

McDANIEL GUILTY IN SECOND DEGREE; MOTHER IS FREED

Jury Does Not Find Latter Inspired Killing of Poch, Which Happened After He Had Threatened Family.

(Special to the Journal.) Prineville, Or., May 21.—Gaylord McDaniel was today convicted of murder in the second degree for the killing of Herman Poch-December 31, Mrs. Fann McDaniel-Brown-Poch also on trial charged jointly with her son, was acquitted.

The crime has been surrounded with considerable speculation as to the real motive. There was no eye-witness to the crime and the conviction was based entirely upon the admissions of McDaniel and his mother. It appeared that on the night of December 30, Poch accused Gaylord of improper relations with Mrs. Poch. After considerable quarreling they parted for the night. In the meantime Gaylord had placed two guns in his mother's bedroom, starting to her that she might need them the next morning. Nothing transpired during the night but upon arising the next morning the quarrel was resumed. Wherein Poch made threats against the lives of McDaniel and his mother, McDaniel took his shot gun and killed Poch at 8:30 a. m. as the latter was proceeding toward an outbuilding where he kept his gun.

Mrs. Poch was indicted at the recent session of the grand jury on her own admission that if her son had not killed Poch she would have done so, but the trial jury failed to find that she had inspired the crime or had any active connection therewith.

Gaylord McDaniel and his mother, Mrs. Herman Poch, were placed on trial charged with murder in the first degree yesterday, a special venire being necessary before a jury was selected.

The testimony of the witnesses was to the effect that about 9:15 a. m. Mrs. Roberts called at the Poch home and saw Herman Poch lying in the barn lot, endeavoring to rise to his feet; that Mrs. Poch told witness that Gaylord had shot Poch at 8:30 a. m. About 9 a. m. Mrs. Poch called up a neighbor, Mrs. Leo LaFollette, over the phone and asked that Mr. LaFollette and another neighbor, J. F. Blanchard, come to her home at once, which they did. Arriving at 10:15, they found Poch dead in the barnyard. Gaylord McDaniel was standing guard to keep out the domestic animals.

Mrs. Poch remarked several times to the coroner's jury, impaled a few minutes later, that she wished she had shot Poch herself instead of allowing her son to do so. The gun used in killing Poch and a piece of the door filled with blood were exhibited at the trial.

Gaylord McDaniel has been confined in the Crook county jail since the tragedy, but Mrs. Poch was not arrested until after the indictment was found by the grand jury about two weeks ago.

WOMAN ATTEMPTS TO LEAP OFF BRIDGE

A woman, well dressed and about 30 years old, attempted to jump from the Morrison street bridge last evening at 7:30 o'clock, but was caught by a man and taken away. The police have been unable to learn her identity, as the man who saved her disappeared.

The harbor patrol boat raced to the bridge, when the report was made that a woman had leaped into the water. The woman lost her hat in the attempt, but was being recovered by the patrol boat.

Son Named Administrator

Mary E. Chapin, who died May 5, 1913, left an estate valued at \$6000, and this morning H. F. Chapin, a son, was appointed administrator by the county court. Mary L. King and Martha L. Chapin are the other heirs.

TO BRING LANDLESS TO MANLESS LAND

Purpose of San Diego Exposition Is Explained to the Ad Club.

Much concerning the scope and purpose of the Panama-California exposition to be held in San Diego, during 1915, was learned by members of the Ad club during the address of Frank E. Davis, special commissioner of the exposition during an address at the club's luncheon in the Hotel Portland today.

The big purpose of the exposition, declared Mr. Davis, is to bring men and families to the west. He especially pleaded that the lumbermen who are planning elaborate exhibits of Oregon products at San Diego be aided in their plan.

"The purpose will be to direct to the manless land of the great west the landless man who will come here through the canal, and to present the golden opportunities for profitable investment awaiting the man with financial resources who will come from 'back east,'" said Mr. Davis.

"No other exposition ever planned will present such a comprehensive irrigation exhibit as that at San Diego in 1915. The future of the west is bound up in the development of her irrigation resources, and the cry of the acid lands is for men and capital to conserve the waters and make them blossom into rich productivity. What he may do in the future will constitute one of the most distinctive and striking exhibits at San Diego.

