

COUNCILMEN ASK HALT ON SKAGIT!

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5 MARKET EDITION

The Seattle Daily Times

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30 Pages.

SEATTLE, WASHINGTON, THURSDAY, JUNE 19, 1924.

Price 2c.

TWO-THIRDS AND UNIT RULES ARE BOURBON ISSUES

Much-Discussed Fight for Majority Nomination at New York Convention May Be Abandoned, After All.

M'ADOO MIGHT LOSE IF CHANGE SHOULD BE MADE

Tradition of Party Is That Each State Has Right to Instruct Its Delegates to Vote as Single Man.

Mr. Jermine's Dispatch.

WASHINGTON, Thursday, June 19.—The two-thirds rule and its twin brother, the unit rule, have been debated prior to every Democratic national convention for many years. Always there, is a demand that they be done away with. Always they have been done away with. Always they have been done away with and readopted them. They are peculiar to the Democratic Party. The Republicans never have had anything to do with either of them. The two-thirds rule was adopted at the first Democratic national convention (that of 1833) at the request of Andrew Jackson, whose renomination was certain and who wanted to be sure that Van Buren would be on the ticket with him.

There was much opposition, but Jackson had his way, as he usually did. Established in that way, the rule has continued in use until the present time. After Jackson's death, it was kept alive because the South, in its desire to extend the influence of slavery, wanted to be sure that no Democrat other than its own party's nominee was nominated for the presidency.

Two-Thirds Rule Retained. Following the political readjustment made necessary by the Civil War, the rule was retained, although no good reason existed why it should be. Tradition, history and precedent were powerful enough without any outside aid, to make it one of the distinguishing points of Democratic procedure.

Not until 1913 did the rule encounter valid opposition. The situation confronting the party at Baltimore was unlike any that had confronted it before. The prevailing belief of the way, Champ Clark was due to be nominated; with it in continued operation, he could not be. The convention declined to interfere with a long-established custom, and the result was the nomination of Wilson, after Clark had a majority of the convention for several years.

There is valid opposition again this year, but whether anything can or will be done to secure its repeal is one of the numerous questions regarding the New York convention that cannot now be answered. McAdoo's nomination would be fairly certain if the rule were out of the way. His supporters insist that he will be nominated if it is retained. At heart they favor repeal, but for technical reasons have not made repeat one of their major issues.

Things are beginning to move rapidly, now that Mr. McAdoo has arrived in New York, and the conferences of last night and today may show in just what form, if any, the proposal for repeal is to come up in the convention. The prevailing belief is that the McAdoo people will openly favor it if they make up their minds that they can control a majority of the delegates. Failure on their part to bring it up would be taken as a sign that they do not have such a majority.

In other words, McAdoo may have more votes for the nomination at the end of a deadlock and after the (Continued on Page Twelve.)

FIRE IN GARMAN'S; FOUR OVERCOME

FIGHT BLAZE THAT STARTS IN BASEMENT

Costly Stock of Women's Furnishings Threatened by Flames—Firemen Handicapped by Dense Smoke.

FOUR firemen were overcome by smoke in fighting a fire from an undetermined cause which started in a pile of paper boxes and packing cases in the basement and threatened for a time the Garman store at Fifth Avenue and Pine Street with its costly stock of women's furnishings.

In addition, Fire Chief George M. Mantor and A. J. Clark, assistant chief, were temporarily incapacitated by smoke. They were not, however, unconscious, and quickly revived after reaching the open air.

Heavy clouds of smoke which filled the basement made the work of the firemen extremely difficult. Albert Colburn and Bruce Igo of Chemical Company No. 1 were carried from the basement overcome by smoke and were removed to the Central Fire Station at Fourth Avenue and Battery Street. Everett Herron and Floyd Wylie of No. 2 truck company also were overcome. Colburn's condition is serious.

After their first struggle with the smoke, firemen used gas masks while working in the smoke-filled basement.

