

VOL. XII. NO: 44.

Showers tonight or Wednesday; - light frost tonight; variable winds.

PORTLAND, OREGON, TUESDAY EVENING, APRIL 29, 1913,-TWENTY-FOUR PAGES.

PRICE TWO CENTS. OF TALK AND US

California Legislature Disagreement Seems Certain: President Insists Phrase Violates Treaty.

CABINET HEARS REPORT AS TO BRYAN'S EFFORTS

Californians Persist in Intention to Enact Legislation Aimed Largely at Japs.

(United Press Leased Wire.) Washington, April 29 .- President Wil-

the Catifornia anti-alien land matter. He insists that the words "ineligible to citizenship" contained in the bill now pending before the California legislature violates the treaty now existing between Japan and the United States.

ing of the cabinet. John Bassett Moore, counsellor for the state department, occupied Secretary of State Bryan's chair at the meeting. The cabinet listened to telegrams exchanged between President that Bryan had handled the situation satisfactorily.

President Wilson and John Bassett ferred from 7 o'clock this morning unlaw bill now pending before the Call-fornia state legislature. The lengthy fornia state legislature. The lengthy telegrams received by the president last the case without argument.

Peter P. Dunne were anxious to get back consider to San Francisco, they would concede of fact.

"I do not be the constitution of State Bryan in the case without argument." night from Secretary of State Bryan, now in Sacramento, were considered.

Moore is an expert on international law. The contents of President Wilson's answer in reply to Bryan's telegram is withheld, but it is understood that the president and Moore attempted to answer every objection raised by the California legislators,

Moore refused to discuss his confer (Continued on Page Four)

MRS. HATFIELD DEATH AGAIN GOES BEFORE A JURY AT HILLSBORD, OR.

District Attorney's Office Will Not Confirm Rumor That New Analysis Shows Poison

(Special to The Journal.)
Hillsboro, Or., April 29.—The appearance before the grand jury this morning of numerous persons connected with the Hatfield case leads to the belief that further investigation into the sudden death of the wife of the retired Forest Grove capitalist is being made,

Following the coroner's fruitless in vestigation of the cause of death it became known that prominent Portland women had demanded that a chemical analysis of the contents of the stomach he made by a chemist of their selection, It was understood the request was granted and the report made several weeks ago. The district attorney's of-fice has declined either to affirm or deny these rumors and T. H. Tongue the deputy, stated to The Journal cor-respondent that if such a report was made it would not be made public and

would go to the grand jury. Recently there have been persistent rumors that the chemist had reported the presence of a drug that would cause death, but all that could be learned of its nature was that it was mmonly used by oculists in treatment of the eye and would cause contraction Coroner Barrett refused to be inter viewed, saying he had been summoned a witness. Asked as to the nature of the drug alleged to have been dis

covered, he declined to reply. Victoria Hampton, the woman chem ist who is said to have made the analy sis, and Professor Fulton, of the chem latry department of O. A. C., are wites present.

Mrs. Myrtle Pease Hatfield died suddenly March 14 at her Forest Grove She was alone at the time and no cause of death could be found. A postmortem was held and the contents of the stomach analyzed without result. At the inquest the husband admitted miner disagreements with his wife, but nothing to cast suspicion on him developed.

SPEAKERS AND DATES FOR COMMISSION PLAN MEETINGS GIVEN OUT

Commission Charter Meetings. Tuesday, 8 p. m .- East side branch library, Dr. E. O. Sission will speak to the deaf mutes of Portland and Mrs. F. C. Metcalf will act as interpreter. Tuesday, 8 p. m. - Sellwood Board of Trade, Sellwood Y. M. C. A., Dan Kellaher, C. C. Hall, Tuesday, 8 p. m.—Irvington Improvement club, Irvington

clubhouse, Twenty-first and Thompson streets, L. M. Lepper. Wednesday, 8 p. m.—Colored Ladies' Political Study club, 512 Clay street, Dan Kellaher and L.

Wednesday, 8 p. m.—Waverly-Richmond club, C. C. Hall, H. L. Canoe, Des Moines, Iowa. Thursday, 8 p. m; — Central Christian church, East Twentieth and East Salmon streets, R. W. Montague, Mayor Gillis of Walla Walla, under auspices of church civic committee.

