

The Daily Capital Journal

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MAYOR VETOES PURCHASE OF PLANT CITY CANNOT BUY THE WATER WORKS

MAYOR TURNS IT DOWN HARD SIX COUNCILMAN BACK HIM ACTION A GREAT SURPRISE

Councilman Durbin Has Chance to Tune Up in "Glory to God for the Mayor"---Business Men Generally Are Not Vociferous in the Chorus---Action Considered a Hard Blow to the City's Progress---The Question Now Before the People Is "What Is the Next Move Toward City Owning Its Water System?"

Declaring that after a consideration of the reports relating to the purchase by the city of the water plant of the Salem Water company, that he had reached the conclusion that the price asked for the plant was excessive, and that the plant in its present condition was inadequate, Mayor Lachmund last evening vetoed the ordinance passed at a former session of the council and having for its object the purchase of the plant and upon a vote being taken on the question of the veto being upheld it was sustained by a vote of six to six.

Sounds Death Knell.
Through all of the day a rumor had been prevalent that the mayor would veto the ordinance and from the start to the end of the session when the veto was submitted, the excitement was intense. Despite the persistency of the rumor, however, the councilmen who had labored for the passage of the ordinance in the first place declined to give credence to it. When the ordinance was passed a week ago most of the councilmen favoring its passage, had gone to the mayor and secured his views and he had assured them that if it came to a tie vote he would vote in favor of the ordinance. Having implicit confidence in him, they brushed aside all rumors, and it was not until the clerk picked up the veto message and began to read it that they realized the truth of the rumor---the full meaning of Councilman Durbin's remark when he entered the council room---that he "had come to preach the city's funeral sermon or sing glory to God for the mayor," and also realized that with a single stroke of the pen the mayor had sounded the death knell for some time to come on the pure water campaign in the city of Salem.

Business Men Ignored.
M. O. Buren, president of the Board of Trade, and Theodore Roth, president of the Business Men's League, fearing that the rumor would come true submitted a written communication to the clerk of the council and asked him to hand it to the mayor before the body convened. They asked for the communication that before the mayor veto the ordinance that he give the business men a hearing. The clerk handed the communication to the mayor just before the council convened, and the next time it was heard from was after he had vetoed the ordinance when he asked if any one representing either organization was present and upon receiving no answer proceeded to put the veto to a vote.

The vote was taken without discussion and was as follows: Durbin, Hill, LaFay, Moffitt, Eldridge and Pennbaker, aye; Hatch, Huckstein, Manning, Sauter, White and Waring, no. Lowe and Elliott being absent.

The Veto and Reasons For It.
"To the Common Council of the City of Salem,"
"Gentlemen:---I herewith return Ordinance 882-930 with my veto, advancing the following reasons therefor:
"At the outset I desire to state that I am an earnest advocate of municipal ownership of waterworks, but after making a careful investigation of the reports covering the plant now owned by the Salem Water company, I have come to the conclusion that the price asked is excessive and furthermore considering its present condition and inadequacy, it is my belief that the taking over of this property by the city would not be justified.

From investigations and information derived from numerous sources the company's present mains and connections are totally inadequate to furnish a sufficient supply of water during the summer months and were the city to take over by purchase the existing water works, the first step would be the installation of pipes of sufficient size to meet the requirements and demands of the entire city. It would mean the prompt construction of a reservoir of triple the capacity of the present one and finally a modern filtration plant.

A bond issue as contemplated of \$400,000 would be but a beginning and before the plant could be brought up to date and sufficiently large to meet the requirements of the present and future, \$1,000,000 or more would be invested, which investment would then consist of a plant about one-half obsolete and one-half modern.

"The responsibility for the passing of this ordinance seems to rest with

my signature but after giving the subject my best attention and looking at it from every angle, I feel that it would be derelict in my duty to this city and its citizens by affixing my name thereto.

"City taxes have reached a maximum and to increase this burden would work an unnecessary hardship upon a class least able to stand it. The city is making rapid strides along the lines of progress and while the acquisition of the water works would be desirable, it is not absolutely necessary at this time.

"I therefore return Ordinance No. 882-930 with my veto."