"The San Diego exposition has been named the 'Exposition of Opportunity.' Its primary purpose is to bring to men a full and complete knowledge of his individual opportunity in the great states of the west, to find a home where climatic conditions are unequalled in the world; where the land is calling to man to come and find prosperity and comfort, and where no greater assurance of profitable returns on invested capital.

Mr. Davis said special preparations are being made for the exhibits of western states for the information and pleasure of the thousands who will come through the canal, by boat and by rail. The exhibits of western state buildings will be among the most prominent on the grounds. Work has already been commenced and is progressing rapidly. The Panama-California exposition will be the first year-around exposition ever held.

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MRS. LILLIAN STRANG DIES FROM POISON

Mrs. Lillian Strang, the woman who poisoned her three children and herself five weeks ago and then attempted to restore them, died this morning at the Good Samaritan hospital. Two of the children have died from the effects of the poison, while the third child is at the hospital, being in a fair way to recover.

A murder charge was filed against the woman at the death of the first child soon after the act, which charge was made in order to hold her in case she recovered sufficiently to leave the hospital. The woman was suffering from a mental trouble at the time she gave the children poison. Her husband came home a few hours after she had administered it. After giving the poison and then shooting one child in the head, she appeared to recover and tried to give them an antidote for the poison.

F. D. Hunt Returns. F. D. Hunt, traffic manager of the Portland Railway, Light & Power company, returned today from a two weeks tour of California. Mr. Hunt enjoyed the trip immensely, but says he did not find anything in the sunny, southern land that he cannot find in Oregon. "California is all right," said the smiling traffic man, "but not in it with Oregon in many respects and I'm glad to be home again."

AT JURY'S ASKED TO BE BRIEF IN THE TESTING OF JURORS

Judge Davis Seeks to Expedite Criminal Libel Hearing; Jury May Be Complete in Daily News Case Today.

The defense in the case of the state against the Portland Daily News and Dana Sleeth, its editor, in which the publication and Sleeth are charged with criminal libel, was asked by Judge Davis to be brief in the testing of jurors.

Jurors passed for cause and then excused by the defense are: M. Taylor, cement contractor; J. P. Jaeger, jeweler; W. L. Barnum, cabinetmaker, and John O'Connor, teamster.

Ed A. Schloth, linotype operator, and John Carlson, confectionery and tobacco storekeeper, were excused by the state. Judge Davis in an effort to expedite the selection of a jury, has instructed attorneys concerned to make their questions as brief as possible. It is expected that the jury box will be filled this afternoon.

Venue in the box now, passed for cause and not challenged, are: C. H. Barnell, retired; J. Hampton, drayman; F. P. Rawson, electrical engineer; Carl Schlockeiser, restaurant keeper; C. J. Wallingford, contractor; M. Davenport, feed and grain dealer; R. G. Hamilton, P. J. Edgerton, cement contractor; B. F. Walters, teamster; J. A. Fay, retail merchant; P. H. James, copper-smith, and R. C. Walters, grocer.

A. Feidenheimer, jeweler, one of the veniremen examined yesterday afternoon was excused because of his avowed friendship for Dana Sleeth, Lightner and his conviction that the News has not dealt fairly with the commissioner.

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DOCK BOND ISSUE OF \$1,250,000 IS SOLD

Bonds maturing in 30 years and drawing 4 1/2 per cent interest in the sum of \$1,250,000, issued by the Port of Portland, have been sold to Henry Teah of this city, who is acting for a client. The bonds were sold at 95.84, or \$958.40 for each \$1000 bond.

The sale was authorized Monday by the commission, and were sold to Mr. Teah because he was the highest bidder May 6. These bids were rejected, but were later reconsidered when the bond market fell on a basis as expected. The bonds are dated May 1, but will not be delivered until the latter part of the month, and interest that accrues will go to the city.

The commission plans to take possession of the property of the Pacific Milling & Elevator company, at the foot of Seventeenth street, which was condemned recently. A jury awarded the owners \$310,000. The property adjoins that which the commission purchased from the Star-Band company for \$300,000. It will be taken over also. Negotiations are on foot for Martin Dock property, north of the Seventeenth-street line. The commission is seeking to acquire the property for less than \$200,000.

It is now hoped that bids for the construction of at least one public dock can be advertised by the latter part of the month. Plans for the proposed docks, the first of which will be built on the west side, are now being drawn, and it is estimated that the docks can be completed in about eight months after contracts are let.

