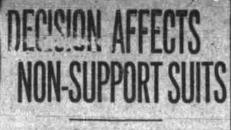
THE OREGON DAILY JOURNAL, PORTLAND, MONDAY EVENING, MARCH 10, 1913.

SCALDED BY SOUP,



County Judge Cleeton Exceeded Authority in Refusing Jury Trial.

Holding that County Judge Cleeton exceeded his jurisdiction in not allowing Dean G. Ray a trial by jury in a night. non-support action, Circuit Judge Davis this morning allowed a writ of review sought by Ray's attorney.

The decision affects cases which have already been decided and which come up prior to the date on which the nonsupport law passed by the recent legislature goes into effect, 90 days after its passage. It also has the effect of ending habeas corpus proceedings in which the constitutionality of the pres-ent law is attacked. Deputy District Attorney Smiley, who represented the state in the case, declared that this dedision by Judge Davis definitely fixes the constitutionality of the non-support law as the contention of those seeking to have it declared unconstitutional was that no appeal was provided,

Should Have Granted Trial.

concerns out of business. should have granted the trial by jury ness if a federal law to that effect were as asked, that the order granting Mrs. adopted," he added. "I would like to furnished by stragglers from the town Ray \$50 a month for support and ordering Ray to pay medical, dentist, and pay the girls in our employ a minimum flight. hospital fees exceeded Judge Cleeton's wage of \$2 a day, what shall we pay a authority, as the law provides that a man with a family?"

Simpson invited the committee to specific amount mast be named and the bills were ordered paid without naming visit the store and suggest improveany amount, and that the circuit court ments. had appellant jurisdiction over the coun-George Lytton, vice president of the

court in these cases. Judge Cleeton has held that the cir- witness. He testified that his company ty court in these cases. cuit court had only concurrent jurisdic- makes presents to its employes. tion with the county court in the matpanl was voluntary, he said, on the ter. In taking the position that the cir-cuit court has appellant jurisdiction inated at will. The lowest wage paid Judge Bavis stated that were the con- women by his company, Lytton said, tention of Judge Cleeton true there was \$6.60 a week, but a girl receiving would be the anomaly of an inferior that amount would receive a present, yourt without an appellate tribunal as under the gift plan, amounting to about no appeal can be taken to the supreme 2 per cent of her weekly salary. Lycourt. On this point he declared that then refused to discuss the profits of he conditions of bringing the charge his concern. He thought a girl could before the court were entirely differ- live on \$8 a week.

ent as an indictment was necessary to bring a case before the circuit court while an information was all that was needed in the county court. Judge Davis also upheld the contention that non-support is a misdemeanor.

May Be Made Felony.

Under the law passed by the recent ized statement, showing how a girl legislature Deputy Smiley stated that could live on \$8 a week. He admitted Judge Davis' opinion will not have as his company could afford to pay girl great effect as in cases already tried employes a minimum wage of \$12 a and which come up before the law goes week but objected to such legislation, into effect. The new law provides that "because raising unskilled labor necesnon-support be made a felony. As felo- sitates an advance in the entire wage hies are only charged through indict- scale, and those now getting \$12 would ments by the grand jury and must be demand \$20 a week."

witness.

"No servant," broke in Senator Juul, tried by jury, the part of the decision "should work for less than is necessary tounching the jury trial will be overcome by law. The legislature's action to provide food, shelter and clothing. in Taising Judge Cleeton to the circuit You men of wealth don't seem to realcourt and abolishing the county court ize that for years some of the members of this committee have been enacting will also change conditions. laws to protect your life and property,

Under the present law Judge Cleeton and you ought to cooperate." is given discretion in naming the sum to Lytton promised to do everything posbe paid for the support of wives and sible to aid the investigators. families. The new law provides that \$1 a week he paid for the support of a wife **Rockefeller** Denics Invitation, and 25 cents for each child, the total (United Press Leased Wire.) New York, March 10.-At the office of to amount to not over \$1.75 a week.

The new law makes possible the extra-

As the result of a communication re ceived by the East Side Business Men's club, which held its luncheon today at Fight Lasts 12 Hours; Garrithe Grand Union restaurant, 350 East son Allowed to Retreat to Burnside street, C. T. Hall, secretary of Agua Prieta. the organization, will make an investigation of the charges by J. Adams that under the new system of collecting

water rents it has cost the city \$16,000 (United Press Leased Wire.) additional in the past two months. He claims that 20 additional clerks ars Douglas, Ariz., March 10 .--- Following a 12-hour battle in which many are re-ported to have been killed and wounded, necessary in the day time and 15 at

SYSTEM OF COLLECTING

opening of the new Broadway bridge.

