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BACHELORS CLUB WINS FIRST FALL WHEN THE DEMURRER IS OVER RULED

ORDINANCES ARE RADICAL NO CITIZEN ALLOWED TO HAVE LIQUORS IN HIS RESIDENCE

Express Companies or Draymen Delivering Sealed Packages Containing Liquors Are Liable to Punishment---Anyone Making Affidavit Can Have Search Warrant Issued and Any Citizen's House Searched---Such Is the Meaning of the Ordinances as Explained by the Attorneys in the Case.

The Bachelors' club, of Woodburn, scored its first victory in its litigation against the city of Woodburn this forenoon when Judge Galloway overruled the demurrer interposed by the defense in the suit brought by the club against the city to have declared void certain ordinances pertaining to the handling of intoxicating liquors by the club, and if the remarks made by the court in making the ruling can be taken as indicative of his views as to the legality of certain ordinances in the complaint it will not be surprising when the case comes up to him for final disposition, should his be in favor of the club.

The defense in the demurrer that the equity court had no jurisdiction in the case but that it was of a nature which brought it under the jurisdiction of the law department which is presided over by Judge Kelly. Judge Galloway held that as the complaint attacked the validity of the ordinances of the city and as assuming jurisdiction of the case, would avoid multiplicity of suits, that the case under the law came within the jurisdiction of the equity department and overruled the demurrer. The city was ordered to answer and the case will be tried out on its merits on May 26.

The ordinances attacked in the complaint are radical in the extreme and the court took occasion in making his ruling to say that some of them are, but when pressed by the attorneys as to whether they were legal or not declined to say, but his remarks indicated that he entertained grave doubts as to the legality of some of them.

The first ordinance set out in the complaint provides in substance that no liquor shall be given away or sold or kept in any place in the city of Woodburn, save in drug stores, and upon prescription. The second is along the same line, only it declares places where gambling is conducted and where liquor is given away, or sold or kept as disorderly places and provides a heavy fine. It is the contention of the club that they are void for the want of authority in the charter of the city for their enactment.

These Radical In Extreme. While the above are radical enough an ordinance directing that search warrants may be issued by the city recorder, and another forbidding common carriers or their agents to deliver liquor to any place within the city of Woodburn, save the drug stores, are radical in the extreme. Under the search warrant ordinance the city recorder can direct a search warrant to be issued for the searching of any place in the city private or public, upon an affidavit being made by a person that he believes that personal property is located at a place which the law forbids being there. Under this ordinance an officer can enter any private house and if he finds liquor therein, have the parties dragged before a court and fined as under the general liquor ordinance, it is unlawful even to keep liquor in the house for private purposes.

Under the common carrier ordinance, common carriers are forbidden to carry liquor within the boundary lines of Woodburn, and under it not only they, but their agents—a drayman, might be convicted for violating it. Under it the Wells-Fargo Express company and its agents might be arrested for delivering to any person a sealed package containing liquor. This ordinance the defense contends is illegal for being in violation of the inter-state commerce law. Judge Galloway took occasion to pronounce this ordinance and the search ordinance as radical.

Much interest attaches to the case as should the city win it would mean that every club in the state where the town is dry would be unable to supply its members with liquor. In many of the dry towns of the state certain lodges maintain clubs where liquor is dispensed for the benefit of the members and a decision for the city in this case would mean that should the town in which they are located desire to do so, they would have to cease dispensing liquor to members.

One way of discouraging gossip is to keep on good terms, but not too good, with your neighbors. The world's all right to a man who is on good terms with himself.

Dietz Found Guilty.
Hayward, Wis., May 13.—The jury in the case of John F. Dietz, charged with having murdered Deputy Sheriff Oscar Harp, returned a verdict of guilty today. Dietz's wife and son, Leslie, were acquitted. When the verdict was announced, Mrs. Dietz threw her arms about her husband's neck and sobbed. As he was led away Dietz grinned defiantly and shouted: "If the lumber trust needs a victim I can stand it."

WILL REACH PORTLAND TONIGHT
CHRIS EVANS, THE NOTED BANDIT, PAROLED FROM CALIFORNIA PRISON, TO REACH PORTLAND, HIS FUTURE HOME, TONIGHT.

