

JAIL SENTENCE IS SPARED TWO STRIKERS BY JUDGE LANGGUTH

Men Are Allowed to Go on Own Recognizance, but Must Find Bail.

STRONG PLEA IS MADE

Deputy District Attorney Had Made Strenuous Objection Against Sending Men to Jail.

When Deputy District Attorney Richard Delch characterized his act as "high handed injustice," Municipal Judge Arthur Langguth this morning backed down from his determination to send two striking steamboatmen to jail for acts of assault committed by others of their union, and allowed the men to go on their own recognizance until they make arrangements to give \$50 bail.

Harvey Huffstutler and John A. LeGath were the defendants. On June 28, with Lewis Koch and George Metz they were bound over to the grand jury on charges of assault in connection with a strike riot.

Must Insure Peace.

In addition the four were made hostages of the municipal court to insure peace along the waterfront. If any more violence was committed by members of their union, Judge Langguth asserted, the four were to go to jail for five days each.

On July 6 Richard Perkins, a member of the union, was convicted of assault and sentenced to five days.

Judge Langguth then remembered his hostages and said that they, too, should serve five days, although they had not the remotest connection with the Perkins case and had already been held answerable for their alleged disorderly acts.

So the word went forth for the four men to appear today. Huffstutler and LeGath appeared. The other two did not show up.

Protest Is Made.

LeGath entered bitter protest against his having to be punished for the acts of the other several hundred members of his union and said it was illegal. His protests were overruled.

"You gentlemen will have to go to jail for five days and at the end of that time you will be released from your obligation to the court," said Judge Langguth.

At that moment Deputy District Attorney Delch "threw a monkey wrench into the machinery."

"I think I have something to say about the disposition of these cases," said Mr. Delch. "These men are not prisoners. They are held answerable to the grand jury for their own crimes and not for the crimes of others. The court has no further right to hold them or send them to jail for the crimes of Perkins."

"If these men are sent to jail under this agreement it will be a high handed act of the court. If necessary the court may fix bail to insure their appearance before the grand jury. I did not regard the charge of rioting against them as very serious. I believe it should be stopped, and I want to see the grand jury investigate the case."

No Agreement With Men.

"Your honor has no right to do anything except fix bail. This agreement was not made by the men. It was made by yourself in the form of an order. They could do nothing else but accept it. They were forced to take a chance by you. I want these men to have a square deal."

Judge Langguth agreed with the district attorney that he had no legal right to impose the punishment.

"This is what I am doing it for," he said evasively. "They must go to jail if they can't give bail. I don't think they can furnish the bail and the grand jury ought to act in the five days they are locked up. When the grand jury meet again, Mr. Delch."

"The grand jury is in continuous session, the year around, and has been for five or six years," answered the prosecuting attorney.

Judge Langguth then told the men they could go on their own recognizance until tomorrow morning, when they must furnish \$50 bail.

Governor and Party Arrive at Burns

When Coming of First Railroad Train Into Harney to Be Celebrated.

Burns, Or., July 11.—Governor Withycombe and party arrived here 8:37 last evening on an inspection tour of state water board. The party will go to Crane tomorrow to celebrate the coming of the first railroad train into Harney county.

Mrs. Trullinger to Marry John Reed

Divorced Wife of Portland Dentist Reported to Be Engaged to John Reed, Author and War Correspondent.

Louise Bryant Trullinger, divorced wife of Dr. Paul Trullinger of this city, will marry John Reed of New York, writer of fiction and formerly war correspondent, according to information which has been received in this city.

Dr. Trullinger procured a divorce recently, alleging that his wife had declared that she loved another man and had deserted him.

Mrs. Trullinger is now in New York city. She let the divorce proceedings go by default. Mrs. Trullinger has written a number of short stories and while in this city she took quite an active part in club work.

Mr. Reed is a son of the late C. J. Reed, who served one term as United States marshal.

PLATFORM MEN WILL STRIKE IN BAY CITY FRIDAY, SAYS MOONEY

Organizer of Street Railway Employees Says United Railroad's Men to Quit.

San Francisco, July 11.—(U. P.)—The platform men in the employ of the United Railroads will go on strike Friday night, according to a statement today by Thomas Mooney, organizer of the Amalgamated of Street Railway Employees. The hour will be announced orally by the men themselves, Mooney declared.

The men demand recognition of the union, a wage increase to 27 cents an hour, and shorter working hours.

