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The Daily Capital Journal

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THIRTY-SEVENTH YEAR.

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GARDEN IS INTERESTED IN GRAFT

British Ambassador Working Under Huerta in an Exploiting Scheme. UNITED STATES MAY FORCE WITHDRAWAL. Believed Effort Will Be Made to Oust Him When He Goes to London.

[UNITED PRESS LEASED WIRE.] Mexico City, Feb. 9.—That Sir Lionel Carden, British minister here, is interested with Lord Cowdray, head of the millionaire Pearson Syndicate, in an enterprise largely dependent on President Huerta's continuation in office, to exploit Mexican lands, was stated at the United States embassy here today.

Though Lord Cowdray has professed otherwise, he has generally been considered one of Huerta's strongest supporters. The Pearson Syndicate has vast Mexican interests, chiefly in oil lands, and it was widely believed that he counted on getting further concessions from the president-dictator.

Always With Huerta. Carden has been almost avowedly a Huerta partisan. He had but recently arrived in Mexico City when President Wilson refused to recognize the Mexican executive and seized that particular physiological moment to recognize him, on England's behalf, by presenting his own credentials.

Later he was quoted as saying that President Wilson did not understand the Mexican situation, and although he denied this statement, many continued to believe he made it.

By this time his attitude began to be so much commented on that Premier Asquith's attention was attracted, and he made a speech virtually repudiating Foreign Minister Sir Edward Gray's policy, as carried out by Carden. This not only put the extinguisher on Carden but on Grey, who was thought by many Englishmen to be too susceptible to the influence of such men as Lord Cowdray.

Is Advising Huerta. When President Wilson issued last week his order lifting the embargo on shipments of munitions from the United States across the border to the Mexican rebels, Sir Carden was among the first to be called into conference by the dictator, and he has been conspicuous among his advisers ever since.

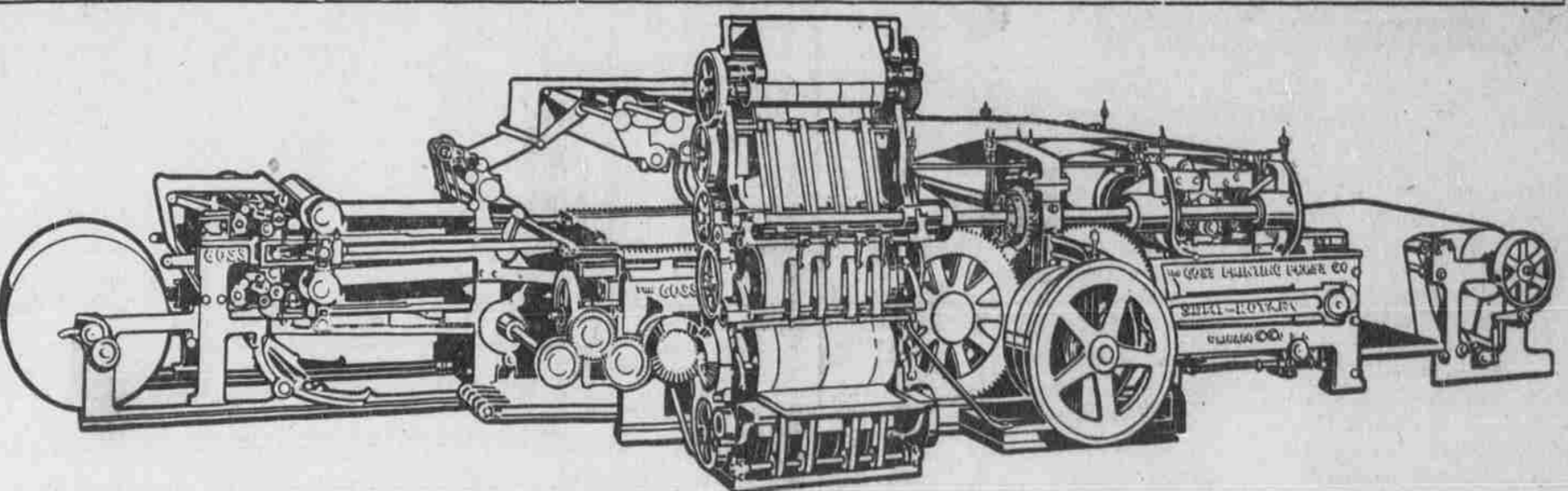
The alleged information concerning the land enterprise was said to have been obtained from the Minister of Colonization and Industry's own records. They were copied, it was understood, by Louis Dastin, the United States embassy's legal adviser, and it was expected the copy would be sent to Washington.

They showed, according to the embassy account, that Carden, Cowdray and a number of Mexican millionaires organized the company six years ago when Carden was British consul general in Mexico City. He and Cowdray were known to be close personal friends at the time of his appointment to the post of minister to Mexico. Sir Lionel refused to give out an interview when asked concerning the matter.