There Was a Big Fight.
Early in the day the secret got out that the mayor had decided to veto the ordinance purchasing the water plant. He was waited on by a number of prominent business men, but all found that his mind was made up and closed to argument. All efforts to get the mayor into conference with progressive and disinterested property owners who have staked their fortunes on the improvement of the city---men who put their money into the new Marion hotel, men who have paved streets and built and maintained beautiful homes---were unavailing. His headquarters were in the back room of the cigar store and all who wanted to see him had to go there. He was closely watched and later was taken in charge by a prominent attorney until he went home and could not be seen again until the council met. Representatives of the water company were barred from access to the mayor, who had a long conference with his managers at the Marion hotel barroom. A few business men of the city then asked the mayor to take the full 10 days as he said originally he would when he approached them and asked their help to get the council to pass the ordinance. There is communication signed by the president of the Board of Trade and the Business Men's League was sent to him asking that he defer action until the business men and property owners of the city could have a chance to express themselves. But with eight votes in the city council and almost unanimous sentiment among the business men of the city no hearing would be granted.

What Will Be Done Next.
The situation as it now stands is complex. The charter has been amended for public ownership and a bond issue of \$400,000 authorized. The bonds have been sold once and there were eight bidders, the highest offering a premium of \$26,000. The same firm stands ready to take the bonds. There is now no proposition before the city council to buy the plant. The water board of four men who were elected under the Rogers administration will probably resign. The reactionaries propose to invoke the aid of the railroad commission under the public utilities act to make the water company extend its mains and put in pure water. This idea is championed by Alderman LaFay and Durbin and the mayor. The water company has incorporated in Arizona and will probably take its property off the market, as it has never been offered for sale to anyone but the city, and prepare for litigation.

IN INTEREST OF PAROLED PRISONERS

With the view of launching a state-wide movement having for its object the assisting of paroled prisoners from the state prison in securing employment in the midst of proper environment Rev. Bauer, chaplain at the state penitentiary, will leave for a tour of the state tomorrow, and during it he hopes to effect organization in most of the smaller towns, which will co-operate with the Prison Aid Association.

The Prison Aid Association maintains headquarters in Portland. While organized three years ago, it has not been active, but as soon as the new parole law goes into effect there will be about 100 prisoners in the state prison entitled to clemency,

"Hands Off" His Policy.

Washington, May 9.--President Taft's determination to maintain his "hands off" policy in the Mexican revolution was only strengthened by a cabinet meeting here today, which discussed the occurrences along the border. The White House gets duplicates of everything received on the subject by the war department.

The president has determined that the whole action of the government at this time shall be to use the army to keep Americans away from the border and out of the zones of fire.

and that will give the association a field to work in.

The association, as it now exists, is not strong enough to properly care for these paroled prisoners, and it is to increase its strength so that it will be that it is proposed to organize all minor associations. The plan will be to parole the prisoners to these minor associations, and to have them secure employment for and keep in touch with them. The movement will effect the stopping of the migration of prisoners to Portland as soon as they are paroled, and surrounding them with environments which will tend toward their reformation.

WOODBURN LIQUOR TROUBLE KEEPS UP

Another chapter was written in the war waged by a certain prohibition element in Woodburn against the Bachelor's Club of that place, when Night Patrolman McMorris was hailed before Justice Crittendon, of Hubbard, Saturday, and fined the sum of \$10 for assaulting members of the club.

McMorris' offense consisted in stopping members on the street, arresting and searching them. A warrant was sworn out for his arrest Friday, and he signified his intention of pleading not guilty, but, upon a second thought decided to enter a plea of guilty, with the result of the above fine being imposed.

He failed to find anything in the way of intoxicating liquors upon the persons of the members searched. So far in the battle being waged the club has played a winning hand.

CREATED A BOARD OF EDUCATION

SUPERINTENDENT SMITH NAMES THE BOARD FOR THE COUNTY, WHICH, IN TURN, WILL APPOINT SUPERVISORS UNDER THE LAW EFFECTIVE MAY 20.

In compliance with a law passed at the session of the last legislature, authorizing the creation of a county educational board in every county in the state having more than 60 school districts, County Superintendent Smith today appointed L. S. Lambert, of Stayton; J. M. Poorman, of Woodburn; E. E. Shields, of Gervais; and A. W. Mize, of Liberty, as members of the board.

The law provides that on the first Monday of June the board shall hold its first regular meeting and organize by electing one of the members as secretary and then proceed to divide the districts of the county, save the districts of the first-class, into supervisory districts, but no supervisory district shall contain less than 20 nor more than 50 school districts. After the creation of the districts the board shall employ supervisors who shall be engaged for not less than 10 months of the year, and whose salary shall not exceed \$100 a month. The board, besides making rules and regulations for the work of the supervisors, shall act as an advisory board to the county school superintendent, and assist him in holding educational meetings throughout the county. The members of the board get no compensation, but are allowed traveling expenses not to exceed \$25.

The duties of the supervisors shall be to work under the superintendent, and attend all meetings he shall call; to supervise the schools of the district for which he is employed; to enforce the course of study prescribed by the board; to make a written report at the end of each month to the county school superintendent upon the conditions of the schools. To be eligible to be appointed he must have a teacher's certificate from this state and must have taught in its schools for at least nine months. County Superintendent Smith is made ex-officio chairman of the county educational board.