Large Tract Forfeited Timber Suit at an End

2,373,000 Acres of Choice Land in Willamette Valley Involved in Litigation With "O. & C." Road; Federal Judge Wolverton's Decision Is Surprise.

enty-three thousand acres of land in the These were most exhaustive covering Willamette valley are forfelted to the practically every legal phase of the United States as a result of an order case, made in the United States district court | Juthis morning by Judge Charles S. Wolverton. The decision came as a sudden ending, as far as this court is conruling the demurrer. That decision was cerned, of the famous Oregon & Call- a virtual concession on the part of fornia land grant suit, and its termina- Judge Wolverton that the case had tion was a most unexpected surprise. been won in his court by the govern-Attorneys for both sides had assem-ment. There was talk at the time son is standing pat on his attitude in bled here this week for final arguments of appealing from this ruling on the in the action.

United States attorney general, who has been handling the case, did not know of railroad to go ahead and hear the mat-the decision of attorneys for the decision of a the decision of attorneys for the determination of attorneys for the decision of the decision This was the only announcement from terday morning. Attorneys for the two the White House following today's meet-Judge Wolverton yesterday afternoon and it was announced that the defense had decided not to argue.

No compromise of any kind was made, Townsend at the meeting yesterday said Wilson and Secretary Bryan and decided that he was in court prepared to present his case. He said that the government had proved the allegations made in its an acre. At the time the demurrer was complaint against the railroad company taken up it was argued ably and ex-Moore, counsellor for the state department and acting secretary of state, consensus and that it was ready to argue as far as the court desired. W. D. Fenton and consider all the questions presented.

"I understand that the attorneys are Moore, counsellor for the state depart- and that it was ready to argue as far til 10 o'clock over the anti-alien land had discussed the matter and inasmuch as his brother James E. Fenton and decision at that time and that the only

The principle trial of the land grant came with the filing, argument and decision on the demurrer to the complaint filed by the defendants. This demur-rer was first argued March 1, 1909, and from that time on for over a year a controversy between both sides raged.

Two million, three hundred and sev-| Written briefs were finally submitted.

Judge Wolverton at that time made a B. D. Townsend, assistant to the States supreme court, but it was finally decided by the attorneys for the

> "The railroad company had submitted this case without argument. The vital question in the case is in reference to the conditions that were imposed by the government at the time the grant was made.

> "That condition was that the land should be sold to actual settlers at \$2.50 not questioning the soundness of the

> considerations at this time are questions "I do not believe that it is now necessary for the court to enter into an extended investigation of the testimony that has been taken.

"The vital question now is as to the conditions of the grant. Counsel on (Continued on Page Nineteen.)

"GILT EDGE" STOCK; PROMOTERS FLEE

George J. Hodder, President of Cooperative Supply Company Fleeced of \$23,000 and Ranchers of Gresham District of Much More in Scheme of Suave Duo Who Launched Ambitious Mail Order Company.

ruptcy recently filed in the federal court in getting out an advertising booklet, against the Cooperative Supply company, and then "trimmed" Hodder and other a mail order concern of Portland, it was stockholders and flew to newer if not learned today, is a story of frenzied finance, gross mismanagement and general incompetence whereby farmers, residing principally in the Gresham district, stand to lose thousands of dollars. The concern's president, George J. Hodder, is out about \$23,000 and has been made the "goat" of two clever pro-

moters The whereabouts of the promoting duo, G. Moselle and H. I. Knox, is not known any more than their history and connec tions before they breezed into Portland last year, secured the confidence of Hodder, organized the \$3,000,000 corporation, rented and lavishly furnished of-

Weather Breaks Records.

From 6 to 8 inches of snow fell in the

hills of eastern Clackamas county dur-

ing the night and this morning and

considerable damage has already been

caused by the snow and a slight silver

thaw in the Garfield fruit district, near

Estacada, on the O. W. P. line. At noon

today E. L. Meyers, traveling freight

and passenger agent of the Portland

Railway, Light & Power company, re-

ceived a telephone message from Esta-

cada stating that unless the weather

moderate the entire fruit crop of that

"The telephone and telegraph wires in

the Garffeld district are down," said

Mr. Myers, "and I received my informa-

tion from people who came into Estacada

shortly before noon, having traveled

through a heavy snow. They report that about eight inches of snow covers

the ground and that many fruit trees

now in bloom have broken down under

the weight of snow and ice. The weather

began to moderate a little before noon

and unless warmer weather sets in there

will be no fruit to harvest in that dis-

Mr. Meyers lives on a fruit ranch near

Eagle Creek, some distance this side of

district will be killed.

trict this season.'