Most of the men, Mooney declared, have either joined the union or have declared that, in the event of a strike, they will go out with the union men.

"The labor council," he said, "has been trying for two weeks to arrange a conference with Jessie Lillenthal, president of the United Railroads, and has failed. I think the council will get behind us when we go out."

"The men will strike Friday night, so as not to inconvenience working people. They will quit when they get the word, leaving their cars in the streets wherever they happen to be. A prominent member of the executive board of the amalgamation is on the way to San Francisco to assist in handling the strike."

So far as can be learned, the United Railroads has made no preparations for handling a strike.

Prominent Pastor Is Critically Ill

Dr. E. M. Clingan of Walla Walla Has Stroke While in Pulpit Sunday; Has Hemorrhage of Brain.

Walla Walla, Wash., July 11.—Dr. E. M. Clingan, pastor of the First Presbyterian church, and who has the largest congregation in the finest church edifice in the city, was stricken in his pulpit Sunday morning, and lies at his home in a critical condition.

Subject to high blood pressure, Rev. Mr. Clingan broke down under the strain of the sermon, suffering from a hemorrhage of the brain. There is slight chance of his recovery.

Billy Drew Drowns At Fort Canby Jetty

Young Man, Formerly of Seaside, Had Been Employed on Government Project; Remains Shipped East.

Seaside, Or., July 11.—Billy Drew was drowned at Fort Canby this morning. He was a former Seaside boy and left here about three years ago to work on the jetty. Mrs. Myron Moore of Seaside, his aunt by adoption, is well known here. The body was sent to relatives in Luverne, Minn.

Valdez Is Elected Panama President

San Francisco, July 11.—(P. N. S.)—Dr. Ramon M. Valdez was elected president of the republic of Panama, according to a telegram received today by Alexander Briceño, in charge of the Panamanian consulate here. The message read "We won." Briceño is a supporter of the party headed by Dr. Valdez.

MULTNOMAH FALLS PUZZLE PASSED ON TO THE 'HIGHER UPS'

County Wants Auto Parking Space, but Railroad Declares "No."

QUESTION IS UNSETTLED

O-W. R. & N. Officials Would Make Flower Bedded Eward on the Narrow Rights of Way.

The very mischief is to pay at Multnomah Falls. There is trouble between the county road department and the O-W. R. & N. railroad.

The issue is the momentous one of whether in front of the beautiful cataract there should be a parking space for automobiles, and a nicely tended lawn of the kind common to railroad stations with an iron pipe fence around it and some red fuschias and variegated nasturtiums growing in a little bed in the middle.

And the trouble has gone higher than the section foreman, upon whom ordinarily is imposed the task of making and maintaining the smooth cut railroad lawns.

It has gone higher than the superintendent and the division superintendent.

Question Goes Up.

This unusual lawn has engaged the formidable attention and labor of the vice president and general manager and the president of the railroad. On the other hand, the determination to maintain a parking space at Multnomah Falls has engaged the high resolves of the county's road supervisors, road superintendents, the assistant roadmaster and the roadmaster himself.

The inside facts of the imbroglio are told as follows: When nature created Multnomah Falls and carved vertically sided basins which is the theatre of the beautiful yew, automobiles had not been invented, and no space, consequently, was allowed for them.

After the Columbia river highway had been built between the railroad and the falls, it was found that between the railroad and the highway there was deep hollow, wanting down on both sides to the creek.

Fatal Day Arrives.

The day of the world dedication of the highway was approaching. The roadmaster, with characteristic decisiveness, decided to fill in that hollow space. With his usual promptitude, he sent for a big Port of Portland dredger and present was happily, it was widely, transferred to the river bottom sand to the depression.

But the fill was, is, on the railroad right of way. The railroad's resentment sprang like a wave toward the highest heads of the corporation. The vice-president and general manager sent out a messenger directing that the 42-inch conveying pipe attached to the dredger must not be installed.

"Is that all he told you to say?" questioned Amos Benson, Roadmaster Teon's unsipable assistant.

"Yes," responded the messenger.

Unpleasant Keeps on Job.

"You go back and tell him you told me, and then you tell him that the pipe is in and working like a—!" directed Amos Benson.

There is said to have been a conference of the railroad heads in the conference rooms adjoining President Parrell's private offices. From the conference went another messenger.

"Stop that work," he repeated to Roadmaster Teon, who by this time was personally on the job.

"All right," answered the roadmaster.

"All right" can mean many things. In this instance the dredger was kept working at top steam pressure all night and by morning the fill was completed.

