

The Daily Capital Journal

VOL. XXI.

SALEM, OREGON, SATURDAY, MAY 20, 1911.

NO. 120.

TROOPS WERE ORDERED TO BORDER TO MAINTAIN NEUTRALITY LAWS

REFUSING TO OBEY COURT OFFICER GIVES AS REASON ORDERS FROM PRESIDENT

Major McManus Says the President Ordered Troops to Be Used in Preventing All Acts in Violation of the Neutrality Laws, and That the Secretary of War Directed That All Insurrectos and Federals Who Came Across the Line Be Held by the U. S. Military Authorities Pending Instructions--And He Could Neither Bring Pryce Into Court Nor Release Him.

[UNITED PRESS LEASED WIRE.] Washington, May 20.—After an investigation this afternoon it was declared that the evidence of violation of neutrality by General Rhys Pryce and the 34 rebels arrested with him at San Diego was insufficient. The war department at once reaffirmed its order for the release of the men which had been issued pending the investigation.

San Diego, Cal., May 20.—Major George E. McManus, commanding officer at Fort Rosecrans, refused today to bring before Judge Sloane in the superior court, General Rhys Pryce and Captain Hopkins, Mexican rebel leaders, who were held at Fort Rosecrans under orders from the war department.

Major McManus appeared in person in answer to the writ of habeas corpus obtained by Pryce's attorneys. He was accompanied by one of his lieutenants and Dr. Prieter, Mexican consul. In making his return to the writ, and as an excuse for not obeying the command of the judge to bring the captives into court, McManus declared that he held men under the authority of the United States and that the court had no jurisdiction in a case of this character. Major McManus asked that the writ of habeas corpus be dismissed. He called

attention to several supreme court decisions in similar controversies. In detail the written return presented by Major McManus related why Pryce and Hopkins were taken into custody and why they were held interne at Ft. Rosecrans and not brought before the superior court.

In this report it was for the first time officially explained why President Taft ordered the troops to the border. It was declared that in February last the president ordered the troops in the department of California to be used in preventing all acts in violation of the neutrality laws. The president's order, Major McManus said, was transmitted to the military authorities and that on April 18 the secretary of war directed all insurrectos and federals who came across the international boundary line, be held by the United States military authorities pending further instructions from him.

It was held by Major McManus that Pryce and Hopkins who were in the victorious rebel band that captured Tia Juana were in the same class with the many others already held along the line and that all are held by the same high authority. Major McManus declared that it was not in his power to release General Pryce or bring him into court.

BIG GAME AT BALL PARK TOMORROW

The Dillworth Derbies, of Portland, will play the Salem boys at the park, Twenty-fifth and State streets, tomorrow. The game starts at 3 o'clock, sharp, and a band concert of an hour's duration will precede the game.

The lineup of the Salem boys is as follows: Feiger H., Porterfield 2b, Colbath 1b, Jones c, West c, Cernik ss, Humphries 2b, Mose rf, Allegaert p.

The battery for the Derbies will be Mooreland and Bowers. The weather promises fair and an extra big crowd is expected out to witness the playing of the new recruits, and to help boom things in general for the opening of the Willamette Valley League.

Manager Jerman, of local boys, says the grounds are in good shape, and a good game is expected. Salem this year boasts of several expert players, men who last year played in the State League of California. Among them are Feiger, Colbath, Allegaert and Porterfield.

There are women who are not fond of men, but they never say anything about it.

AUTOS COLLIDE AND GO INTO DRYDOCK

In answering an emergency call from the Salem hospital Dr. E. E. Fischer collided Friday night at 7 o'clock with George Shafer, the insurance man, at the corner of Court and Winter streets. The Buick driven by Shafer was slowed down to a sudden standstill, when Fischer thought he should have been going on, and in trying to avoid him the doctor had a smashup, and his machine went up over the curb and into the hedge before it stopped, breaking both springs and bending the front axle of his Maxwell. Mr. Shafer had his wife and child with him, but both being light machines no one was hurt. The doctor acknowledged his fault, and is paying the bill of repairs on the two machines. His patient at the hospital had to wait quite awhile, and probably improved in health more than the doctor did in trying to reach him.