Behind a petition for involuntary bank- | fices in the Selling building, spent \$3000.

Hodder said he kicked them out, and they made nothing out of the scheme. In the same breath he admitted that Moselle had drawn between \$1500 and \$1600 out of the treasury for expenses that Knox was a close second, and that a number of agents incurred indebtedness ranging from \$100 to \$300 each by the expense dodge, and then just naturally disappeared.

Whether the schemers sold stock, pocketed the proceeds and made no report is another matter which is open for discussion until the last stung stockholder is heard from, and the sky-(Continued on Page Six.)

SNOW, 6 TO 8 INCHES NEW PRECINCT LAW DEEP IN CLACKAMAS, TO BREED CONFUSION MAY KILL FRUIT CROP FOR NEXT ELECTION

rees in Bloom Break Under Permanent Registration Is to Weight in Garfield District; Begin in June; Precincts Can't Be Changed Till Dec.

(Salem Bureau of The Journal.) Salem, Or., April 29.—Between

new registration law passed by the last legislature and the granting of the franchise to women, it seems there will be no end to the complications that will arise to puzzle county and state offi-The new registration law, which goes

into effect in June, provides that registration shall begin at once. Under it unless a voter moves. Another law provides that a previnct must not have over 300 voters. Now, with the addition of the women voters a great many precincts will have to be divided. There wouldn't be any great bother about that if the precincts could be di-

vided before the permanent registration begins; but they can't. The new law says the precinct boundaries must be fixed in December preceding a general election. That will be next December. Deputy District Attorney J. B. Dodson of Yambill county has written the attorney general's office, pointing out that a great many voters may register in one precinct and when the precincts are cut

Estacada and he says the snow storm down to their proper size in December, seems to have extended from Eagle may find themselves in a new precinct? was still snowing at noon in the moun-done, and when the new preciset lines tague in full: are fixed the voters who are placed in the new precincts will have to visit the

district the Garfield district is one of the best developed orchard sections in the state, the orchards being of the precinct number changed. If the referendum election should be paving trust. Cars coming in from Estacada this morning were covered with snow to a depth of several inches. Traffic, however, was not interrupted to any material ever, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several inches. Traffic, however, was not interrupted to any material every depth of several every d

COMPARISON OF PRESENT AND COMMISSION CHARTERS

In this fourth and last statement of points of difference between the present and proposed charters, civil service, administration and local improvement code provisions are compared.

CIVIL SERVICE

PRESENT CHARTER

The present charter contains comprehensive provisions for examination, appointment and promotion of city employes (Secs. 306 to 327). These apply to all city employes, save some expressly excepted (Sec. 306), and a civil service commission is created to administer these provisions and these rules which the commission may adopt.

COMMISSION CHARTER

The civil service provisions are unchanged, except for the following amendments:

(a) Each department is required to keep efficiency records of employes (Sec. 20). No such provision exists at present.

(b) The council, on special occasion, may hire consulting experts who are not under civil service rules (286c). This gives in express words the power declared now to be in the charter by the state supreme court (Burrell vs. City of Portland, 61 Or. 105).

(c) The salary of the secretary of the civil service commission is changed from "not more" to "not less" than \$100 per month (Sec. 308).

(d) The present charter (Sec. 317) provides that no department can discharge a civil service employe without a written statement of the reason, one copy of which is given to the employe, and another to the civil service commission. This provision is retained verbatim, and in the new commission charter, is inserted: "Such removal or discharge may be made without any trial or hearing," that is, the department head discharging the employe does not have to give a hearing unless he wants to do so. The following provision follows in both the present and the commission charter: "Any employe so removed may within 10 days from his removal file with the commission a written demand for investigation," which investigation the commission must make. (Compare Sec. 317 of the present charter with Sec. 317 of the commission charter). The result is, the charter is not changed, for no right to the preliminary hearing is contained in the present charter.

(e) Under the present charter the commission, after investigation, must affirm the removal, or reinstate the employe unconditionally. As amended, he may be reinstated upon "such terms and conditions" as the commission may see fit to impose (Sec. 317 both charters).

(f) Under the present charter none but Americans can be employed as unskilled laborers. (Present charter Sec. 163). An amendment gives the right to employ foreigners, preference always being given to Americans. The eight-hour day and \$2.00 minimum wage remain unchanged (Sec. 327a).