WAGE LAW PROPOSED

NATIONAL MINIMUM

WATER RENT BE PROBED

the rebels occupy the town of Nacozari, 50 miles south of the border, today. It was also decided at this meeting to hold a children's parade on the east The federal garrison evacuated the side during the Rose Festival. A com-mittee including L. H. Wells, L. M. town late last night under a flag of truce, and 121 of its original 171 mem-Lepper and Dan Kellaher was named bers marched, weary and bedraggled, into Agua Prieta, opposite Douglas, to-day. How many of the 50 missing are to cooperate with the Northeast Portland Improvement club in its plans for

REBELS CAPTURE

NACU/ARI CITY

a celebration on the occasion of the dead or wounded is not known. The federal garrison at El Tigre, an important mining center, also fell before the Nationalists late yesterday The government, commander surrendered without firing a shot and marched out of the town. Armed townspeople harried the federals in their retreat BY INVESTIGATORS southward, killing four and wounding

11, according to reports received at Agua Prieta today. General Ojeda, in command of the fed-(Continued From Page One.) providing a \$12 weekly wage were General Ojeda, in command of the fed-passed in Illinois, it would drive many erals at Agua Prieta, withheld all possi-

ble information of the defeat of the gov sion that a nation-wide "arson trust" exists was made here today by Ben Fink, alias Finkelberg. He admitted According to these stories the rebels others in western cities, aggregating a

greatly outnumbered the federals, who offered a desperate resistance. Many rebels were killed in addition to the heavy federal losses which seem cer-

Wire communication with, Nacozari is broken today and no news of the situation there has been received. It is un-The derstood, however, that Colonel Braca-lonte, who led the Nationalists in the attack, will join forces with rebel leaders at other disputed points after his command has recuperated from the battle, leaving a handful of men to guard the captured town.

Border Town Panic Stricken. Nogales, Ariz., March 10 .- Nogales,

Sonora, was thrown into a panic of fear today when a report was circulated that several hundred rebels, encamped 15 wealthy east side recluse who died two miles south of the town, were marching toward the border. Scores of refugees, carrying their valuables, fled to the American side of the international line. Colonel Emilio Kosterlitzsky, com-

mander of the Sonora rural police, arrived here during the night to take charge of the situation. Under his command are 250 rurales and 250 regulars, the latter comprising the garrison, which is commanded by Colonel Reyes. Juan Cabral, former Madero official, is at the head of the rebel force. Reports late yesterday, when the rebels moved to their camp south of the

1500.

HE SUES BECAUSE OF

night. Wagon loads of household goods,



Senate Committee to Get Affiscalded by a kettleful of boiling soup Friday afternoon at the home of his parents, Mr. and Mrs. John Warner, 1137 East Twenty-fifth street north, died Saturday night at Good Samaritan hospital. The child's mother was attempting to warn him away from danger, when a towel which she was waving at him caught in the handle of the soup kettle on the stove and tipped

its contents on the youngster. Chief of Police Slover says that no report of the accident was made to the police station by the hospital authoritles, though the city ordinances provide that reports of accidents shall always be made.

Warner, the father, is a waiter at a local hotel and arrived with his family from Germany a short time ago.

\$400 TO \$1500 A FIRE

loss of \$500,000, were of incendiary or-

\$10,000 for each building destroyed.

RESUME HEARING IN

Judge Cleeton.

lgin.

ARSON TRUST PAID

Marchers. (United Press Leased Wire.) Washington, March 10 .- Admission

parade, although 367 patrolmen kept Frank W. Power and G. E. A. Bond, on that thoroughfare clear on March 4, the last year's board, the list now was made today by Major Richard Sylvester, head of the metropolitan po-lice department, when he resumed the stand before the Jones senate sub-committee, investigating the failure of the police to protect the women marchers. Miss Janet Richards gave damaging testimony against the police. She swore that at one point of the parade a sergeant and 17 patrolmen abandoned their work, making no effort to protect the women marchers. Miss Richards furnished the numbers of the policemen to get \$5000. A. P. Bateham, president whom she alleged were derelict in their of the state horticultural society, said duty.

davit by One of Women

SHEFRAGELLES

An affidavit that certain men deliberately spat tobacco juice into the faces of the women marchers was given to (United Press Leased Wire.) South Bend, Ind., March 10.-Confes-Miss Alice Paul, a leading Washington suffragette today by Miss Patricia Street. Miss Paul declares she will present it to the investigating committhat 30 fires in Chicago and numerous tee.

