

MINGO COUNTY MINE WARFARE ADDS VICTIMS

HILLS HIDE AMBUSHED FIGHTERS

VOLLEYS RAKE TOWNS

Six Known To Be Dead, With Many Wounded—Casualty List Will Grow—War Secretary Authorizes Sending of U. S. Troops.

(By United Press to The Bend Bulletin.)
WILLIAMSON, May 14.—The heaviest fighting of three days in the mine workers' war in Mingo county broke out at noon today. Fighting factions, hidden in the Kentucky and West Virginia hills, let loose repeated volleys. Blackberry City, Auburn, Gates, Spriggs, new Howard and Merriam were subjected to hot fusillades.

Captain J. J. Brockus, with a detachment of state police, commanded special trains and started for the Tug river section.

MAY SEND TROOPS

WASHINGTON, D. C., May 14.—Major General Read, commanding the fifth army corps area, from Indianapolis, was authorized today by Secretary Weeks to dispatch troops immediately. If he thinks it necessary, to the West Virginia coal district.

DEATH LIST GROWS

WILLIAMSON, W. Va., May 14.—Hostilities in the Mingo mine war broke out today with increased fury. The dawn of the third day's fighting in the hills brought reports of six dead and many wounded, with possibilities that the casualty list would grow.

C. O. I. TRANSFER IS DISAPPROVED

INDEFINITE FORM OF PROPOSAL TO TURN OVER NORTH CANAL UNIT TO TITLE & TRUST CO., FOUND FAULT WITH.

SALEM, May 14.—Because of the indefinite form in which the proposal was made, the state land board has refused to approve the proposed transfer of the North canal unit by the Central Oregon Irrigation Co. to the Title & Trust Co. of Portland. The board has issued a statement, however, which says that after a satisfactory adjustment has been made with the settlers, the board will give careful consideration to the proposed acquisition.

Fred S. Stanley, president of the irrigation company, declared this morning that he considered the land board is quite right in refusing to approve the contract for transfer until further details are furnished. As quickly as the additional information can be compiled, it will be placed at the disposal of the board, he said.

SHIP FEARED FOR WHEN CALMS HALT

(By United Press to The Bend Bulletin.)
SAN FRANCISCO, May 14.—The schooner Defiance, 59 days overdue, arrived today at Callao, Peru, according to a cablegram. The vessel was 142 days out of Grays Harbor, Wash., with lumber. Reported calms delayed the voyage and the schooner was feared lost.

RAINBOW DIVISION VETERANS CONVENE

(By United Press to The Bend Bulletin.)
SACRAMENTO, Cal., May 14.—Veterans of the Rainbow division from all parts of California, Oregon, Washington and Nevada are here for their annual convention, which opened today. John Wireling of Los Angeles is president.

Constable Tries to Stop Speeder, Recovery Hoped

(By United Press to The Bend Bulletin.)
Greenfield, Ind., May 14.—Constable Charles Nyg tried to catch speeders as they whipped through town by grabbing at the extra tire on the rear of the auto. It is thought he will recover.

BEND VICTOR OVER HARNEY

VISITORS LOSE HEADS WHEN 6 TO GOOD

Score Is 9-8 In Ten Inning Game—Moody Shows Promise As Pitcher In First Appearance—Locals Are Cool In The Pinches.

By losing their heads completely in the eighth and ninth innings, the first time when they were 6 runs to the good, the Harney county team yesterday lost the game played here with Bend, 9 to 8. Nothing that the locals did earned them the victory except cool playing during the last three innings and, in fact, throughout the game, except in the fourth.

A new pitching star introduced himself to the home crowd when Moody trotted onto the mound in the seventh and allowed one run during the final four stanzas. He showed a faculty for making the opposing batsmen pop the ball into the ozone, and was well supported. Norcott pitched well for six innings.

Others on the local team who distinguished themselves were Lamb, who hit safely three times, twice for two bases, and McRoberts, who twice saved the day by spectacular running catches.

Burns started the scoring with the first man up, Reineman, who struck out, made first when Tucker dropped the ball, and scored on Clarke's single.

With two out in Bend's half of the same inning, Tucker reached first on an error, coming in on another error and Haner's hit. Burns poked another in the second, Gowen scoring on Reineman's two-bagger. In the third, sacrifice hits scored McCulloch and Welcome, who had singled. Clark and Richardson scored in the fourth when McCulloch hit, McRoberts saving another score when he snugged Welcome's Texas leaguer. At this point Burns led, 6 to 1.