The law goes into effect May 20.

Fired for Unionism.

Washington, D. C., May 9.--Straight admission that postal clerks had been dismissed from the service of the United States solely because they had been active in forming a union was made here today by Second Assistant Postmaster-General Stewart before the house committee on civil service reform.

Stewart's admission came with especial reference to the cases of Clerk Van Dyke and Duff. He testified that both were good clerks, and said they were dismissed only because of their "pernicious activity" in promoting the postal employees' union.

TIA JUANA CAPTURED BY REBELS

Citizens of Little Town Put Up Heroic Defense, But the Fortunes of War Were Against Them, and They Had to Surrender.

AMMUNITION EXHAUSTED

Americans Who Saw the Battle Say They Displayed Splendid Courage and Added a Bright Page to the History of Lower California---"Aunt Jane" Never Feels Ashamed of Her Boys, Who Defended Her to the Last.

TO DIG THE CANAL AT SEATTLE

Seattle, Wash., May 9.--King county commissioners have guarded the federal government against possible damage claims from property owners as the result of the eight-foot lowering of the waters of Lake Washington in construction of a canal to the bay. The latest obstacle is thereby removed, and it is expected work will begin soon. The canal will transform the immense interior lake into a harbor of superior protection, and great industrial development is promised to follow.

ARRANGING FOR CONCERTS THIS SUMMER

PLAN IS TO HAVE AT LEAST THIRTY ALTERNATELY AT WILSON AVENUE AND MARION SQUARE---EVERY CITIZEN SHOULD ASSIST IN THE GOOD CAUSE.

The Salem band boys and the Board of Trade are trying to raise a fund to maintain concerts here during the summer months. This is a worthy undertaking, and should be supported liberally by Salem people, not only the business men, but by every person who enjoys the concerts.

The plan is to give 30 concerts with not less than 15 musicians at each concert, the concerts to be held in Wilson Avenue and Marion Square, alternately. It will take \$1500 to give these 30 concerts, which is a very reasonable price for the work the men do. Band music in any city, on certain afternoons or evenings, is a great attraction, and if each person who has the pleasure of

MEXICANS FIGHTING REAL BATTLE AT LEAST 400 KILLED OR WOUNDED

Jury Must Decide.
Hayward, Wis., May 9.--On the ground that the crime had not been proved, John Dietz, who is on trial here for the murder of Deputy Sheriff Oscar Harp, moved today that the court dismiss the case. The motion was overruled by Judge Reid, who declared that the jury must decide the case on its merits.

Dietz then asked that the case be taken from the jury, because he did not want to see his members persecuted by the lumbermen persecuted by the lumbermen.

enjoying this music would give only 10 cents a concert, or \$3.00 for the 30, it would raise a fund whereby a splendid band could be maintained.

The boys are doing their best to get around between working hours and see the business men, but it is almost impossible for them to see everybody. All money subscribed and paid in is turned over to Chauncey Bishop, who is head of the committee. Anybody interested in the band and these concerts (and everybody should be interested in them) is invited to leave whatever amount of money they wish to give, no matter how small or how large, with Mr. Bishop at the Woolen Mill Store or at the Capital Journal office. Money so left will be placed in the proper hands.

CHILD KILLED BEFORE THROWN IN CANAL

Chicago, May 9.--Indications that little Elsie Paroubek, 4, for whom 250,000 school children have been searching for months, was slain before the body was found in the drainage canal at Lockport, Ill., was found today in a cursory examination of her remains. There was no water in the lungs. The child disappeared a month ago, and the body was found last night.

The father of Elsie maintains that she was kidnapped by gypsies, and was murdered when the police got on their trail.

DECLARED SUNDAY AS "MOTHERS' DAY"

Governor West today issued a proclamation designating and setting aside next Sunday--May 14--as "Mother's Day" and recommending its observance throughout the state.

The governor in his proclamation suggests that wherever possible it be observed with exercises in harmony with the spirit of the day; that white carnations and white badges be worn and that all flags be flown on public buildings.

The day has grown much in favor in recent years and extensive preparations are being made for its observance in the churches of this city.

BLUE MASKED BANDITS AGAIN IN EVIDENCE

Los Angeles, Cal., May 9.--The "blue mask bandits" again were in evidence early today, making an unsuccessful attempt to hold up a downtown drug store owned by Fred C. Krusel. Krusel who was behind the counter when the men entered, ducked down and ran out a back door calling for help. The robbers fled.