THE MERIDIA HAD TWO MILLION DOLLARS ABOARD
New York, May 13.—With her bows badly stove in, the steamer Admiral Farragut arrived this afternoon at the Brooklyn drydock for repairs. The officers of the Meridia, which the Farragut ran down, declared today that the Meridia had aboard when she sank \$2,000,000, which was being taken to New York from Mexican banks.

Josephine Took a Tumble.
San Francisco, May 13.—Josephine Tupper, 14 months old, escaped with slight lacerations today after a fall of 45 feet, from the fourth-story window of her home, and landing on a cement pavement.

The Civil War is raging again in 15,000 newspapers.

Madero Protects Navarro.
El Paso, Tex., May 13.—Rioting is reported as imminent in Juarez today between the insurgent chiefs over the possession of defeated Mexican general, Juan Navarro. Generals Orozco and Villa, it is said, want to shoot Navarro for inhuman treatment of wounded prisoners. Madero says they must shoot him before he will allow Navarro to be executed. It is reported that Orozco has gone for Navarro, and that serious trouble in the rebel ranks may come at any moment.

MEXICANS TO ATTACK NOGALES

Three Hundred Rebels Board Southern Pacific Train at Town of Cananea Captured by Them This Morning. DESTINATION IS NOGALES

This is the Only Point of Entry Along the United States Border Not Yet in the Hands of the Rebels—The Mayor and Other Mexican Officials Fled Across the Line on Hearing of Move, and Resistance Will Be Slight.

Residents of Mexican Nogales became panic stricken when news of the impending attack was flashed here. An exodus across the line began immediately. Among the first to move was the mayor, and other Mexican officials followed closely on their chief's action.

It was expected that the federal garrison would make but slight resistance, taking refuge across the line when the attack became too hot.

WHITE MAN MEASURES HIS SPEED AND ENDURANCE WITH RED BROTHER

Flee From Ensenada.
San Diego, Cal., May 13.—The steamer Bernardo Reyes arrived here today with 47 refugees from Ensenada—all that could be crowded on the little boat. She reported that the steamer San Diego would leave Ensenada today with 200 more refugees.

IT'S TOO LATE TO PREVENT THE FILING

FRIENDS OF THE U. OF O. HOPE TO ACCOMPLISH SOMETHING BY CONFERENCE, BUT REFERENDUM IS NOW CERTAIN TO BE APPLIED.

Misunderstanding Says Governor.
In speaking with regard to the bribery charge made against President Campbell by Parkinson, Governor West gave it as his opinion that it was but the result of a misunderstanding between the two. He stated that he was well acquainted with both men; that Parkinson was sincere and honest and would never have preferred the charge, unless he believed it was true. On the other hand he said he was personally acquainted with President Campbell, and that he was man of honor and integrity and that he did not believe he could not be convinced that he had offered to bribe Parkinson.

CHINESE GOVERNMENT WANTS AMERICAN DOCTORS
Washington, May 13.—The state department has been informed by Minister Calhoun, at Peking, that the Chinese government has agreed to an indemnity in case any of the American physicians assisting in the fight against the pneumonic plague in Manchuria are stricken with the disease. Besides more than a score of American doctors being employed by the government, Drs. Strong and Teague, of the Philippine service, officially represent the United States at the plague conference at Mukden. In case of the death of any of the American medical representatives, the Chinese government has agreed to pay \$6500 to the families of the deceased.

Hatch Won Marathon.
St. Louis, Mo., May 13.—Sidney Hatch today won the Missouri Athletic Club Marathon for the fourth time. Hatch's time was 3:04:56. Forshaw, who was second, made the distance in 3:9:14.

Madero Saves Navarro.
El Paso, Tex., May 13.—Fearing that General Orozco's troops would carry out their threats to shoot General Navarro, Provisional President Madero this afternoon personally conducted Navarro to the Rio Grande, where he forded the stream, escaping into El Paso.

WHITES LEAD FROM START AND MAKE STEADY GAINS--- NEARLY CERTAIN TO WIN

The Race Started Promptly at 10 O'clock and at Chemawa the White Boy Had Two Minutes and a Half the Best of It They Added a Minute in the Second But Lost It in the Third---After That It Was Steady Gains Until at Oregon City They Had a Lead of Eight Minutes and a Half.