Lamb scored a run unassisted in the fifth, getting a two-bagger and continuing around while Burns threw away the ball. There was no more scoring until the seventh, when McCulloch reached first on an error and was sacrificed around.

Score Tied in Eighth. Blakeley singled in the latter part of the seventh, Orrell did likewise, and McRoberts scored both with a two-bagger, coming in on Tucker's single. In the eighth Lamb walked, stole second and scored on Norcott's double, the latter coming in on Moody's sacrifice, tying the score.

Burns contributed to the excitement by forging ahead in the ninth, Richardson scoring on McGowan's single. Again McRoberts stabbed what looked like a hit, retiring the side. Tucker singled and romped home when Haner hit.

Moody kept the visitors off the paths in the 10th and the locals forced in the deciding run while the Harney county men forgot the name of the game they were playing. McNeely, Orrell and McRoberts were on the corners, reaching them on weird plays, which must be called hits for want of a better name, when a single by Tucker scored McNeely and ended the contest, with one out.

The lineup:
Bend—Orrell, 2b; McRoberts, cf; Tucker, c; Swigert, 3b; Haner, 1b; Lamb, ss; Norcott, p; Moody, lf; Blakeley, rf; McNeely, rf.
Burns—Reineman, cf; Clark, 1b; Richardson, c; McCulloch, p; Welcome, 3b; McGowan, ss; Gowen, lf; Hibberd, rf; Hotchkiss, 2b.
Score by innings—R. H. E.
Bend1 0 0 1 0 0 3 2 1 1—9 14 5
Burns1 1 2 2 0 0 1 0 1 0—8 9 7
Umpires—Springer and Byberg.

CROWDS ATTEND REDMOND MEET

TENNIS FINISHED IN MORNING

Redmond Players Get Majority of Court Events—Grade Declamations Also Run Off Making Way For Track and Field Competition.

(Special to The Bulletin.)

REDMOND, May 14.—With crowds drawn from Deschutes, Jefferson and Crook counties filling the city, which welcomed the visitors with specially decorated streets, Central Oregon's annual School day, devoted to competition in athletic and departmental school work, opened here this morning. Tennis finals and grade declamatory contests were run off in the morning, and this afternoon track and field events—the feature of the day—for both high school and grade athletes, were scheduled.

No one from Bend was entered in tennis, which was concluded with rather mixed results. In the high school boys' singles, Boegil of Culver defeated Mills of Prineville, 6-2, 4-6, 6-3, and in the high school girls' singles, Margaret U'Ren, of Madras, defeated Vera Volter, of Prineville, 6-1, 5-7, 7-5. The high school boys' doubles were won by Bates and Lauderback, of Redmond, from Youngstrom and Osborn, of Culver, 6-4, 6-1. The grade boys' singles went to Schumacher, of Redmond, who won from Gilles, of Culver, 6-3, 4-6, 6-1. Grade boys' doubles were forfeited to Redmond, and high school girls' singles were forfeited to Prineville.

Results in grade declamatory contests, in the order of placing, were as follows:

- First division—Arlene Davidson, Deschutes county; Billie Ireland, Crook county.
- Second division—Virginia Newland, Deschutes county; Mary Messenger, Jefferson county.
- Third division—Genevieve Seehoff, Jefferson county; Dora Knorr, Deschutes county.
- Fourth division—Margaret Beaver, Deschutes county; Francis Kidwell, Crook county.

JILTED YOUTH SHOOT'S SELF

MOTORISTS FIND ALFRED JENSEN DYING ON ROAD NEAR SALEM—CONFESES SUICIDAL INTENT.

(By United Press to The Bend Bulletin.)
OREGON CITY, May 14.—Alfred Jensen, 21, shot through the breast and dying, was picked up by a passing automobile on the Salem highway, four miles south of here, during the night.

Speaking for the first time today after hours of mute suffering in the hospital, he admitted that he had attempted suicide. The boy whispered to his inquisitors that a broken romance was responsible.

PLAN TO ADVANCE CONVENTION DATE

Newspaper Men May Meet In Bend On July 22 to Avoid Clash With The Washington State Session.

That the date of July 14, considered as practically determined for the beginning of the State Editorial convention in Bend, may be changed, is the information received by L. Antlos, secretary of the Bend Commercial club. July 22 and 23 are now favored for the convention.