FIGHTING IS DESPERATE BUT REBELS STEADILY GAIN---RE-INFORCEMENTS ARRIVE

Everything Points to a Great Rebel Victory, But Whatever the Result the City Is Practically in Ruins From Fierce Cannonading---Hundreds of Non-Combatants Fled Across the Line, and at Least Three American Citizens Have Been Killed in El Paso by Flying Bullets.

[UNITED PRESS LEASED WIRE.]
El Paso, Tex., May 9.--Fighting with desperation, the federal garrison of Juarez was still holding out this afternoon at 1:30 o'clock their rifles and quick firers splitting viciously from behind breastworks on the roofs of the Church of Our Lady of Guadalupe, the Juarez jail and the adobe houses nearby.

It is estimated semi-officially that there are between 300 and 400 dead and wounded on both sides.

The gambling rooms of Juarez are filled with the wounded and the dead. He unburied in the streets while over his bodies sing the bullets fired in such a fight as few Americans thought would be ever seen in the Madero rebellion.

Early this afternoon 400 rebel reinforcements arrived at Juarez. They took the place of Colonel Garibaldi's force, which included a great many Americans. It had been forced to retire from the fighting line to replenish its exhausted stock of ammunition. Garibaldi, when his troops fell back, declared that only one American, a man named Kelly, had been slain in his command.

At 10:45 o'clock the fate of Juarez was still undecided. Hundreds of rebels and swarmed into the city and were storming the barricades and trenches in the streets, behind which the remnant of the federals still fought on with the desperation of despair.

Federals Fight Wickedly.
The federals still held the jail, the main customs house and the cathedral, and from the top of the jail their guns poured shells along the streets taken by the rebels and into Cowboy park, which since early morning had sheltered a force of the residents of Juarez this morning when it appeared that the city would be wrecked by cannon fire. Thousands of men, women and children rushed to the international border, seeing for their lives to American territory. They were allowed to come in without question, but neither rebels nor federal soldiers were allowed to cross, even the wounded being turned back by the American troops on patrol.

Additional American troops which arrived here this morning are closely guarding the river bank and forcing the people from the zone of fire along the river.

Despite repeated complaints by the American officers in charge, bullets are still raining into the heart of El Paso.

Death List Large.
El Paso, Tex., May 9.--Fifteen Americans were killed and 150 insurgents were killed and wounded in today's fighting at Juarez, according to Emilio Garcia and an American named Casidy, who came here this afternoon to secure supplies for the rebel army. The federal losses were said to greatly outnumber the rebel casualties.

"I counted 47 dead federals in one street and 38 in another," said Casidy. "Most of them were stripped of their clothing and weapons. Villalobos, with 500 men and two pieces of artillery, one of which is 'McGinty,' the brass cannon stolen from the El Paso public square a few weeks ago, are now fighting with Madero."

CALIFORNIA CHERRIES BRING GREAT PRICE

Sacramento, Cal., May 9.--The demand for early California fruit in the East is shown by the information received here today that \$20 a box had been paid for a consignment of Sacramento valley early cherries in the New York market. The fruit was shipped by the Pacific Fruit Exchange. The standard price for California cherries in mid-season is \$1.50 per box. The price received in Chicago for a consignment of the same nature was \$10 a box.

The reason why some women never grow old is because they never arrive at the age of discretion.

SAYS NO REBEL SUCCESSSES CAN MOVE HIM

[UNITED PRESS LEASED WIRE.]
Mexico City, May 9.--Jose Yves Limanour, minister of finance, issued a statement here today on the revolution in which he indicated that no rebel successes will move President Diaz to any immediate resignation.

"The government," he said, "hopes for the best, and considers President Diaz's manifesto the final step to be taken on its part. It is hoped that the people will accept it as conclusive, and that peace will be restored."

It is reported here that the rebels will attack Cuernavaca this afternoon. Twelve American citizens are still there.

TRYING TO MAKE EMPLOYEES STAND LOSS

[UNITED PRESS LEASED WIRE.]
Oakland, Calif., May 9.--Work at the California cotton mill was practically suspended today when 250 employees, mostly women and children, quit because notice had been served upon them that their wages were to be reduced 10 per cent. Officers of the company attributed the cut to the new 8-hour law for women, declaring that they could not afford to pay the same wages for eight hours work as they had paid for a nine-hour day.

BATTLING NELSON TO FIGHT AT VANCOUVER

[UNITED PRESS LEASED WIRE.]
San Francisco, May 9.--In a letter from Hot Springs, Arkansas, to a local sporting writer, Battling Nelson announced today that his next match in his "come back" effort would be at Vancouver, Washington, July 4. "Bud" Anderson will be the Battler's opponent.