Work Is Completed.

In fact, the job was completed away in advance of any legal action the railroad might have taken or any less legal methods of rebuttal such as were exemplified at the time of building the North Bank road or the Oregon Trunk in Central Oregon.

The railroad did not object to having the fill made at public expense, but it did object to the parking space and the possibility that unprotected use by the public would establish common user rights. The vice president and general manager announced that he would plant some excellent blue grass on a surface of loam and that a landscape architect who had been caring for the grounds at the Union depot would be assigned to the development.

At this point, the issue is found to be, with the roadmaster slightly puzzled as to his next move in the contest with the railroad's vice president and general manager and the president.

Features Booked for Philomath Show

R. P. McGilliland, President of Round-Up Association, Returns From Ashland With Attractions for Show.

Albany, Or., July 11.—R. P. McGilliland, president of the Philomath Round-Up association, has returned from Ashland, where he attended the wild west show in connection with the Lithia park dedication on July 4.

With him he brought some animals that will be used in the Philomath show, and he also contracted for services of some of the best riders and performers at the Ashland show. The enterprising backers of the Philomath show determined that their show next year shall be excelled by none in the state.

The show held at Philomath last month was a success from every standpoint far from the most sanguine anticipations of the most ardent member of the board.

Next year the seating capacity will be increased 50 percent and plans will be laid to care for more than 20,000 people during the session.

DEATH PENALTY FOR ORPET OR FREEDOM, PLEA OF HIS COUNSEL

State, on the Other Hand, Is Expected Merely to Ask for a Prison Sentence.

ARGUMENTS BEING MADE

"Guilt Man Could Not Have Stood the Brutal Cross-Examination That Orpet Did," Says His Attorney.

Courtroom, Waukegan, July 11.—(U. P.)—The anomalous position of the defense asking the death penalty for its client, if convicted, and the state asking merely a prison sentence, was in prospect in Will Orpet's trial for Marion Lambert's murder today.

As the closing arguments proceeded, it was learned that the defense will ask the jury to eliminate halfway measures, and either hang or free Orpet.

Special Prosecutor Joslyn, on the contrary, was expected to ask a prison sentence as an "object lesson."

Opening for the defense today, Attorney Leslie P. Hanna declared if the jury was convinced of Orpet's guilt, it was its duty to convict him, but it said that only a few of those had formal consent. Most of the boys were from the Jefferson high school.

The action is taken under the section of the federal statute which provides the enlistment of boys under 18 years without the consent of the parents.

In the company of 40 members about half are boys under 18 years and it is said that only a few of those had formal consent. Most of the boys were from the Jefferson high school.

C. F. Hendricksen, president of the Scandinavian-American bank, was away from the city when the company was mustered into the federal service and his 17-year-old son, Willard, is with the company. He is one of the leaders of the movement.

Mass Meeting at Ridgefield.

Ridgefield, Wash., July 11.—This city council has issued a call for a mass meeting to be held Wednesday evening, July 12, for the purpose of organizing a volunteer fire company, now that the city has a municipal water system with more pressure than is needed.

Georgia Rivers Flooded.

Atlanta, Ga., July 11.—(U. P.)—Although most of the rivers in Georgia and Alabama, swollen by recent storms, are receding, the Ocmulgee river at Macon, Ga., and the Alabama river at Montgomery, Ala., continue to rise today. Scores of persons in North Montgomery are homeless.

Land Drawing Attracts Many.

Tacoma, Wash., July 11.—(P. N. S.)—Local railroad officials declared today that an average of 100 persons a day are leaving Tacoma to register for land in the Colville Indian reservation, drawings for which will be made at Spokane, July 27.

Supreme Court of Washington Holds That Mrs. Marston Had Right to Sell Automobile, Driven by Other Woman.

Olympia, Wash., July 11.—(P. N. S.)—The supreme court of Washington today in a decision entered today, said that a woman has a perfect right to confiscate and sell expensive gifts, such as automobiles, which their husbands present to other women.

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From the records it appears that Mrs. M. H. Marston, whose husband is a wealthy Alaskan, discovered another woman driving around in a \$2500 car with Marston had presented to her. She seized the car and sold it.

The supreme court upholds her action.

Wives May Dispose of Gifts, Says Court

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Gasoline Goes Up; Not for Motorists

San Francisco, July 11.—(P. N. S.)—Gasoline went up today, but motorists were not affected. The Standard Oil company of California announced an increase of half a cent per gallon on case goods, comprising gasoline, engine distillate and kerosene, but the bulk price was not affected.