May Enter Protest. The British representative is under orders to pay another visit to London shortly for a conference with the foreign office, and it was believed here the Washington administration would protest against his return to Mexico City.

DISASTER DUE TO NEGLIGENCE. [UNITED PRESS LEASED WIRE.] London, Feb. 9.—The Titanic disaster was caused by negligence, according to the decision of the court of appeals here today, in affirming a damage verdict obtained by relatives of four steerage victims in a test case from a lower court. The decision is expected to precipitate enormous litigation by relatives of hundreds of victims.

Capital Journal's New Press Which Will Soon Arrive and Will Help Paper Expand More Rapidly Than Ever



New Goss Semi-Rotary Press, Which Will Print Papers at Rate of 6000 an Hour.

Architect Post has completed plans for the remodeling of the building to be occupied next month by The Capital Journal and the contract will be let immediately. The plans have been made with a view of meeting the rapid

growing needs of The Capital Journal. Provision has been made for the rapid increase in circulation and business which is certain to follow the improvements contemplated. Another linotype machine is already here and will be installed as soon as the new

building is in shape. The linotype is of the latest pattern and with the new press ordered, will make it possible to give patrons of The Capital Journal a much better newspaper. The new press is the last word in printing perfection. It prints up to 10 pages in one run, at

the rate of 6,000 an hour, and when it is in operation the patrons of The Capital Journal will get the very latest news of the world in a very short time after it is ticked off the Associated Press leased wire. Charles H. Fisher, former owner of

the Eugene Guard, who recently purchased an interest in The Capital Journal will have charge of the editorial and news department, while Graham P. Taber, who retains his interest in the paper, will continue in his present capacity as business manager.

LAW REGULATING HOURS OF LABOR OF WOMEN ATTACKED IN COURT

Portland Plaintiff Claims It Takes Property Without Compensation.

ARE WARDS OF STATE. Attorney-General Crawford Says Oregon Has Right to Legislate in Favor of Women and Children.

The case of Frank C. Stettler, plaintiff and appellant against Edwin V. O'Hara and others constituting the Industrial Commission is being argued today before the supreme court. Ex-Senator Fulton appears for the appellant and Attorney-General Crawford for the respondent, the commission. The case was tried in Portland, and the law sustained by Judge Cleaton. In the appellant's brief the position is taken that the law is unconstitutional in that among other things "it will deprive plaintiff of his property, and of his liberty without due process of law."

"It deprives plaintiff of equal protection of the laws."

"It takes his property without just compensation."

"It is a delegation of power by the legislature than can only properly be used by the legislature in that the acts of the commission are in the nature of legislation."

Wards of State. Attorney-General Crawford takes the position that if the women are in any sense wards of the state, which, in a sense, every individual is, they are proper subjects of legislation for their welfare. That the state has as much right to legislate for the protection and welfare of women as it has to legislate for the care and education of children, both being based on the broad principle that the welfare of the state demands this kind of care, and consequently demands this kind of legislation.

The attorney-general also holds that if women are in any sense a ward of the state, then no one can make a contract with that ward, only on such terms and under such conditions as the state may prescribe.

The principles involved tend to give the cases a socialistic flavor, and its outcome will be watched with more than average interest.

PROBING STRIKE

[UNITED PRESS LEASED WIRE.] Denver, Colo., Feb. 9.—The congressional inquiry into the Colorado coal mine strike began here today. The subcommittee, of which Congressman Foster, of Illinois, is chairman, expected to remain here three days, and then go to Trinidad, the strike center.

Seeks to Murder Denver Editor

Attorney Engages in Fist Fight With Bonifis and Pulls Gun and Seeks to Shoot, But Is Prevented.

[UNITED PRESS LEASED WIRE.] Denver, Colo., Feb. 9.—F. G. Bonifis, part owner of the Denver Post, and T. J. O'Donnell, an attorney, engaged in a fist fight in the corridor of the court house here today.

Old bitterness between the two men was increased as a result of the present campaign of the Denver Union Water company for a new franchise. They met in the court house, where Bonifis had a suit pending against the water company. A quarrel followed and Bonifis, it is alleged, struck O'Donnell in the face, a heavy seal ring badly cutting the attorney's face.

Bystanders asserted that O'Donnell drew a revolver and tried to fire, but that Bonifis grabbed the weapon and thrust his finger under the hammer. O'Donnell, it is alleged, again tried to shoot, but Michael Delaney, a former chief of police, disarmed him. Bonifis swore out a warrant for O'Donnell's arrest, charging him with assault with intent to kill.

PRESIDENT WILSON TELLS WHY FREE TOLLS ARE OPPOSED

BY JOHN E. NEVINS.