The fact that the Washington editorial convention has already been definitely planned for July 15 and 16 is responsible for the movement to postpone the Oregon meeting.

Will Investigate Deaths Caused By Black Powder

(By United Press to The Bend Bulletin.)
FORT SILL, Okla., May 14.—Military authorities are investigating the deaths of four enlisted men of the seventh ordnance corps in an explosion of black gun powder at the supply depot here. The powder was condemned and ordered destroyed. The supposition is that it exploded prematurely.

ENTENTE SPLIT IS THREATENED

POLISH-GERMAN WAR POSSIBILITY

Upper Silesian Situation Rapidly Develops Into International Crisis—Sensation Caused Through Europe by Lloyd-George's Speech.

(By United Press to The Bend Bulletin.)
PARIS, May 14.—The upper Silesian situation is rapidly developing into an international crisis holding a dual danger of a Polish-German war and a split in the entente, according to well informed observers.

Lloyd-George's speech in the house of commons, practically threatening Poland, has caused a great sensation throughout France, both in official and unofficial circles.

SAYS 'ALLIES FAILED'

BERLIN, May 14.—Rene Hatfield, German commissioner for upper Silesia, resigned today because of "non-fulfillment of allied promises."

SERVICES HELD FOR J. H. WOOD

CIVIL WAR VETERAN, 86 YEARS OF AGE, LAID TO REST WITH MILITARY HONORS YESTERDAY AFTERNOON.

Funeral services were held yesterday afternoon at the Newwenger parlors for John H. Wood, Civil war veteran, who died Monday. Rev. J. Edgar Purdy performed the ceremony. He was laid to rest in the Pilot Butte cemetery beside his wife, who died eight years ago.

An honor guard of G. A. R. veterans attended the casket, including R. M. Perrine, Thomas Peter, A. F. Morrison, M. G. Ries, T. F. Fessenden and L. C. Smith. Pallbearers were members of Percy A. Stevens, post No. 4, American Legion. Music was furnished by the Baptist choir. William S. Gilbert, state commander of the American Legion, was present, and a number of Legion men, members of the Legion auxiliary and widows of Civil war veterans were among those who attended.

John H. Wood was 86 years of age and a resident of Bend for 18 years, previous to his moving to Portland a year ago. He hauled the first stock of goods into Bend from the Willamette valley for E. A. Sather's store. He was a member of 50th Illinois, Company I.

A number of Mr. Wood's relatives who live in Oregon and Washington were present for the funeral services, as well as those who are residents of Bend.

COLUMBIA IS WINNER OF THE CHILDS CUP

(United Press Staff Correspondent)
NEW YORK, May 14.—Columbia won the 16th annual Childs cup race this afternoon on Harlem river, defeating Pennsylvania and Princeton.

U. S. POLO PLAYERS DO FINAL TRAINING

LONDON, May 14.—American and British polo teams, who meet at Hurlingham early next month to play for the International cup, started final training today.

PRIMARY LAWS OF STATE ARE INVULNERABLE

"OREGON SYSTEM" IS UPHELD

STATE RIGHTS SHOWN

Decision In Newberry Case By Supreme Court Declared To Prove Strength of Statutes On Primary And Corrupt Practices.

(Bulletin Salem Bureau.)

SALEM, May 14.—Any doubt that may have existed about the power of the Oregon primary and corrupt practices laws, or their ability to stand up in any court, is brushed away by the decision of the United States supreme court in the Newberry case. Senator Truman H. Newberry was prosecuted and convicted under the federal corrupt practices act. The United States supreme court set aside the conviction and declared the federal corrupt practices act unconstitutional.

Relative to the Oregon corrupt practices act, the following reflections, backed by the best legal minds of the land, serve to establish its unquestioned potency:

The federal constitution is a grant of power. Congress may enact such laws as the constitution says it may enact, and no other. The federal constitution does not say congress may enact a corrupt practices law. Hence the law was declared unconstitutional in the Newberry case.

Act Plainly Sanctioned.

The state constitution, unlike the federal constitution, is a limitation of power. That is, the state legislature may enact any law that is not expressly or by plain implication prohibited by the Oregon or the United States constitution. There is no prohibition in the constitution against a state corrupt practices act. This alone would serve to give validity to the Oregon law, even if the state constitution did not go farther. But it does go farther, and expressly directs the legislature to enact legislation to prevent corrupt practices relative to elections. (Article 2, sections 7 and 8.)