It was reported that the rise was due to the increase in the price of tin. Case goods are put up in cans, principally of five gallon capacity.

Survey to Be Made of National Forest

Purpose Is to Establish Better Fire Prevention—Lookouts in Mountains Will Be Materially Assisted.

Eugene, Or., July 11.—The forest service and the geological survey will cooperate during the summer in making a triangulation survey of the entire Cascade national forest as well as an additional topographical survey of the townscape of the headwaters of the Willamette river in the forest.

The triangulation survey will be made with the idea of tying in all of the principal topographic features to the general surveys of western Oregon, made by the geodetic survey.

The principal use to which the forest service will put this data will be to definitely locate all of its fire lookout points with respect to each other so that the lookout men will be able to locate fires by a system of intersecting lines.

At present the maps of the forest are inaccurate, according to B. J. Heintzelman, assistant supervisor of the Cascade forest, as the country is unsurveyed.

The work will be completed during this summer and the maps will be available by next spring, says Mr. Heintzelman.

Funeral of Captain Charles Boyd Held

Secretary of War Baker, General Scott and Others Attended Ceremony at Arlington Cemetery at Washington.

Washington, July 11.—(U. P.)—With full military honors, the bullet marked body of Captain Charles Boyd was buried here in Arlington cemetery. Secretary of War Baker, General Scott and others attended the ceremony.

Members of the general staff and other high army officers attended to pay to the hero of Carrizal the tribute due his rank.

Subway at The Dalles.

The Dalles, Or., July 11.—The Dalles will have its first subway within a few weeks. A 90 foot tunnel, which will be lined with concrete, is being dug under the O-W. R. & N. Co.'s tracks in the eastern part of the city to connect the big Libby, McNellie & Libby cannery with Front street. The work, by M. C. Carl, superintendent, will be five feet wide. It will cost approximately \$2500. The city is paying for it.

Penns Off for Big Bend.

El Paso, Texas, July 11.—The Second and the Tenth Pennsylvania infantry regiments were breaking camp this afternoon preparatory to departing tonight for Marathon and Alpine, from which towns they will begin a 52-mile hike to the border over the "bad lands" of the Big Bend country. They will be the first militia from El Paso to reinforce the Big Bend border patrol.

Married at Albany.

Albany, Or., July 11.—Miss Anna Evelyn Obriat and Elmer Probst were married Sunday evening at the home of the bride's sister, Mrs. Charles Reynolds, in this city. Rev. M. Howard Fagan of the Christian church performed the ceremonies. Both are popular young people of this vicinity, and will make their home on a farm near here.

Knight's Install Officers.

Albany, Or., July 11.—Last evening Laurel lodge, No. 7, Knights of Pythias, held its semi-annual installation, the following officers being seated: Richard F. Thom, chancellor commander; Fred Portmiller, vice chancellor; William L. Patterson, prelate; Ralph Thom, master-at-arms; Cleo Jenkins, inner guard; Louis A. Jones, outer guard; Charles C. Curry, retiring chancellor commander, master of the lodge; M. C. Carl, secretary of records and seal; John Bryant, master of finance; and Francis M. Arnold, master of the exchequer, were reelected to their positions.

Five Cities Contend With Portland For Shrine Convention

First of Great Spectacles at Buffalo Presented Today; Business Session Begins.

Buffalo, N. Y., July 11.—(U. P.)—The first of the great Shrine spectacles was presented today when members of more than 100 temples, representing every section of the United States in their gaily adorned patrols and skilled hands, marched as an escort to J. Putnam Stevens of Portland, Maine, the imperial potentate of the Shrine, to the opening of the session of the imperial council in the majestic theatre at noon, the serious business of the forty-second annual meeting began.

No suggestion is heard that there will be any new timber introduced into the imperial council edifice, except in the case of the lowest office.

The present imperial potentate will be succeeded by the present deputy imperial potentate, H. F. Niedringham Jr. of St. Louis. All other officers will advance one station, leaving vacant the position of outer guard, William Paschen of Troy, N. Y. David W. Crossman, Montgomery, Ala., and George W. Staples of Buffalo, are candidates to fill the place.

San Antonio, Texas, wants a shrine and has made up its mind to get it. It has picked the name of Alamo. It is to be pronounced "Hells Affire," so members of the patrol of Bea Hur temple, who live at San Antonio, say.