Mrs. E. D. Calkins Dies at Hood River

(Special to The Journal.) Hood River, Or., March 10.-Mrs. E. D. Calkins, age 74 years, one of the Fink implicated 50 Chicago and New York insurance adjusters and 100 others. He declared that Adjusters Spira pioneers of Hood River, died at her and Zar of Chicago, whom he says are home near the city Friday, March 7. heads of the trust, paid him from \$40) Mr. and Mrs. Calkins came to Hood River in 1888. They were married at to \$1500 for each building fired, Spira and Zar sometimes receiving as much as Americus, Kansas, in 1877. Besides a husband, one son, Thomas, survives. Mr. Calkins belonged to the famous Iron brigade of Wisconsin and lost one leg at the battle of Antietam on Sep-WINTERS ESCHEAT CASE tember, 1862, and after the limb was shot off he stood guard for two hours. The funeral will be held Sunday. Rev. Hearing of further testimony in the

H. A. McDonald will officiate. efforts of Mrs. Carrie B. Winters Aker of Ontario, Or., to substantiate her claim of relationship to Henry D. Winters,

Durkee Saloons Must Quit.

(Special to The Journal.) Durkee, Or., March 10.-Saloon men years ago leaving an estate of about \$100,000, was resumed this morning by of Durkee will be forced, under an article of the roadhouse bill eliminating Last December Mrs. Aker's testimony saloons from unincorporated towns, was taken and today the testimony of passed by the recent legislature, to Mrs. M. J. Mann and A. W. Lyons was close their doors. Facing the prospect given to the effect that the photograph of a "dry" town within the next 90 days, of Henry D. Winters was that of a Winsome anxiety is being felt as to its efters who lived in Worthington, Conn., fect on business.

Joaquin Miller Left \$58,000.

(United Press Leased Wire.) Oakland, Cal., March 10.-Mrs. Abbie The testimony now being taken is of Miller, widow of Joaquin Miller, was apthe relationship of heirs represented by pointed administratrix of her husband's estate here today. Mrs. Miller filed an Barge E. Leonard, Manning & White and Leslie J. Aker, an attorney of Ontario, inventory showing \$50,000 worth of real Or. Testimony of the numerous other estate, \$500 in cash, \$500 in royalties claimants will be heard later. Many and \$2043 personal property. Miller left no will. depositions are to be read at the pres-

> Mrs, Herter Is Dead. Santa Barbara, Cal., March 10 .- Mrs.

Christian Herter, a society leader in New York and Washington a quarter of a century ago, died at hes winter home (Special to The Journal.) Klamath, Falls, Or., March 10:-The painter, was at her bedside. here today. Her son, Albert Herter, a

The land products show was dated for November 1-8 inclusive by the directors of the organization at a meeting in the Commercial club this afternoon John S. Beall was elected president; J. Fred Larson, vice president; Royal W.

LAND PRODUCTS SHOW

DATES SELECTED FOR

Raymond, secretary; Wilfrid B. Jones treasurer. An executive board was elected from a list of seven nominees, as follows: Wilbur E. Coman, H. J. Ot-Washington, March 10,-Admission tenheimer, A. P. Bateham, Wilfrid P. that 575 policemen were unable to Jones, Julius L. Meier. On the board of maintain order on Pennsylvania avenue 18 directors the names of W. D. Skinner here March 3, the day of the suffragette and E. D. Timms were substituted for standing: A. P. Bateham, W. P. Jones,

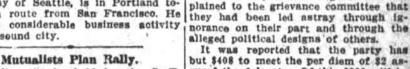
H. J. Ottenheimer, Francis Sealy, Wil-liam McMurray, C. A. McCargar, E. D. Jorgenson, J. Fred Larson, W. H. Chapin, John S. Beall, M. A. Mayer, E. D. Timms, W. D. Skinner, W. J. Hofman, F. W. Hild, Jullus L. Meler, W. E. Coman, F. H. Page.

convicted of party treason. There was no discussion to give body to the rumor that the land products show would not be held. C. C. Chapman Expelled Beattle locals will not be allowed to return to the party under any conditions. Members who have been exsaid a legislative act made it possible pelled once must "educate" or purge themselves of "yellow" principles dur-ing the next three months if they wish the legislature did not appropriate monto return to the "red" fold. This iney for fruit prizes and this fund would have to be obtained elswhere this year. cludes Homer T. Bone, August Einhaus

M. J. Costello Visitor Here.

M. J. Costello, assistant traffic manager of the Great Northern Railway company of Seattle, is in Portland today, en route from San Francisco. He reports considerable business activity in the sound city.