CAPTAIN LAID ASIDE HIS RELIGION TO FIGHT

"My religion teaches me not to fight, but there are times when a man has to fight," said Staff Captain Coffey of the Salvation Army yesterday afternoon as he marched Max Votruba to the police station. The story told Captain Moore by the latter captain was that Votruba stole clothing from the army home on Union avenue, and ran away. The captain caught him down the street and insisted he return them. It was then that Votruba threatened to whip the little staff captain.

"I couldn't talk him into doing right," continued Captain Coffey. "He insisted upon whipping me so I thought I would show him that he couldn't do it, even though he is a bigger man than myself."

Votruba carried all the evidence of a whipping. This morning in the municipal court he was fined \$25, which the staff captain agreed was enough.

WEST VIRGINIANS INVITED BACK HOME

"Roll Round a Week in a Square Town," is the invitation that is being extended to all ex-Virginian residents throughout the world, by the committee on home coming of West Virginia's Semi-Centennial and Golden Jubilee celebration, which is to be held June 15 to 21, at Wheeling. On June 20 the "old home state" will be 50 years old. The state has made a big appropriation for this affair, and the citizens of Wheeling have made liberal donations to the fund, with the result that the affair is to be one of the most pretentious ever attempted in the Ohio valley.

Sues Construction Company.

The Nehalem River Lumber company is suing the Sweeney Construction company for damages amounting to \$52,000 in Judge Gatens' court today. The complaint says the Sweeney Construction company contracted with the plaintiff for 3,500,000 feet of lumber for the construction of bridges on the new P. R. & N. railroad, but failed to carry out the terms of the contract. A part of the railroad line built by the Sweeney Construction company.

Soon Be "Dustless City."

The company to which the contract for oiling macadam and gravel streets was awarded by the executive board several weeks ago, is making rapid progress, nearly half of the 125 miles of such thoroughfares having been rendered dust proof during the past few days of good weather. If the weather continues favorable the job will be completed by the first of June.

EXPERIMENTAL STUDY COUNTY BUSINESS

Taxpayers' League Decides to Pay for Services Since Court Has Refused.

Taking the stand that a thorough investigation of the county's system of doing business will result beneficially in every way, the Taxpayers League meeting yesterday decided to stand the expense of having such an investigation made by L. D. Sands, an expert employed by the New York Bureau of Municipal Research.

This action follows the refusal of the county court to pay for such an inquiry on the grounds that insurance Commissioner Ferguson has been delegated by the state legislature and given a \$7500 appropriation to install a uniform system of bookkeeping in all counties of Oregon. For this reason, county executive officials felt that work on the part of the bureau would be a duplication of effort and expense.

"Explaining the viewpoint of the Taxpayers League one of its prominent members said today: 'The league believes that all the departments should be gone over with a view of finding ways to remedy any possible administrative defects or defects caused by laws. The opinion of the league is that a careful examination from this viewpoint will demonstrate whether the most efficient service is being rendered and whether the existing system is best. If not, a better system can be devised and developed under which those in charge of departments can determine whether their departments are efficient.'

"The league has every confidence in Mr. Ferguson, but his work does not start until the first of the year and he no doubt would appreciate the findings and recommendations of the experts. We believe the investigation we are about to undertake will be of beneficial result to Multnomah county and to other counties as well. It will be completed probably in a month."

PASSED AT TIMES AS MAN, THEN AS WOMAN

Following advice from Kansas City that James Arthur Baker is under arrest there for an alleged theft in Sumner, Cal., people connected with the Peniel mission, 207 Jefferson street, are wondering whether it is the same Baker who came into Portland several months ago dressed as a man, and who left attired as a woman. Incidentally, the question has been raised as to whether Baker was a man or a woman.

At the Peniel mission, where Baker was housed while recovering from an operation, Philander Arnold, superintendent of the Peniel home, caused a thorough examination to be made, and Baker was pronounced a woman. Dr. George S. Wynne, who performed the operation, a minor one, intimates strongly that Baker was a man, and so reported to Arnold.

Baker arrived in Portland from Idaho dressed as a man, and while attending a prayer meeting at the Peniel mission confessed to his womanly work. Following the operation, Baker, who stands about 5 feet 9 in. in stocking feet, said a position as a teacher had been offered at Oakland, Cal., and women connected with the institution raised about \$18, provided female garments and a wig to cover Baker's short hair.