[UNITED PRESS LEASED WIRE.] Washington, Feb. 9.—The free canal tolls provisions of the Baltimore platform has been nullified by international complications, and, as a result, it is up to the Democratic party to disregard its declaration.

This, at the least, was the opinion voiced today by President Wilson. He also made it plain that he expects congress to repeal the exemption section of the tolls bill. The president told callers that it probably would be unnecessary to send a special message to congress on the subject.

The president thinks the clause might have been all right at the time it was put in the national platform, but he holds that the foreign relations of the country have changed since then. He would not explain, however, just what change had taken place. He said England was the only country protesting against the tolls clause, but that it was not a pressing matter, as England seemed content to await the pleasure of the United States.

The president declined to discuss his personal views on the education test in the Burnett-Dillingham immigration bill.

He said he hoped to announce the complete membership of the federal reserve bank board not later than March 1. It will be considered when the Secretary of the Treasury McAdoo returns to Washington next week.

SQUATTERS' RIGHTS GIVEN ANOTHER HARD BLOW BY U.S. COURT

United States Judge Rules Against Marion County Man in His Suit.

CANNOT STOP RAILROAD. Has No Title Which Will Permit Restraining Silver Falls Line From Crossing Tract.

[UNITED PRESS LEASED WIRE.] Portland, Or., Feb. 9.—"Squatters' rights" in the Oregon and California land grant forfeiture were given another hard blow today when United States District Judge Bean ruled against E. C. McLaughlin in his suit to enjoin the Silver Falls Timber company from running its logging railroad over a corner of the quarter section on which he located in Marion county in 1908.

McLaughlin's claim is within the limits of the Oregon and California land grant. He represented that it was his belief that the railroad company held title to the lands and he was endeavoring to acquire a quarter section under the terms of the national grant which provided it must be sold to actual settlers at \$2.50 an acre.

The railroad was constructed by the timber company under a lease from the Southern Pacific.

Judge Bean held that McLaughlin by "squattening" acquired no title from the railroad and because the land is not subject to the general land laws of the United States he had no claim that would entitle a court to restrain occupancy of the land by any one holding land under a lease from the railroad company.

GET JAIL SENTENCES.

Portland, Or., Feb. 9.—As a result of their conviction in December on the charge of misusing the mails, J. T. Conway was sentenced to eight months in the county jail and Frank Richet was sentenced to one month in jail and fined \$4,000 by United States District Judge Bean today.

The Weather

GLAD I CAN STAY INDOORS TO DAY. The Dickey Bird says: Oregon, fair south and east, rain northwest portion tonight; Tuesday rain west portion, southeast-erly winds.

Dr. Aked Assailed in Several Pulpits

Expression of Prominent Clergyman on Jesus' Miraculous Birth Strongly Disapproved.

[UNITED PRESS LEASED WIRE.] San Francisco, Feb. 9.—The Rev. Dr. Charles F. Aked's expression of disbelief in Jesus' miraculous birth and in some of the miracles was the topic of discussion in many local pulpits yesterday. The most prominent of the clergymen who commented on it did so, in brief, as follows:

Rev. J. W. Horn, Fitzgerald Methodist church—To deny the divinity of Christ is infidelity pure and simple.

Rev. W. K. Hows, Trinity Presbyterian church—The virgin birth of Christ is amply attested by the gospel and early church history.

Rev. D. O. Colgrove, California St. Methodist church—The divinity of Christ is impossible without the miraculous conception. Either he is divine in the way described in the New Testament or Christ himself becomes the world's most gigantic impostor.

Rev. George E. Burlingame, First Baptist church—Despite the work of doubters and critics and skeptics all through the long centuries of the Christian era, Jesus abides in the pages of the New Testament as God manifest in the flesh.

Rev. George D. White, First Methodist church, Oakland—The conclusions of a man who starts with an assumption that miracles are impossible on a question like this are of no value whatever.

Rev. Dr. William D. Simonds, First Unitarian church, Oakland—Dr. Aked wears the golden chains of profane and monetary success but the chains galling him just the same and he has my profound pity.

Rev. Albert W. Palmer, Plymouth Congregational church, Oakland—Our faith in the divinity of Christ is not in the least dependent on the way in which his physical body came into the world. It is his character and personality that are divine.

CALLS IT SUICIDE FACT.

[UNITED PRESS LEASED WIRE.] Newark, N. J., Feb. 9.—Miss Hazel Herdman who committed suicide here Saturday after confessing that she killed Mrs. Harriet Manning, entered into a suicide pact with Charles Manning, the slain woman's husband, according to the declaration here today of Chief of Police Long.

S. P. MAY SELL BONDS.

[UNITED PRESS LEASED WIRE.] San Francisco, Feb. 9.—State Railroad Commissioners Edgerton and Loveland announced here today that they would recommend that permission be granted the Southern Pacific company to sell \$55,000,000 worth of five per cent 20 year bonds.