Heavy smoke shooting up the elevator shaft gave the first alarm of the fire and due to the carelessness in fighting the blaze a minimum of smoke found its way into the main and upper floors of the building. There will be slight damage from smoke.

There was, virtually no fire loss, said officers of the store this afternoon. The blaze was confined to empty boxes and paper packing cases in the basement and so well did the firemen do their work that nothing but the basement was damaged, either by fire, water or smoke.

Three Killed In Canton; French Chief Bombed

CANTON, China, Thursday, June 19.—Three were killed when an unidentified armed assassin threw a bomb among the guests at a reception this evening at the Victoria Hotel in Shanghai (the foreign quarter) Governor General Meritt of French Indo-China. The bomb thrower escaped.

The dead are: Dr. Casabianca, acting French consul; M. Peltier and Mme. Demitrit; Captain Berrier, aide de camp to Governor-General Meritt, and H. G. Berin, head of Gerin, Dreyfus & Co. silk merchants, were severely wounded and three others less seriously hurt.

As the assassin fled, he fired wild shots at his pursuers, plunged into the nearby river and disappeared.

Six Killed In Auto Crash. TOLEDO, O., Thursday, June 19.—Six persons were killed today when an interurban car en route to Toledo struck an automobile and demolished it near Genoa. Two men, two women and two children were the victims.

U. S. FIRM ON JAPANESE BAN

DAWES' MISSILE—AND TARGET By Thurlby



ANSWER ON EXCLUSION IS MADE PUBLIC

Washington Regards Incident as Closed by Hughes' Note Denying Violation of Treaties With Japan.

By Associated Press. WASHINGTON, Thursday, June 19.—The American reply to the Japanese protest against the exclusion provision of the immigration act was made public here last night by the State Department simultaneously with its publication through the foreign office in Tokyo. It is cordial and friendly in tone, but at the same time makes it clear that the exclusion provision in no way trespasses upon any written or implied obligation on the part of the United States.

Secretary Hughes points out that Congress was wholly within its right in the enactment of the provision and that the action taken "is mandatory upon the executive branch of the government and allows no latitude for the exercise of executive discretion as to the carrying out of the legislative will expressed in the statute."

Becomes Closed Incident. The construction generally placed upon the American reply, which conclusively demonstrates the view of the Washington government that the exclusion law is a closed incident that no attempt to modify or alter its terms is to be expected.

Secretary Hughes in the note, which he prepared with utmost care, expresses pleasure over "friendliness and candor" of the protest communication delivered to him by Ambassador Hanhara. May 27.

"You may be assured of the readiness of this government to consider in the same spirit the views you have set forth," Mr. Hughes adds, "rightly noting that the exclusion law is applicable to all aliens ineligible for citizenship as it is modified by the exceptions contained in the act and not out."

"It will be observed that taking these exceptions into account, the provision in question does not differ greatly in its practical operation or in the policy which it reflects, from the understanding embodied in the gentlemen's agreement under which the Japanese government has cooperated with the government of the United States in preventing the emigration of Japanese laborers to this country."

Japan's Cooperation Appreciated. Appreciation of this cooperation in carrying out a "long-established policy" is expressed and the communication adds: "It need the appropriateness of that policy, which has not evidenced any lack of esteem for the Japanese people, their country and their achievements, has been confirmed rather than questioned by the voluntary action of your government in aiding its execution."

The substantial differences between the exclusion provisions and the gentlemen's agreement, the note continues, lies in what President Coolidge described in his statement at the time he signed the immigration bill as the "determination of Congress to exercise its prerogative in defining by legislation the control of immigration instead of leaving it, to the international arrangements."

It is not understood that this prerogative is called in question, but rather, your government expressly recognizes that it lies within the inherent sovereign power of each state to limit and control immigration to its own domains, an authority which it is believed the Japanese government has never exercised in its own discretion with respect to the admission of aliens.

(Continued on Page Thirteen.)

OPPOSED TO STARTING ON DAM COSTING \$5,000,000

City Council Utilities Committee Favors Resolution Seeking End of Work on the Gorge Creek Unit.

