the girl last night, to the full limit of the law.

"This man has ruined Roberta's life, and he must suffer," declared the aged millionaire.

Mrs. Cohen is a nervous wreck and declares her husband never would have left her if the girl had not lured him away. She says she cannot forgive her husband, but will wait until she hears his story before making up her mind as to her future conduct.

Armed with a warrant charging Cohen with abduction, two detectives left here today for Chicago to take charge of the waiter and Miss De Janon.

Chicago, Jan. 11.—Philadelphia detectives will arrive here tonight to take Roberta De Janon, the 17-year-old heiress, and Frederick Cohen, a waiter, who eloped December 19 from Philadelphia and were located here late yesterday, to the Quaker City. It is expected that the eloping couple will leave for Philadelphia tomorrow morning in charge of the detectives.

Miss De Janon today assumes all blame for the elopement. She said: "Mr. Cohen treated me like a father."

SWEARS GIRL POISONED HIM

Terre Haute, Ind., Girl Alleged to Have Stolen From Stepfather and Murdered Him.

(United Press Leased Wire.)
New Orleans, Jan. 11.—Effie Sella-bury, a coquely young woman, was arrested here today on the charge of alleged connection with the murder of W. A. Holliman, a wealthy jeweler of Terre Haute, Ind., who was her stepfather.

When detectives confronted her as she stepped from the train she readily admitted her identity but denied she was implicated in the death of Holliman.

She broke down and wept when told that her stepfather had accused her of poisoning him, just before he died. On his deathbed Holliman alleged that the girl stole a quantity of jewelry from him and poisoned him in order to hide the theft.

TWO SUSPECTED OF MURDER; ARRESTED

(United Press Leased Wire.)
Pittsburg, Kan., Jan. 11.—Suspected of being the man who killed Frank Arline and Frank Smith, dangerously wounded Bert Turner, and robbed Turner's hall at Crowder, Kan. At Crowder and Ed Allen were taken from a train at Girard and placed under arrest. Two men entered Turner's hall at Crowder and robbed it of \$1,000. They made their escape after killing Arline and Smith and firing a volley in the direction of a crowd of persons.

MAYOR SIMON YIELDS TO PUBLIC OPINION REGARDING MAINS

"I have done the best I could to prepare an amendment to the present defective water laws, but my efforts have not met with the approval of the press, and as public opinion is largely molded by the newspapers, I have decided to ask the council to rescind its action in passing an ordinance calling for a special election for February 15," said Mayor Simon this morning.

"The amendment prepared was the result of five months' careful study of local conditions, and I am still of the opinion that it would have met with favorable consideration at the polls if the newspapers had not been hostile. While they have condemned my idea, they have not suggested, as yet, a remedy, and as a result I am afraid the projects of the administration for an extensive campaign of street improvements will be materially hampered.

"Except in extreme cases we cannot allow pavements to be laid in advance of water mains, and until a change in the water laws is made I cannot see how we are going to secure bids for the laying of water pipes.

"As I am certain that a special election in February would prove fruitless, in view of the apparent drift of public sentiment at this time, I will not insist upon it, for the reason that I am averse to paying \$7500 for nothing.