MRS. TAFT IS SICK; MISS TAFT WILL PRESIDE

[UNITED PRESS LEASED WIRE.] Washington, May 20.—It will be unnecessary for Mrs. Taft to go to Hot Springs, or to Beverly, to recuperate from her recent attack of illness, owing to her rapid recovery, according to information given out at the White House today.

It is probable, however, that she will remain at the White House, avoiding all social duties for a month. As a result, Miss Helen Taft will preside at all social functions for the present, at least.

Wants to Sell Daughter.

Los Angeles, Cal., May 20.—Catherine Noles, 13, is for sale. Her mother, Mrs. Margaret Noles, of Long Beach, says she will part with the girl for a consideration to any family of good standing who will adopt her. Catherine recently ran away and since then has been staying with Mrs. Herman Hurwitz, of Los Angeles, to whom she appealed after a day of wandering. She refuses to go home. Mrs. Noles has written to Mrs. Hurwitz, offering to permit her to adopt the girl, provided she will buy her outright.

JANET IS AGAINST MORMONS

SAYS SHE REGARDS BRIGHAM YOUNG AS OF THE UNDESIRABLE TYPE, AND AS BRIGHAM IS DEAD, SHE IS CERTAINLY CORRECT.

[UNITED PRESS LEASED WIRE.] Washington, May 20.—Denouncing Mormonism, Janet Richards, representing the Daughters of the American Revolution, before the house committee on naval affairs today protested against the placing of pictures of Brigham Young on the silver service of the battleship Utah.

"I regard Brigham Young as an undesirable type of American," said Miss Richards. "If Catholics presented a silver service to a battleship and on the service were pictures of the Pope with the Vatican in the background, the design would not be accepted. Yet the Pope is guilty neither of murder, treason nor polygamy."

Rev. Robert Stephens, of Westminster college, Salt Lake, she said, had declared that when Arizona and New Mexico were admitted to the union, 16 federal senators would be under the control of the Mormon church.

THE EAST IS STILL SIZZLING

Chicago, May 20.—More than a score of persons were taken from the streets to hospitals here today because of the heat. The humidity is almost unbearable, and the suffering in the poorer quarters of the city is intense.

Soys Husband Was Cruel

Alleging that her husband has been guilty of cruel and inhuman treatment, Mrs. Almira La Fountain has commenced divorce proceedings against Louis La Fountain. They were married in 1889, and there resulted from the union three children, and of whom the wife asks to be awarded the custody and control.

Board Meets This Afternoon

The education board appointed for this county a few days ago by County Superintendent Smith held its first meeting at the office of the superintendent this afternoon. While it is incumbent upon the board, under the law creating it, to divide the school districts into supervisory districts and appoint superintendents, the matter was delayed until the next meeting shall be held, the board devoting this meeting to organizing.

Pryce Ordered Released.

Washington, May 20.—The attempt of the Mexican government to extradite General Rhys Pryce, leader of the rebel forces at Tia Juana, who was arrested in San Diego Thursday, with 34 soldiers, on a charge of filibustering, received a setback here today when the war department ordered their release. The order was issued pending an investigation by the department of justice into whether Pryce and his followers had really violated the American neutrality laws. The orders were sweeping, and included all federals, as well as rebels, imprisoned on similar charges.

A TERRIFIC FIGHT WITH DEVIL FISH

San Francisco Fishermen Capture an Octopus After a Battle That Makes Hugo's Description Seem Tame.

MEASURED FIFTEEN FEET

Monster Fastens Its Tentacles Around One of the Fishermen's Ankles,—Chops the Slimy Rope Off With a Hatchet—A Gaff Into the Body of the Monster Finally Ended the Fight—Weight 165 Pounds.

San Francisco, May 20.—Captured after a desperate battle which paralyzed Victor Hugo's story of Gull-latt's fight in "The Tollers of the Sea," a huge 155-pound octopus attracted hundreds of persons today in the fish market section of the city. The devil fish measures 15 feet from tip to tip of its tentacles.