Thus provided, Baker left Portland about three months ago for San Francisco. That was the last heard of Baker until reports of his arrest in Kansas City.

FREE DRINKS KEVED UP MOB, SAYS REITMAN

Los Angeles, May 31.—"They meant business; it was best for us to leave." This was the statement here today of Dr. Ben Reitman, manager for Emma Goldman, who is in Los Angeles with the anarchist lecturer who being sent from San Diego yesterday. Reitman will go to San Francisco tonight.

"The mob at San Diego was keyed up all right," Reitman said. "Some people were spreading \$20 bills on the bars and giving everyone a chance to drink. They were not mistaking the temper of the crowd."

Reitman declared that he has no wish to prepare for a series of lectures there, to return to San Diego, but that Miss Goldman wants to make another visit in the near future.

ASK PUBLIC TO SEE INSPECTION OF POLICE

The public is invited to the annual inspection of the police department Saturday morning at 10:30 o'clock, to be held at the Auditorium. The mayor, city council, executive board and all city officials will be in attendance. Inspection is made by the mayor and police committee of the executive board and will take about 45 minutes. No admission fee is asked.

Captain John Moore has been drilling the members of the department since February 1, and reported to Chief Slover yesterday that he has the men in shape for the affair. The inspection consists of regular battalion drill work, in which the 292 patrolmen are divided into six companies.

Railroad Pays Widow \$6000.

With the case half finished before a jury in the United States district court, the suit of Mrs. Katherine Eleher against the Northern Pacific railroad was settled yesterday afternoon for \$6000. Mrs. Eleher was suing to recover damages for the death of her son, George H. Eleher, who was killed last summer. A tender for a car of mules, was riding on top of the train, when he was struck in the head by a low bridge.

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Mrs. Marx Left \$5000. An estate valued at \$5000 was left by Mrs. Rachel Marx, a Portland resident, who died in Paris, February 25, 1913. Milton Marx was this morning appointed administrator by the county court. Two sons and one daughter are heirs.

Salt Lake Musician Dies. Salt Lake, Utah, May 21.—Practically all of the musical organizations of Salt Lake will participate tomorrow in the funeral services for Professor Anton Pedersen, Utah's famous musician, one of whose daughters, Mrs. Sigrid F. Carl, lives in Portland.

Persistent Aviator Wins Prize. (Cited Press Release Wire.) Havana, May 21.—Aviator Augustin Parilla yesterday flew from Key West to Havana, thereby winning a second prize of \$5000. He recently fell into the water on his first attempt, his opponent winning the first prize.

GENERAL MUNICIPAL ELECTION, CITY OF PORTLAND, MONDAY, JUNE 2, 1913

INSTRUCTIONS: To vote for any person mark a cross (X) in a square to the right of the name. VOTE FIRST CHOICE FOR SIX (6). VOTE SECOND CHOICE FOR SIX (6). VOTE THIRD CHOICE FOR SIX (6). VOTE YOUR FIRST CHOICES IN THE FIRST COLUMN. VOTE YOUR SECOND CHOICES IN THE SECOND COLUMN. VOTE YOUR THIRD CHOICES IN THE THIRD COLUMN. DO NOT VOTE MORE THAN ONE CHOICE FOR ANY ONE CANDIDATE. All distinguishing marks make the ballot void. If you wrongly mark, tear or deface ballot, return it and obtain another from the election officers. OFFICERS TO BE ELECTED: MAYOR, FOUR (4) COMMISSIONERS AND AUDITOR. If any voter shall vote more than one choice for any one candidate the vote highest in grade shall be counted and others rejected.

Table for Mayor election with columns for Name of Candidates, One to be elected, 1st Choice, 2d Choice, 3d Choice.

Table for Auditor election with columns for Name of Candidates, One to be elected, 1st Choice, 2d Choice, 3d Choice.

Table for Commissioners election with columns for Name of Candidates, Four to be elected, 1st Choice, 2d Choice, 3d Choice.

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Coca-Cola advertisement featuring an illustration of a woman and child, and the text: 'Capital Drink the drink the Nation drinks—Coca-Cola The great American beverage. Called for everywhere by everybody for its bright, sparkling deliciousness—for its sterling purity and wholesomeness—because it is so thoroughly Delicious—Refreshing Thirst-Quenching Demand the Genuine—Refuse Substitutes. THE COCA-COLA COMPANY, ATLANTA, GA.'