The Oregon corrupt practices act then has the plain sanction of the state constitution and does not conflict with the federal constitution.

In the decision of the United States supreme court, however, there was a division of opinion, with four of the nine justices holding the federal corrupt practices act constitutional. They were Chief Justice White and Associate Justices Pitney, Clarke and Brandeis.

Opinions Differ.

They, apparently, were reasoning under article 1, section 4, of the federal constitution, which provides that "the times, places and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the congress may at any time by law make or alter such regulation, except as to the places of choosing senators."

Apparently the four justices held that this section would warrant congress in imposing a federal corrupt practices act. The other five judges apparently held that such an interpretation would give congress a power over primary elections, which under the 17th amendment to the federal constitution, the direct election amendment, it is not supposed to have.

According to press dispatches, the court's decision was that the direct election amendment does not affect Article 1 of section 4, which the majority opinion said, while it gives congress the power to regulate the manner of holding elections, does not confer on it authority to control primaries or conventions.

Opinion Is Cited.

One of several notable court opinions that distinguish between the character of the federal constitution and that of the state constitution, and which has an application in the present situation, is that of former Justice Will R. King of the Oregon supreme court in the case of State vs. Cochran, written in 1909. This opinion contains the following language:

"The constitution of a state, unlike (Continued on last page.)"

SAYS TYPHOID NOT ARSENIC, KILLED MATES

ALLEGED SLAYER HAS EXPLANATION

WOMAN DENIES GUILT

Mrs. Lidia Southard Believes She Is Typhoid Carrier, She Says—Poison Found In Stomachs of Five Men, States Prosecutor.

(By United Press to The Bend Bulletin.)

HONOLULU, May 14.—Mrs. Lidia Southard, alleged feminine blue beard, told the United Press today she believed she was a typhoid carrier, and that this explains the death of four husbands and her brother-in-law.

"I am innocent of any wrong doing, but I do believe I may be a typhoid carrier," she said in an exclusive interview. "All my husbands died of typhoid. I have physicians' certificates to prove it."

UNTRUE, SAYS PROSECUTOR

TWIN FALLS, Idaho, May 14.—Denial that there are doctors' certificates proving that all Mrs. Lidia Southard's deceased husbands were typhoid victims was made today by Prosecutor Attorney F. L. Stephan, when showing the statement by Mrs. Southard, in Honolulu, that she claimed to have such certificates, and her expressed belief she was a typhoid carrier.

Stephan scouted the theory. "McHaffey, her second husband, was supposed to have died of pneumonia," Stephan said. "Lewis, the third, was a victim of gastroenteritis, according to the certificates. Meyer, number four, and the two Dooleys—husband number one and his brother—are said to have been typhoid victims."

"But regardless of what the physicians' certificates said, we found evidence of arsenic poisoning in the victims' stomachs." Mrs. Southard is to face trial for murder here.

SCOUT COUNCIL IS REORGANIZED

E. O. STADTER IS PRESIDENT—MAY LATER INCLUDE ALL OF COUNTY UNDER JURISDICTION—CHARTER RECEIVED.

Permanent organization was effected last night at a meeting of the Deschutes Boy Scout council, held in the office of E. O. Stadter in the court house. Mr. Stadter was elected president of the council, J. A. Eastes vice president, E. L. Payne commissioner, and S. W. Moore secretary-treasurer.

The charter which the council has this year, and which arrived this week from national headquarters, specified the limits of its jurisdiction as the city of Bend. However, it was suggested that the council might function throughout the county, taking in Redmond, where a troop has already been organized, and other districts where troops or patrols might be formed.

Previous to the granting of this charter, Scoutmaster J. Edgar Purdy has been directly responsible to the national headquarters of the Boy Scouts. Under the new arrangement, many things may be done by the council, thus making it more convenient, and at the same time providing supervision of the work by a controlling body.

The charter is for a council of the second class. A first class charter is granted only in case there are three or more Scout troops and a paid executive.

Present members of the council are: C. S. Hudson, Paul C. King, R. W. Sawyer, J. A. Eastes, S. W. Moore, E. D. Gilson, J. D. Collett, Ralph Curtis, E. L. Payne, Clyde M. McKay and T. H. Foley. Another meeting for the purpose of perfecting the organization will be held next week.