NEW MEASURE TO BE INTRODUCED MONDAY

Individual Members Indicate They Are Favorable to Development on Ruby Creek, but Set No Date.

COOLIDGE TO PRESS BUTTON AND START SKAGIT MACHINERY

Capital City Bureau, The Seattle Times, 905-6 Colorado Building. WASHINGTON, Thursday, June 19.—Mayor E. J. Brown of Seattle, in Washington today on his way to the Democratic national convention in New York, called on President Coolidge and asked him to push an electric button that would set going the machinery of the Skagit project in August.

Mr. Coolidge said he would be very glad to do so, and Mayor Brown feels that he has been fully repaid for his stopover here.

FURTHER Skagit hydroelectric development work, including a projected \$5,000,000 masonry dam at Gorge Creek, will be delayed indefinitely, and the Skagit engineering, construction and office forces given notice that their services will be dispensed with when the Gorge unit work is completed, under terms of a resolution the utilities committee today voted to introduce in the City Council Monday. It is expected the Gorge unit will be completed in August.

In going on record against further work at the Gorge at this time, members of the committee indicated informally that they were favorable to future development on Ruby Creek, but were not ready to set a date for beginning such work.

\$150,000 for Skagit Work. The committee recommended for passage an ordinance appropriating \$150,000 additional for Skagit work. It originally divided the bill provided for eight fund items to be repaid out of future Skagit bond issues. Before it obtained the committee's approval the ordinance was amended to provide the loan be repaid "in such manner as the Council may decide."

Carl F. Uhlen, Skagit engineer, in a statement presented to the committee today estimated \$175,000 more will be required to complete the first Skagit unit. Of this sum, he said, \$138,000 will be needed for the Gorge plant (Continued on Page Ten.)

Macready Saved From Death By Parachute Drop

By Associated Press. DAYTON, O., Thursday, June 19.—First Lieut. John A. Macready, veteran of the American nonstop cross-country flight, last night escaped death by making a parachute jump from his airplane when the motor became disabled at an altitude of 9,000 feet near her.

When the plane hit the earth the crash attracted hundreds of persons to the scene, who saved by helplessness from the heat from the burning wreck kept them at a distance from which they were unable to rescue the pilot whom they believed to be imprisoned in the flames.

As the embers of the flames smoldered away permitting search of the wreckage for the body of the pilot, Lieutenant Macready pushed through the crowd and said he had landed safely about a quarter of a mile away after floating to an easy landing.

Vanderbilt Negotiating For P.-I., He Announces. VANCOUVER, B. C., Thursday, June 19.—Cornelius Vanderbilt, Jr., publisher of the Los Angeles Illustrated News and San Francisco Daily Herald, who arrived in Vancouver last night after a leisurely motor trip over the Pacific Highway, said he had had negotiations with the Hearst interests for the purchase of The Seattle Post-Intelligencer, which are still pending. He said that, whatever may be the outcome, it is his intention to establish in Seattle an illustrated daily in the near future.

THE WEATHER - By "DOK" HAGER



For tonight and Friday: Fair and warmer; moderate northwesterly wind.
TEMPERATURE AT NOON TODAY, 57.
Temperature last 24 hours: Maximum, 61; minimum, 51.
Relative humidity at noon today, 65 per cent.
Today's sunrise, 4:09 a. m. Today's sunset, 8:11 p. m.
TIDES AT SEATTLE TOMORROW
First low water 12:15 a. m., 6.5 ft. Second low water 12:16 p. m., -2.7 ft.
First high water 5:11 a. m., 11.9 ft. Second high water 7:41 p. m., 12.3 ft.

SOLONS GASSED WHILE THEY SIT AT THEIR DESKS

Row in Rhode Island Senate Becomes Serious When Deadly Fumes Are Freed—Sick Men Ordered to Attend

By Associated Press. PROVIDENCE, R. I., Thursday, June 19.—Chlorine gas was let loose in the state Senate chamber today after that body had been in session since Tuesday. The factions that have prevented adjournment agreed to an hour's recess in order to clear the gas from the chamber, after three Republican senators and one Democrat had been overcome by the gas and treated by physicians.