Tony Federa and Charles Clotta, barely escaping with their lives, captured the monster three miles off the Golden Gate. Federa was fishing when there was a sudden tightening of his cord and he was drawn over the gunwale of his launch, barely saving himself by making fast his line.

Towed by the unknown monster, the launch shot ahead until Clotta reversed the engine. Then began a fight for mastery. Hauling in their line, the men persevered until the devil fish was discerned in the heaving waters. Then a grayish white tentacle shot up and grasped the gunwale. Another caught Federa's bare ankle. Clotta severed the feeler with a hatchet blow, then plunged a gaff into the fleshy body of the devil fish, and with a mighty heave pulled him aboard. Only after a hard fight was the monster finally subdued, when, thankful to be alive, the fishermen hastened back to their wharf.

CHANDLER IS APPOINTED ON FAIR BOARD

George Chandler was elected vice-president of the State Fair Board, to succeed Mark Hurlburt, whose term as member of the board recently expired, at a meeting of the board held yesterday afternoon, at the state fair grounds.

The term of W. H. Downing also expired at the same time as that of Mr. Hurlburt. Governor West a short time ago appointed H. W. Hatch and George W. Warren to succeed them, and the meeting yesterday was the first held since the appointments.

To Improve the Grounds. After the election the board went into a consideration of the improvement work to be done at the fair grounds, and it was agreed that the extension of the water mains and the construction of sheds for the benefit of campers should be commenced at once.

The board also discussed many other matters relating to the fair, and will be engaged from now on in the making of preparations for the event.

CONGRESSMAN ROASTS THE COURT WEATHER AND MEMBERS ARE ALL HOT

HOUSE NOTIFIES SENATE IT WILL STAY ALL SUMMER UNLESS SENATE YIELDS

Democrats Will Cut Wool Duties in Two and Those on Woolen Goods the Same--House Has a Hot Fight Over the Admission of Arizona--Allen Says the Recall of Judges Is Shown to Be a Good Thing by the Recent Action of the Supreme Court in the Standard Oil Cases and Praises Justice Harlan.

MADERO IS TO END ALL GAMBLING

SAYS GAMBLING MUST CEASE IN MEXICO, AND IF THIS DOESN'T START ANOTHER REVOLUTION THERE, NOTHING WILL.

Juarez, Mex., May 20.—The possible accession of Francisco I. Madero to the presidency of Mexico will be a serious blow to the time honored custom of bull fighting and gambling of all sorts, according to a statement by the rebel leader.

"I am opposed to gambling in any form," said Madero today. "In Mexico gambling must cease. All gambling concessions made after November 20, 1910, the date our revolution was officially declared, will be cancelled as soon as the revolutionary forces assume a share in the government. Concessions made before that will be permitted to run their course but will not be renewed. The Mexican national lottery also will be discontinued."

Madero and his followers are investigating gambling in Juarez.

DARROW IS ON THE WAY TO COAST

FUNERAL OF MRS. ADAIR MONDAY MORNING

Mrs. Martha M. Adair, an old pioneer of Oregon, and widow of Dr. Elias C. Adair, deceased, died at her home in Portland, Or., May 20, 1911. Had she lived until May 22d she would have been 75 years of age. She was for many years a resident of Salem, and a life-long member of the First Christian church. Two daughters are left to mourn her loss, Miss Florence C. Adair and Mrs. Bluford D. Sigler, of Portland, Or., and one grandson, Lloyd C. Cherry, of Seattle, Wash.

The remains will be brought to Salem Monday, May 22d, arriving on the Oregon Electric at 10:45 a. m., and will be taken direct to the I. O. O. F. cemetery for interment.

Beats Playing Golf.

Medford, Or., May 19.—H. Chandler Egan, of Chicago, twice amateur golf champion of the world, today paid \$75,000 for eighty acres of orchard land in the Rogue River valley near this city.

First Salem Berries.

T. J. Clark, the North Salem berry grower, brings The Journal a fine box of Gold Dollar strawberries. He is an expert grower of fine berries, and this box is a beauty.