A rally will be held by the S. E. Mutualist association at Forty-second and Gladstone streets tomorrow night at 8 o'clock. A musical program will be the feature.



servatives.

but \$408 to meet the per diem of \$2 as-sured the delegates. Of this \$223 will be expended in giving full pay to delegates from 37 locals, while delegates from 65 locals will receive but \$2.33 each for three days' time.

SOCIALISTS EXPE

'YFI I OW' I FA

Rank and File of Barred Lo-

cals Must Go Through

"Purging" Process.

(United Press Leased Wire,) Tacoma, Wash., March 10,---By the

doption of a resolution before the

recess today, delegates to the state So-

cialists' convention forever barred E. J.

Brown, Joseph Gilbert, George W. Scott

M. J. Kennedy and other Seattle "yel-low" leaders from the party in this

state, and fixed the time limit at three

months for others to apply for member-

ship or reinstatement in their own or other local in the state. The resolution

also bars from membership in the fu-

ture any member of the Socialist party

who has been expelled twice or who is

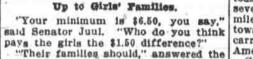
and Mrs. Alice Yarnell, and other con--

Tacoma local No. 6, which was ex-

pelled at last night's session, was re-

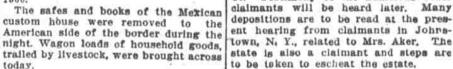
instated today after delegates had ex-





Lytton promised to furnish an item-

today.



UNDELIVERED MESSAGE

(United Press Leased Wire.)

Seattle, March 10 .- Because he failed

to receive a telegram sent by his wife,

December 3, 1910, to St. Paul, Minn.,

while he was temporarily absent from

his home in Seattle, advising him of the serious illness of his baby girl,

ent hearing from claimants in Johnstown, N. Y., related to Mrs. Aker, The

to him as his nephew during the Lewis and Clarke fair. town, were that the forces comprised

about 500 men. Today it was reported that their number ranges from 600 to The safes and books of the Mexican

John D. Rockefeller Jr., here today, it dition of men who fail to support their was denied that any invitation to the wives and children. Chicago wage investigators had been The teview of the Ray case will be sent by Rockefeller, who leaves here totaken up by Judge Davis Wednesday morrow for a six weeks' vacation.

POLICE AND CIVILIANS GIVEN GRAFT MONEY

(United Press Leased Wire.) New York, March 10.—Implicating many civilian "higher ups" not before mentioned in the police graft inquiry in progress here, Rosa Hertz, a "resort woman, gave testimony today. She de-clared that she and her husband had for years paid tribute. Her confession followed a conviction in the court of general sessions. She named many persons who got her money, including both po-lice and civilians.



(United Press Leased Wire.) Topeka, Kan., March 10.-Recommen-dations for a commission form of state government and the abolition of the present system of legislation were made in a special message submitted to the legislature today by Governor Hodges. He suggested that a commission of from eight to 16 members be elected to meet monthly to handle the state's business, including the enactment of all laws,

"AUSTRALIAN MACK" IS RETURNED TO CANADA

(United Press Leased Wire.) York, March 10.-John McNa-New mara, allas "Australlan Mack," wanted at New Westminster, B. C., in connection with the robbery there of the branch Bank of Montreal, was turned over today to the Canadian authoritties. He will be taken to New Westminster at once.

McNama#a formerly conducted a sa boon in San Francisco. He stoutly protests his innocénce but for several months has stubbornly resisted all ef-forts to extradite him.

NEILL RETAINED AS LABOR COMMISSIONER

(United Press Leased Wire.) Washington, March 10.-President Wilson today sent the fetlowing nomin ations to the senate: First assistant postmaster general, D

C. Roper, South Carolina, Third assistant postmuster general

Alexander Dockery, formerly governo of Missouri. Fourth assistant postmater general James Blakeslee, Pennsylvania.

Commissioner of labor, Charles Neill

Wilson Eixes Office Hours.

(United Press Leased Wire.) Washington, March 10 .-- President Washington, March 10.—President Wilson received the diplomatic corps late this afternoom. Hereafter he pro-poses to work from 9 to 11 o'clock in the morning in his private office, this rule becoming effective today. No ap-pointmats will be kept before 11 o'clock, except those with members of the cabinet the cabinet.

Wants State Vice Board. (United Press Leased Wire.) Sacramento, Cal., March 10.-Declaring that the greatest social evils rested tal Telegraph Cable company for \$2100 directly on the lack of a living wage for damages. women, and that conditions in Califor-

the creation of a state vice commission.

Girl Workers to Testify."