When the gas became apparent, senators and spectators became groggy. Senators Sherman, Sanderson and Sharpe, Republicans, and Powers, Democrat, sank into coma and were carried out.

When the Senate reconvened Lieut.-Gov. Felix A. Toupin, although pale, ordered the chamber to proceed. He noticed the absence of the three Republicans who were overcome by gas and ordered deputy sheriffs to bring them into the Senate chamber. The deputies reported that they were unable to do so. The lieutenant-governor then deputized fifteen civilians to compel the attendance of the Republicans. He ordered them to break down the doors of the committee room where the stricken senators were. A squad of fifteen Providence police was prepared to resist such violent action.

Dr. Herbert T. Harris sent to the lieutenant-governor a certificate stating (Continued on Page Four.)

Portland Alone in Rate Fight Sound Favored by Intervenor

Further Testimony Given at Walla Walla Shows That Wheat Growers Lose Heavily Through Differential.

By A STAFF CORRESPONDENT. WALLA WALLA, Thursday, June 19.—With testimony of the Walla Walla Valley wheat growers all in, numerous intervenors in the Portland differential rate case today began presentation of their evidence in support of the complaint of the Walla Walla Farmers' Union and the Walla Walla Farm Bureau, that 10 per cent rate advantage given Portland in the Columbia Basin rate case three years ago has benefited nobody but a clique of Portland grain buyers, and has caused the grain growers of the territory south of the Snake River, enormous losses by closing to them the markets of Seattle, Tacoma and Astoria.

The intervenors in the Interstate Commerce Commission hearing here lined up to fight for restoration of the rate parity that existed before Portland was given the obnoxious differential, include the Umatilla County, Ore. Farm Bureau and the Spokane Merchants' Association, besides the Chambers of Commerce and Port Commissions of Seattle, Tacoma and Astoria.

Since the defendant railroads virtually have joined the farmers in demanding abolition of the differential, Portland commercial organization (Continued on Page Sixteen.)

COMMUNISTS TO BE REPRESENTED IN THIRD PARTY

Convention at St. Paul Resumes Sessions for Adoption of Platform and Nomination of Candidates.

By Associated Press. ST. PAUL, Thursday, June 19.—Adoption of a platform and nomination of a provisional national ticket remained before the new National Farmer-Labor Party convention when it convened today.

This stage was reached in a session which lasted until last midnight, the greater part of it being consumed in a successful fight by the farmer delegates from Minnesota to delay adoption of their plan for immediate launching of a national organization.

This left the plan fathered by William Mahoney, St. Paul union laborite, the only one in the field. It was modified, however, by the inclusion of a provision that the national committee of the new party should include two members from each national political group affiliated with the organization.

(Continued on Page Four.)

OREGON GENERAL OUSTS OFFICER

CAMP LEWIS, Thursday, June 19.—Summary punishment was meted out last night to a captain in the Medical Department of the 152nd Infantry, Oregon National Guard, it was announced here today by Brig. Gen. George A. White, The Adjutant General of Oregon.

The officer in question was charged with being absent without leave, with being drunk and disorderly and with bringing intoxicating liquor into camp against the specific orders of the commanding general.

BIG GUARD REVIEW SET FOR SATURDAY

(See Picture Page for Photographs.) By A STAFF CORRESPONDENT. CAMP WILLIAM J. A. MACDONALD, American Lake, Thursday, June 19.—Parade and review of all units of the Washington National Guard, now encamped here for a 15-day training period, will be held at 2 o'clock next Saturday afternoon, June 21, it was announced in orders issued this morning by Brig. Gen. C. B. Eloth, commanding the camp.

More than 2,000 troops will participate in the parade and review. Gov. Louis F. Hart will review the troops, and will be accompanied by Brig. Gen. Eloth. (Continued on Page Five.)