HELD UP SALOON TWICE IN A WEEK

[UNITED PRESS LEASED WIRE.] Los Angeles, Cal., May 20.—For the second time in a week the "blue masked handia" held up Doyle's saloon at Vernon early today, securing \$87. Eleven patrons were in the saloon. All were lined up against the wall and searched. After the robbery the victims were driven into the back yard of the saloon and ordered to remain there 15 minutes. The robbers boarded a passing car.

Violated Traffic Ordinance.

Because he violated the traffic ordinance by driving on the wrong side of the street, J. O. Vincent, a drayman, was this afternoon brought before Judge Elyon by Poundmaster Irvine and fined the sum of \$5. This is the first arrest made since the declaration made last evening by Chief of Police Hamilton that, with a view of avoiding accidents on the streets, he would rigidly enforce the traffic ordinance.

ANOTHER HOT FIGHT IN MEXICO

Cuernavaca, Mex., May 20.—(Delayed in transmission)—Under the command of Colonel Mangusa, the federal garrison today was forced to evacuate Cuautla, after a terrific battle of four days with a force of rebels commanded by Colonel Zapata. The federalists retreated to this city. More than 100 members of the rebel force are said to have been killed and wounded.

North Santiam Apples.

Mr. Pope, of Elkton, sends us four samples of fine apples grown on his ranch on the Little North Fork of the Santiam. They are in perfect condition, and the mountain climate and soil seem adapted to fruit growing, especially good keeping winter apples.

Wilson Gets Sore.

[UNITED PRESS LEASED WIRE.] Seattle, Wash., May 20.—Governor Woodrow Wilson, of New Jersey, is definitely against the recall of judges. He is getting mad about it now, and does not want to discuss it even. He talked freely and pleasantly here today about commission form of government, the referendum, direct primaries, home rule for Alaska, longer bed sheets at the hotels, but when the matter of the recall of judges came up, the current was switched off.

BROTHERS CLOSE CALL FROM FIRE

New Westminster, B. C., May 20.—A fire was discovered in a room of the Windsor hotel last night. Two brothers from Seattle, Carl and John Morris, who had been at the hotel for a couple of days, were asleep in the room at the time the fire started, presumably from lighted tobacco. When the room was entered by other inmates of the hotel and by the firemen, the two brothers were found unconscious from smoke and were dragged from the room in time to save their lives.

FIRE ALL THREE OF THE CONTENDERS

[UNITED PRESS LEASED WIRE.] Portland, Or., May 20.—On a general order issued by Adjutant-General Finzer, John McNulty, commander of the Oregon naval reserves; John F. Blain, lieutenant-commander, and George S. Shepherd, captain, have been relieved of their duties as officers of the reserve.

Jacob Spier, who recently resigned as lieutenant-commander because of a desire to avoid being involved in trouble then brewing between the officers, has been elevated to temporary commander.

Jap Children Burned.

[UNITED PRESS LEASED WIRE.] Stockton, Cal., May 20.—Two Japanese children, one aged 3 years and the other, six months, were burned to death today near Orwold. The children were in a tub. The door jammed and their mother could not force her way in to rescue them.

BASEBALL.

Nationals at New York: Pittsburg, 1, 3, 2. New York, 2, 5, 3. Leffield and Gibson; Druce and Meyers. Umpires, Johnstone and Eason. National, at Philadelphia: Chicago, 7, 13, 1. Philadelphia, 4, 9, 2. Bats, Cole, Brown and Archer; Moore and Doolin. Umpires, Klem and Doyle. National, at Brooklyn: Cincinnati, 5, 13, 1. Brooklyn, 1, 4, 0. Keefer and Clark; Barger, Schardt and Bergen. Erwin. Umpires, Pinner and Rigler. National, at Boston: St. Louis, 4, 5, 1. Boston, 1, 5, 0. Steele and Breenahan; Tyler and Harlan. Umpires, O'Day and Brennan. He is a money maker who knows when to stop the drill.

All Trimmed Hats on Sale AT The Vogue 270 North Commercial St.