ADMINISTRATION

PRESENT CHARTER

The present charter contains detailed regulations for the administration of the following departments and offices: The fire department (Secs. 167-178;; police department (Secs. 179-98); street cleaning, sprinkling and repair (Secs. 199-205); city lighting 206-215); harbor (216-219); pound (220-221); water board (222-237); health board and city physician (238-246); public library (247-258); park board (259-267); contain duties of the auditor in keeping records 287); city treasurer (288-301); city engineer (302-305); municipal court (328-338), and city attor-

COMMISSION CHARTER Section 161 of the commission charter provides

that all of the administrative portions of the present charter indicated opposite so far as they do not conflict with the commission charter, shall be retained, not as a part of the amended charter, but as ORDI-NANCES "subject to repeal or amendment by the council, in like manner and with like effect as other ordinances passed by the council."

LOCAL IMPROVEMENT CODE

PRESENT CHARTER

Sections 345 to 350, both inclusive, and 362 to 421, both inclusive, of the present charter, contain the provisions for the establishing, opening, changing, grading, improvement, of streets, sidewalks, sewers, etc., of assessments for the same, of the method of bonding, the payment of assessments and bonds, etc. COMMISSION CHARTER

In the commission charter, the opposite sections are retained verbatim, not as a part of the charter, but as ORDINANCES known as the "Local Improvement Code," more difficult to amend than usual ordinances. Charter provisions that cannot be changed by the council are that ten days notice (a) of intention to improve, and (b) of a proposed assessment, must be given by publication or by mail, and that 60 per cent of the affected property owners can defeat an improvement, except street extensions and sewers, by remonstrance. With these exceptions the local improvement code can be amended by ordinance published in full at least 30 days before passage, and notice must be conspicuously published five times in a daily paper. If the change is made, the revised local improvement code must be printed for public distribution (See generally Secs. 345a).

These two new provisions are added to the improvement code: (1) Another method of opening streets (Secs. 351-352), (1) and (2) a method of apportioning a bonded lien against a tract to fractional part thereof when the tract is subdivided (383b). The Ellis amendment is retained verbatim in the local improvement code (Sec. 374), and a new section of the charter is intended to preserve the policy of this amendment as a charter.

LOMBARD INELIGIBLE AND UNFIT FOR MAYOR, DECLARES MONTAGUE

Candidate's Standard of Public Service Measured by Fact That While in Council He Organized Company Which Car-& ried on Enormously Profitable Business With City, Declares Attorney in Response to Charge by Lombard.

you organized and became president of I withheld this comment because I bethe registrations are to be permanent the city, during your incumbency. If I paradoxical position and do justice to Montenegro tomorrow morning, am correctly informed this business has both parties. greatly fallen off since,"

This is one of the charges made W. Montague, in a signed statement to-

Mr. Montague further declares that by cason of his connection with this corpo ration, Mr. Lombard is ineligible to hold naturally have a vital effect on the office under the new charter. The statement followed an open letter from Mr. Lombard in watch he attacked Mr. Montague, and declared him "unfit to frame a charter and make laws which must times. tribute which said trust collects from

"Its taxpayers."

The "trust" referred to is the "paving trust." Here is Mr. Lombard's letter, Creek in an easterly direction into the Assistant Attorney General Van Winderstein and following it the reply of Mr. Mon-"April 98, 1913-Mr. R. W. Montague

Sir: I am in receipt of your open letter for your intemperate language about in which you complain because I commented on your connection with the ing a false impression.

"Your standards of public service are ly as attorney to protect the interest of sufficiently shown by the fact that the paving trust and as charter maker while you were a member of the council to protect the interest of the taxpayers.

"Although I am fully aware that since the beginning of time no man has sucmatter how good your intention may be, you, as attorney for the paving trust, cannot be otherwise than unfit to frame a charter and make laws which must the taxpayers. No trust, especially a paying trust, employs attorneys who do not look after their interests at all

Asks a Question "Inasmuch as you fall to deny the

charge that you were acting as attorney for the paving trust at the same time that you were acting as charter maker for the people who are being held up by said trust, I fail to see the necessity

"Divested of the unnecessary verbi so dear to the heart of corporation lawyers, the plain question is, were you acting for your clients or for the peop when you assisted in framing up a char-(Continued on Page Eleven.)