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Tokyo Awaits U. S. Elections May Renew Protest in Spring

Japanese Statesmen Would Leave Exclusion Issue Open for Future Discussion—Government Undecided on Mexican Emigration.

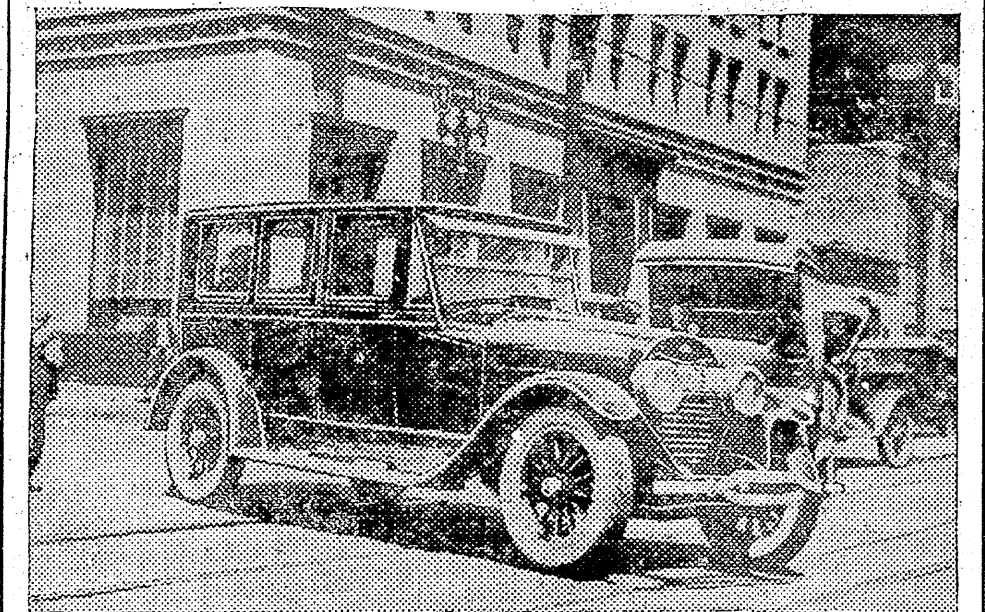
By Associated Press.
TOKYO, Thursday, June 12.—Foreign Minister Shidehara today reported to the emperor the receipt of the American reply to Japan's protest against the recently enacted United States immigration law barring Japanese and outlined its contents. After the foreign minister had returned from the imperial palace, Premier Kato called at the foreign office and conferred with him. It is understood the subject of the conference was the American reply and the desirability of making a further protest to the United States. However, it is learned authoritatively that Japan does not contemplate another "solemn protest" such as that recently presented to the Washington government, though it is probable that a note will be sent shortly acknowledging the receipt of Secretary of State Hughes' reply. The Associated Press is informed that Japan does not desire to keep the matter in a controversial status at this time when Japanese leaders realize, it is futile to try to alter the American position until after the American elections. Any communication sent now or in the near future, it is understood, will probably be for the sole purpose of

leaving the issue in such a status that it can be taken up again when more propitious circumstances offer. Japanese officials publicly approve the note's "candor and friendliness," but obviously some disappointment as to its tenor exists. Coupled with indications of this are evidences of appreciation for the "difficulties" of Secretary Hughes. "If there is some disposition to regard the note as 'lame,' there is also a realization that it was Congress and not Mr. Hughes' own inclinations that limited the writer. Several sections of the press have been referring to the abrogation of the 'gentlemen's agreement.' The government still is undecided on this question, it is stated authoritatively. Japan feels that there is no further obligation to restrict emigration to Mexico but, as one authority said, 'we have not hinted that the cessation of this obligation means we will throw the reins on the horse's neck.' Reliable information is that the government, when it frames its Mexican emigration policy, will keep the necessity for continued friendship with the United States in full view and may continue to restrict the issuance of passports to emigrants bound for Mexico, not as an obligation, but as a policy.