Several cities besides Minneapolis have entered the race to secure the convention of nobles in 1917. They are Portland, Or.; Portland, Maine; Atlantic City, N. J.; and Atlanta, Ga.

Report Is Made on Finances of O. N. G.

Governor Withycombe Receives Letter From Adjutant General White, Now Captain of Troop A, Cavalry.

Salem, July 11.—Governor Withycombe has received from Adjutant General George A. White, now captain of Troop A, cavalry, Third Oregon regiment, a letter bearing on the finances of the National Guard.

"Owing to the suddenness of the call for the Oregon National Guard to take the field and the demands upon my time incident to mobilizing I have not had an earlier opportunity to report, for your information, upon the condition of moneys and property in the military department of the state."

"With reference to the balances in the general fund under the appropriation made by the last legislative assembly you are advised that on June 28, 1915, the total balance was approximately \$53,000. The total appropriation was \$155,000 for the two year period. Thus it will be noted that the balance for the final six months of the biennium was in excess of its proportion."

Floater Found in Lake.

Tacoma, Wash., July 11.—(P. N. S.)—The body of a man drowned several days ago was lying in a local morgue today awaiting identification. The body was found late yesterday by boys while swimming in Lake Steilacoom. Coroner F. J. Stewart was of the opinion that the body was that of a missing inmate of the Fort Steilacoom hospital for the insane.

Villista Attack on Parral Is Repulsed

General Gonzales Receives Word From Commandant That the Rebels Are Driven Off With Heavy Loss.

El Paso, Texas, July 11.—(U. P.)—Villistas were repulsed with heavy losses in an attack on the Carrizal station today at Parral, according to a message received by General Gonzales in Juarez from General Ernesto Garcia, Parral commandant. The Villistas retired to Sonora and another fight is imminent.

The number of troops engaged was not stated. The Villa forces split into small groups after the capture of Jimenez last week, according to today's issue of El Democrata, official organ of the Carrizal government at Chihuahua City. This led to the belief that the entire Villista column was not engaged at Parral. The Villistas desired to loot Parral, which is the headquarters of the largest American mining interests in Chihuahua.

Montana Pastor Accepts Local Call

Rev. H. H. Griffith to Accept Pulpit of the First Christian Church of This City.

Rev. H. H. Griffith, pastor of the Cavalry Christian church of Missoula, Mont., has accepted the call of the First Christian church of Portland. He is expected to take up his new pastorate September 1. Mr. Griffith is a graduate of Transylvania university, Lexington, Ky., and has had successful churches in Kalispell and Missoula, Mont.

Militia Conditions To Be Investigated

House Calls Upon Secretary of War Baker to Answer Charges That Men Were Poorly Fed and Equipped.

Washington, July 11.—(U. P.)—Secretary Baker was today called upon by a unanimous house to answer charges that the railroads have transported the militia to Texas in dilapidated cars, that the men en route have been poorly fed and that many men left for the mobilization camps improperly equipped.

The action was taken on a resolution of representative Moore, Pennsylvania.

Another resolution proposed by Representative Gardner of Massachusetts was adopted, calling on Baker to advise the house how members of the militia of Arizona, Texas and New Mexico failed to respond to the presidential call for border service and how many men after reporting were excused from service.

Tomorrow

Thurs. -- Fri. -- Sat.

everybody says: "Go to the STRAND"

Clean and Clever Shows In a Cool and Restful Theatre

"The Heart of a Child"

By the Famous Novelist, Frank Danby, of "Pigs in Clover" Fame

A Wonderful Human Interest Drama, Featuring EDNA FLUGRATH, Noted American Actress

and

—four acts—top notch vaudeville

Willis Hall Trio The Baltus Trio

Cracker Jack Comedy, Singing, Talking Trio. Novelty Gymnasts.

"The Battle of the Navies" Billy Small

Presented by Chester & Co. The Violinist That's Different

Study Your Bank

Make it a point to know just what you are entitled to receive from it in the way of business helps, and then avail yourself of your opportunities as a depositor.

Your banker wants you to succeed. The First National Bank is keenly interested in its depositors' welfare and will be glad to see you connected here.

First National Bank

ANY SEASIDE TIME

Casey at the Bat

A comedy-drama featuring the big comedian—De Wolf Hopper.

SCENIC—Scenes in Malay land Interesting and picturesque

COMEDY—For Better or Worse.

FOR THE KIDDIES—A monkey land film, showing Napoleon, the trained Chimpanzee.

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