AUSTRIA TO DECLARE WAR THURSDAY, SAYS HER FOREIGN MINISTER

Itimatum Gives Montenegro 24 Hours to Evacuate Scutari; All Europe Tottering,

(United Press Lessed Wire.) . Vienna, April 29.—Following a twoours' conference with the emperor tonight, Foreign Minister Von Berchtold a corporation which did an enormous lieved, and still believe, that you were semi-officially stated that Austria and no doubt profitable business with honest in thinking you could hold the would deliver a 24-hour ultimatum to The ultimatum will command Monte-negro to evacuate Scutari. If the Montenegrins have not evacuated by Thursagainst Gay Lombard, candidate for the cessfully and satisfactorily served God day morning, Austria will immediately Republican nomination for mayor, by R. and mammon simultaneously, and no move troops across the frontier and formally declare war, it was said,

> Turkey Backs Essad Pasha. Paris, April 29.-Turkey is backing ssad Pasha's claims to the throne of Albania, according to a dispatch from Constantinople to a news agency here (Continued on Page Eighteen.)

Washington, April 29.—By a vote of day voted to postpons to the December session discussion of Panama canal Senator Brandagee registered the only discenting vote.

Rich Man Who Tries to Dodge Payment Must Pay His Proper Share of the Assessment in lowa.

IMPROVES EFFICIENCY OF ALL DEPARTMENTS

Mayor and Commissioner Give Unqualified Approval of Idea Proposed Here.

(Special to The Journal.) Des Moines, Iowa, April 29.-After having given commission government a most thorough trial, Des Moines, one of the first large cities of the country to adopt it, would not go back to the old plan of city government under any

circumstances.
Not only has it improved efficiency in all departments of government, but It has reduced the tax levy. For the first time in the city the rich man who dodges taxes is made to pay his pro-

portionate share.

Two prominent officials of Des Moines, Mayor Hanns, serving his secterm under the commission form, and John MacVicar, twice commissioner under the commission form, and ex-mayor and councilman under the old system, said today that in efficiency and results accomplished there is no comparison between the two systems.

Efficiency Is Improved.

Commissioner MacVicar says: The commission form of government has improved the efficiency of all the departments of the city government, The tax levy has been reduced and better returns for the money expended have been shown than ever before. Recent visits to other Iowa cities where the commission form of municipal govern-ment has been adopted convinces mo that it has improved conditions financially and otherwise.' Mayor Hanna, serving a second term

under the commission form, said: "The Des Moines plan has reduced the tax levy to 37.1 mills, as compared with 39.6 mills under the old form, in vogue until five years ago. That the population of the city is nearly 10,000 more than five years ago, with less tax rate, answers the argument that the per capita tax has been increased,

Tax Levy Beduced. "The commission form is not costly. In fact, it has resulted in economies in every branch of the city government that were thought impossible under the old system. Permanent improvements have been installed that were never dreamed of before commission form

was adopted. "All this time the tax rate has been (Continued on Page Eighteen.) ,

DEMOCRATS ASSUME **FULL RESPONSIBILITY** FOR TARIFF RESULTS

Underwood Serves Notice on Republicans Majority Will Dictate Terms; No Gag Rule

(United Press Leased Wire.)
Washington, April 29.—Representative
Oscar Underwood of Alabama, leader of the majority in the house, today served notice on the Republican minority that the Democratic members propose to dictate the tariff and will stand responsible for the results. Speaking in the house, Underwood

"It's our business to frame this tariff bill, and we alone are responsible. We don't propose to let you Republicans write this bill." With general debate on the tariff

bill closed, the house began considera-tion of the Underwood measure for amendment. Representative Underwood, eader of the majority in the house, insists that he does not intend to Impose a gag rule, but proposes to try a policy of allowing the five minute debate to 'run open," unless the minority attempts dilatory tactics.

The minority admit there is no chance

of amending the bill, but intend to wage a fight against the first paragraph, which makes the bill effective the day after it is signed by President Wilson. The Republicans contend that the coun try's business men should be given time to regulate their business to the new conditions imposed by the Underwood bill and that it should not become ef-

fective for months.

President Wilson today arranged for a conference Thursday with western and southern senators who are opposed to his free wool and sugar plans.

WALLA WALLA MAYOR IS HERE TO SPEAK FOR COMMISSION CHARTER

Mayor Gillis of Walla Walla will be the chief speaker at the mass meeting in the Baker theatre tomorrow, Walla Walla has reduced the cash cost of government, has leasened the number of officials and employes, at the same time getting greater efficiency. The people of Walla Walls have become more intelligently active in nicipal affairs Mayor (enro. He will fell whyr opinion, Pertland will