Hughes Stands Firm in Note Answers Japanese Protest

(Continued From Page One.)
mission of aliens and the conditions and location of their settlement within its borders," Secretary Hughes' note continues. "The government of the United States is not prepared to discuss the question of immigration with any other country to limit and control immigration to its own domain or possessions." On February 8, 1911, the embassy replied in a memorandum which stated that "the imperial government concurs in the understanding of the proposal relating to the question of immigration set forth in the above mentioned note of January 23, last." Secretary Hughes' note points out that this correspondence constituted "a distinct understanding" between the two governments of the rights of each to control immigration and adds that the advisability of dealing with the question by "legislative enactment" necessarily remains within the legislative power of this government to determine, a power which Congress now exercises. The note advises the Japanese government that since the exclusion provision takes effect July 1, 1924, the Washington government will consider the government of Japan as released from any further obligation under the gentlemen's agreement as from that date. It concludes with an assertion that recognition of the right of each government to legislate control of immigration "should not derogate in any way from the mutual good will and cordial friendship which have always characterized the relations of the two countries." The full text of the American communication follows: Department of State, Washington, June 16, 1924. His Excellency, Mr. Masamune Han-hara, Japanese Ambassador, Excellency: I have the honor to acknowledge the receipt of your note under date of May 31st, containing a memorandum stating the position of the Japanese government with respect to the provision of Section 13 (C) of the immigration act of 1924. I take pleasure in noting your reference to the friendliness and candor in which your communication has been made and you may be assured of the openness of this government to consider in the same spirit the views you have set forth.

At the time of the signing of the immigration bill the President issued a statement, a copy of which I had the privilege of handing to you, gladly recognizing the fact that the enactment of this provision "does not imply any change in our sentiment of admiration and cordial friendship for the Japanese people, a sentiment which has had, and will continue to have, abundant manifestation." Permit me to state briefly the substance of the provision of Section 13 (C) of the immigration act of 1924 which is inapplicable to these classes of persons: (1) "an alien visiting the United States temporarily as a tourist or temporarily for business or pleasure; (2) an alien who is admitted through the United States, (4) an alien lawfully admitted to the United States who later goes in transit from one part of the United States to another through foreign contiguous territory; (5) a bona fide alien seaman serving as such on a vessel arriving at a port of call in the United States and seeking to enter temporarily the United States solely in the pursuit of his calling as a seaman; and (6) an alien entitled to enter the United States solely for the purpose of and in pursuance of the provisions of a present existing treaty of commerce and navigation. Those who are admitted as non-quota immigrants under the provisions of subdivision B, D or E of section 4, that is (B) "an immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad;" (D) "an immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States, has been and who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of any religious denomination, or professor of a college, academy, seminary or university, and his wife and his unmarried children under 18 years of age, if accompanying or following to join him;" or (E) "an immigrant who is a bona fide student at least 16 years of age and who seeks to enter the United States solely for the purpose of studying at an accredited school, college, academy, seminary or university, particularly designated by him and approved by the secretary of labor, which shall have agreed to report to the secretary of labor the termination of the presence of each immigrant student, and if any such institution of learning fails to make such reports promptly the approval shall be withdrawn." Wives and Children Included. Also the wives or unmarried children under 18 years of age, of immigrants admissible under subdivision (D) of section 4 above quoted. It will thus be observed that, taking these exceptions into account, the provision in question does not differ greatly in its practical operation,



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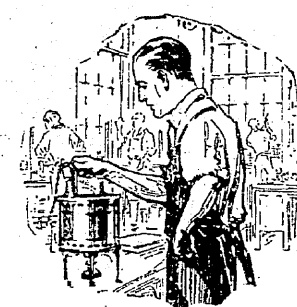
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respect to the control of immigration, which is an essential element of sovereignty and entirely compatible with the friendly sentiment which animates our international relations, this government in the course of these negotiations always full reserved. This in the treaty of commerce and navigation concluded with Japan in 1911 it was expressly stipulated in Article II: "It is, however, understood that the stipulations contained in this and the preceding article do not in any way affect the laws, ordinances or regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries." It is true that at the time of the negotiation of the treaty of 1911 the Japanese government desired that the

(Continued on Page Fourteen.)