Any woman may be connected with a lot of prominent families—by telephone.

ARMY LIEUTENANT IS KILLED BY FALL OF 400 FEET IN PLANE

Something Goes Wrong With Machine in Flight and It Overturns.

POST HAS GOOD RECORD. Prominently Connected With Aviation Corps for Year and Has Been Given High Praise.

[UNITED PRESS LEASED WIRE.] San Diego, Cal., Feb. 9.—Lieutenant Henry B. Post, of the United States army aviation corps, was killed in a fall here today. He was maneuvering over the harbor in a Wright hydroplane and started, apparently, to glide from a height of 400 feet to the water. Then something went wrong and the machine turned over.

Post either jumped or fell at that moment and landed in the water some distance from the machine and before it struck. He sank and did not come to the surface.

A number of boats went to find Post. He was found alive but died in a launch.

One of Best Aviators.

Lieutenant Post was born in New York, June 15, 1885, and was 28 years old. He entered the army in New York February 11, 1911, and was assigned to the 25th infantry, in which he was a second lieutenant. About a year ago he took up aviation, and was sent to the Curtiss camp here to study advanced experimental flying.

Post was regarded as one of the most courageous aviators in the service, but also one of the most modest. He had never entered actively into society here, as so many other flyers have done, but was of a retiring disposition. His friends were many, however, and genuine grief was felt throughout Coronado and San Diego over his death.

DIGGS AND GILLIGAN HELD

[UNITED PRESS LEASED WIRE.] San Francisco, Feb. 9.—Police Judge Crist today held Maury I. Diggs and Walter Gilligan to the superior court for trial. They were charged with an offense against Ida Peering, said by herself and her mother to be 17 years old and by the defense to be 21.

Their bonds remained at the previous figure, \$10,000 each. Neither could furnish them, so they were returned to the city prison. Attorney Coghill, for the defense has asked that the case be dismissed but Judge Crist refused.

BANK HEAD IS SHORT \$788,804

President of Memphis Institution's Downfall Due to Speculation.

MOTHER INSISTS HE IS INSANE OF GRIEF

Accused Turns Over \$400,000 But It Falls Short of Covering Loss.

[UNITED PRESS LEASED WIRE.] Memphis, Tenn., Dec. 9.—President C. Hunter Raine, of the Mercantile National Bank here, was arrested today, charged with a \$788,804 shortage. The bank with its capital and surplus completely wiped out, failed to open today. The directors admitted its insolvency. How long they had suspected it was not known. It was announced, however, following a meeting Sunday afternoon.

Raine turned over to the bank his entire personal estate, estimated to be worth \$400,000 but this fell far short of making up the amount necessary to save the bank. The arrest was made at his palatial Memphis residence. He was one of the city's most prominent men. His losses were attributed to unsuccessful cotton speculation.

Made Million Dollars. It was reported that Raine speculated with the bank's funds on cotton prior to his election as president. Ugly rumors were current, and it was reported that he narrowly escaped being wiped out then but at the last moment the market turned and he made about \$1,000,000. It was then that he was promoted to the presidency.

The officers who came to arrest him found him pacing his bedroom clad only in his bathrobe. His face was drawn and haggard and he seemed on the verge of nervous collapse. His mother maintained that he had been insane since his wife's sudden death a year ago.

The bank's liabilities were estimated at \$2,100,000 and its assets at \$1,400,000.

Wants No Bail. When arraigned before Judge Palmer, Raine exclaimed: "I am guilty. I don't want bail. Send me to prison."

The court fixed his bonds at \$100,000, which the prisoner refused to try to secure and was locked up. It was believed his defense would be insanity.

THIRTY-SIX MEN ON NAVY TUG BELIEVED TO HAVE PERISHED

[UNITED PRESS LEASED WIRE.] Washington, Feb. 9.—Hope for the safety of the navy tug Potomac, missing in the ice somewhere south of Bay of Islands, began to fade today as the afternoon progressed and no answer received to repeated wireless calls to it. Messages were being flashed at fifteen minute intervals from the North Sydney station but there was no response.

The Potomac carried a crew of 36 men and navy department officials were beginning to fear that all had perished.

KILLED BY GAS.

[UNITED PRESS LEASED WIRE.] San Francisco, Feb. 9.—Charles Callaghan, foreman of the Union Iron Works here, was found dead of asphyxiation today in his room. A gas stove which leaked during the night was responsible.

TORPEDO BASE CHANGED.

[UNITED PRESS LEASED WIRE.] Vallejo, Cal., Feb. 9.—The base of the reserve Pacific torpedo boat flotilla was today changed from Mare Island to Sausalito.