(United Press Leased Wire.) Los Angeles, March 10.-Testimony of girl employes in department stores and justice of the peace at Klamath Falls, laundries will be heard tonight by the is in a quandary, and has written the At-Los Angeles municipal commission in- torney General Crawford for advice. He vestigating women's wages. The ses- says in January a game warden arston will be held behind locked doors to rested a man who had beaver skins in protect girl workers who fear to testify openly.

E. R. BRYSON RESIGNS AS DISTRICT ATTORNEY (Special to The Jourgal.) Salery, Or., March 10.-E. R. Bryson

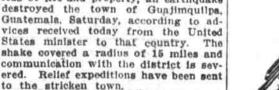
of Eugene, prosecuting attorney for the fourth prosecuting attorney dis-

trict, has submitted his resignation, which has been accepted by Governor West. The governor today appointed E. E. Wilson of Corvallis to fill the vacancy. Attorney Bryson gave as his reason for his resignation the press of personal business.

EARTHQUAKE DESTROYS TOWN IN GUATEMALA

(United Press Leased Wire.) Washington, March 10.—Causing great loss of life and property, an earthquake destroyed the town of Guajimquilpa, Guatemala, Saturday, according to advices received today from the United States minister to that country. The shake covered a radius of 15 miles and communication with the district is sev-

CELESTINS



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Natural

Alkaline Water

Used at meals

prevents Dys-

pepsia and re-

lieves Gout and

Ask your Physician

Indigestion.

Charles E. Corcoran is suing the Pos-The father says he was in ignorance nia were as flagrant in this respect as of the baby's subsequent death and burin Illinois and other eastern states ial until he returned to his home to which are investigating the relation of find his wife suffering great mental wages to white slavery, Assemblyman anguish over his apparent indifference Arthur Shannon of San Francisco an- and neglect. Trial of the case was nounced today that he would propose begun this morning before Judge Dykmann. Klamath Justice in Quandary,

(Salem Bureau of The Journal.) Salem, Or., March 10.- E. W. Gowen, his possession. The man was fined and the skins were confiscated. The justice of the peace has the skins, he doesn't want them, and he doesn't know how to get rid of them without him-

self becoming a law violator. The assistant attorney general is looking into the matter.

Democratic Paper for Olympia. (Special to The Journal.) Aberdeen, Wash., March 10,-Demo

crats of the state intend to establish a daily paper at Olympia and there may be more than one paper issued in the interests of Democracy if all parties who desire to be interested in the proposed publication are not let in. Papers

of incorporation have been filed by one set of Democratic leaders.

of the Klamath protec sure of having water, will not refuse to pay the operation and maintenance

Project Farmers Pay Under Protest.

to be taken to escheat the estate.

about 2 years ago. E. Brong testified

that Winters introduced a young man

While they feel that the charges. charge is too high, even if it is legal, they do not propose to postpone payment. If the charge has been made contrary to law, the money will be refunded. The government ruling is that all such charges must be paid .within ten days after the supreme court of the United States renders a decision. If the decision is favorable to the reclamation service, this rule would work a decided hardship on Klamath irrigation-

ists. They find it easier to pay when they have arranged to pay than on such short demand. Rabid Dog Kills Sheep at Durkee.

(Special to The Joarnal.) Durkee, Or., March 10.-A sheep dog. supposed to have become infected while defending a sheep camp near here against the attack of a pack of rabid coyotes, two of which the dog killed, later went mad. Twenty-five sheep were killed by him in one night. The camp-tender shot the dog. As other dogs of the neighborhood were bitten by him, they are being closely watched,

Confer K. of C. Degrees at Pendleton. (Special to The Journal.) Walla Walla, Wash., March 10.--A delegation of 30 members of the local

order of Knights of Columbus left on a special car Sunday morning for Pendleton, where they assisted in the or-

ganization of a chapter. A class of 50 candidates was initiated, the Walla Walla team conferring the degrees. The local delegation returned Sunday night.

The German government has compiled a chart showing the principal wireless stations throughout the world.

March the most trying Month March with its raw. rough

winds and uncertain weather, is a month of extreme danger to those who have allowed their systems to run down under the strain of winter which thins the blood and lowers the vitality.

Begin now and enrich your blood and recover your strength. Fortify your system against the disease germs which are circulated by the strong March winds and which are ever ready to attack by using

It is the most helpful tonic stimulant the run-down, weak and sickly can take. It improves digestion and nourishes the body, thus restoring strength.

BIG

Guns for Modern Warfare Machinery for Modern Industry

Advertising for Modern **Business**

Bill Board Advertising Is Big Advertising

Colors

Why put them on your packages? To identify them! Then why not teach the people what to look for? Bill Board advertising places your Products before the People true to Colors.

Portland Population --- The Outdoor Circulation