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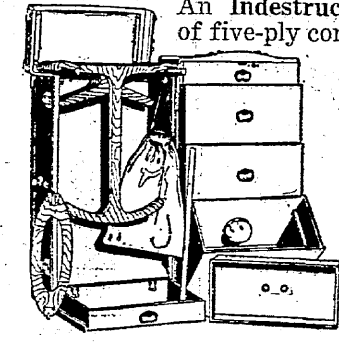
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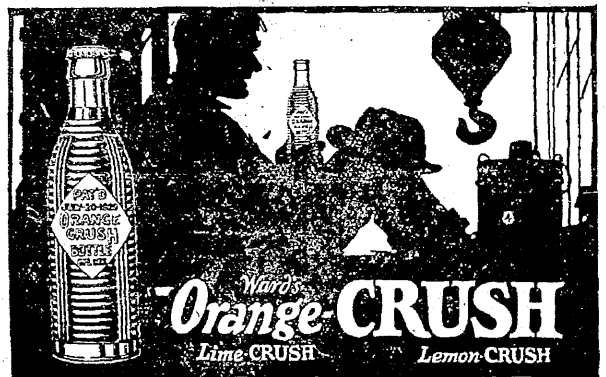
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Now We Know Why People Have Burning Feet

All in the Joints says Maine Doctor. "What fools we mortals be." All these years we have been trying to help thousands of footsore people by bathing and powdering the skin when all the time the real trouble is in the bones, ligaments and cartilage. Or, to be short, in the joints. There are 26 bones in the foot covered with cartilage and connected with ligaments and they have a tremendous amount of work to do. The slightest strain on one little ligament from being "on the feet" too much inflames the whole foot, causing soreness and burning, aching and general misery. "All this can be quickly proved," says a prominent Maine doctor whose name is known the world over. Just try a remedy that is compounded for joint troubles only—such as Joint-Ease, which every druggist carries, and see how quickly your sore, tired, inflamed and tortured feet will get well and strong and sturdy again. Forget your powdering and soaking and other makeshifts for just a few days and get rid of all foot misery by using Joint-Ease. It's an active emollient that you rub on with your fingers for about a minute and it soaks right in through skin and flesh away down to the joints—the real seat of all troubles. And remember when Joint-Ease gets in all foot agony gets out—quick! A tube for 60 cents. Every drug store. All druggists sell lots of Joint-Ease.

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SEVERYNS RAPS BOARD

CHARGES LAXITY IN CIVIL SERVICE HEARING.

Investigation of Patrolman Wuchterl's Dismissal Long Delayed, Says Chief.

Hearing on the appeal of former Patrolman John Wuchterl from dismissal from the Police Department by Chief W. B. Severyns May 23, begun by the Civil Service Commission at its last meeting, will be continued next Tuesday when several policemen will be called as witnesses. It was announced today by the commission.

Police Chief Severyns today charged the Civil Service Commission with failure in its prescribed duties in the investigation of the Wuchterl matter. He called attention to a provision in the city charter requiring "forthwith" investigation of all dismissals of employes upon the filing of an appeal. This investigation was not made, according to Chief Severyns, until the hearing last Tuesday night.

Case Arose From Auto Crash. Wuchterl filed his appeal within the stipulated ten days after his dismissal, and the investigation should have been started at that time, Chief Severyns asserted. In the meantime much of the original testimony, given in statements to the police photographers at the time of the incident, has been either changed materially or entirely repudiated.

Wuchterl was discharged for "conduct unbecoming an officer in that he allowed a civilian to use his badge in the adjustment of a serious traffic accident." The accident occurred May 22 on Dexter Avenue near Nickerson Street when Wuchterl's car collided with two other automobiles, one driven by Mrs. A. Harris 4715 Thackeray Place, and the other by Robert Painter of Black Diamond.