The Message.
"It seems to be the habit of some of us to pause occasionally in the nerve-racking scramble and rush of twentieth century civilization and revert for a time to the customs and practices of ages that have passed, to establish by practical demonstrations that not only the brain, but the brawn and endurance of the men of today is equal or superior to that of yesterday."

"Today a number of young men will race for 50 miles or more, between Salem and Portland to establish the fact that they are as fleet of foot and clean of limb as their brothers of long ago. "It, accordingly, affords me much pleasure to turn back to the methods of Marathon and to express to you, by the fleetest of these runners, assurance of my highest regard and esteem and my hope that you in your life's race may ever run as strong and as true as has my messenger. "Again assuring you of my best wishes, and with kindest personal regards, I have the honor to remain, "Sincerely, "OSWALD WEST, Governor." Start Promptly at 10.

TROUBLE AMONG THE OFFICERS

REBEL OFFICERS FALL OUT OVER GENERAL MADERO'S DEFENDING NAVARRO WHOM THE OTHERS WOULD SHOOT.

El Paso, Tex., May 13.—Headed by General Pascual Orozco whose soldiers demanded money from Provisional President Francisco Madero for the immediate purchase of supplies, rebellion broke out in Juarez today in the rebel forces and within a short time Madero had been made a prisoner. Coupled with the demand for Madero's cash was a dispute as to the fate of General Navarro, who, Orozco and Villa said, should be shot for inhuman treatment of rebel prisoners before Juarez fell.

For a time after the dispute broke out there was grave probability that the insurgents would engage in a desperate battle among themselves, but Madero finally agreed to do everything in his power for Orozco's troops and was set free. Navarro's fate was left unsettled. Great dissatisfaction was expressed by the rebel chiefs at the lack of action by Madero's new cabinet, and their resignation was demanded and given. This afternoon the whole councils of the rebel army were still in turmoil and it was impossible to say what the outcome of the factionism would be.

lie, a white runner, representing the Y. M. C. A., of Portland, promptly at 10 o'clock this forenoon started on the first lap of the relay race to Portland. There was a large crowd gathered at the capitol building steps, from where the Indian runners started, to witness them start. The Indian runners, before the signal was given for them to start, expressed themselves as confident that again they would win this, the fifth race. The white runners expressed themselves equally confident, and as both sped down State street, they were given a liberal round of cheers by the spectators.

Christians Wins First Lap.
When the two runners reached Chemawa—the end of the first lap—Bardalloe, the Christian, was ahead by about 2 1-3 minutes. The distance was 6.2 miles, and was covered by Bardalloe in 36 minutes. **Boothe Gains in Second.**
Boothe relieved Bardalloe in the second lap, and Mose, a Digger Indian, relieved Kuitos Jim, and he proceeded to dig into the time made upon his red brother by the pale face, but without results, as the white man at the end of the lap came in 3 minutes and 10 seconds ahead. The distance was 5 1-2 miles.

Indians Gain in Third.
Payton picked up the message for the Y. M. C. A. at the end of the second lap, and Lou Dan, a Muckle-shoot Indian the one carried by Mose. Jumping into the race with a determination to gain the time lost, he succeeded in reducing it so that Payton, at the close of the lap, was only 2 1-2 minutes ahead. The distance was 5.6 miles.

Indians Lose Again.
In the fourth lap Vanderlip jumped into the harness for the Y. M. C. A. and Edward Three-Mountains for the Indians, and throughout it the white runner continued to lead. **Whites Still Gain.**
In the fifth lap Schwforn, the white sprinter, was ahead of Peter Alfus by 5 minutes and 9 seconds, and at the close of the sixth lap Kurts was leading Joe Purus, the Indian lad, by 7 1-2 minutes. The distance in the fifth was 5 1-2 miles.

THE REBELS CAPTURED CANANEA

Cananea, a strategic point in Northern Sonora, was captured by the rebels without firing a shot early today. The rebels sneaked into the city, dispersed the few federals who had been left there as a garrison, and hoisted a rebel flag over the public buildings. Cananea will be used by the rebels, it is reported, as a base for further operations in this section. Mr. Harrison says it feels natural to be mayor of Chicago again. A man will get used to anything.

A LARGE SHIPMENT OF FISK HATS

Just Arrived

The Vogue 270 North Commercial