Evidence Contradictory. Principals in the accident were witnesses at a meeting of the commission Tuesday evening. The evidence was not conclusive, commissioners said, that Wuchterl had turned over his badge to a civilian, as charged. There was testimony that the former policeman was wearing his badge at the time of the accident. The commission has sustained the Street Railway Department in the dismissal May 5 of Thomas J. Doyle, street railway conductor, on a charge of "conduct unbecoming a trainman on duty."

U. S. STANDS FIRM ON JAPANESE EXCLUSION

(Continued From Page Thirteen.)

provision above quoted should be eliminated and that this government acquiesced in that proposal in view of the fact that the Japanese government had, in 1907-8 by means of the gentlemen's agreement, undertaken such measures of restriction as it anticipated to exercise in order to prevent any substantial increase in the number of Japanese laborers in the United States. In connection with the treaty revision of 1911, the Japanese government renewed this undertaking in the form of a declaration attached to the treaty. In acquiescing in this procedure, however, this government was careful to negative any intention to derogate from the full right to exercise in its discretion control over immigration.

Japanese Embassy Memorandum.

In view of the statements contained in your communication with respect to these negotiations I feel that I should refer to the exchange of views then had. You will recall that, in a memorandum of October 19, 1910, suggesting a basis for the treaty revisions then in contemplation, the Japanese embassy stated: "The measures which the imperial government have enforced for the past two and a half years in regard to the question of emigration of laborers to the United States have, it is believed, proved entirely satisfactory and far more effective than any prohibition of immigration would have been. These measures of restraint were undertaken voluntarily in order to prevent any dispute or issue between the two countries on the subject of labor immigration and will be continued, it may be added so long as the condition of things calls for such continuation. Accordingly having in view the actual situation, the imperial government are convinced that the reservation in question is not only not necessary, but that it is an engagement which, if continued, is more liable to give rise to misunderstandings than to remove difficulties. In any case it is a stipulation which, not unnaturally, is distasteful to national sensibilities. In these circumstances the imperial government desires in the new treaty to suppress entirely the reservation above mentioned, and to leave, in word as well as in fact, the question to which it relates, for friendly adjustment be-

HUGHES PAYS HIGH PRAISE TO COOLIDGE AT AMHERST MEET

By Associated Press. AMHERST, Mass., Thursday, June 19.—Secretary of State Charles E. Hughes, who received the degree of doctor of laws at the Amherst commencement yesterday, prefaced an academic address with a tribute to "Calvin Coolidge, 1893."

"And there is our chief, than whom there is no better example of the integrity, the self-control and discipline which, in his commands confidence and ennobles leadership, the most notable contribution of Amherst to our nation's life, Calvin Coolidge of 1893."

Between the two governments independently of any conventional stipulations on the subject.

Difficulties of United States. "In expressing that desire they are not unmindful of the difficulties under which the United States laborers in the matter of immigration and they are accordingly, if inspired, be willing to make the proposed treaty terminable at any time upon six months' notice."

"The Japanese embassy is satisfied that in the presence of such a termination clause the contracting states would actually enjoy greater liberty of action so far as immigration is concerned than under the existing reservation on the subject, however liberally construed. The Japanese suggestions, the department of state declared in its memorandum sent to the Japanese ambassador on January 23, 1921, that it was prepared to enter into negotiations for a new treaty of commerce and navigation on the following bases: "The department of state understands and proceeds upon the understanding that the proposal of the Japanese government made in the above mentioned memorandum is that the clause relating to immigration in the existing treaty be omitted for the reason that the limitation and control which the imperial Japanese government has enforced for the past two and a half years in regulation of emigration of laborers to the United States and which the two governments have recognized as a proper measure of adjustment under all the circumstances, are to be continued with equal effectiveness during the life of the new treaty, the two governments when necessary cooperating to this end; the treaty to be made terminable upon six months' notice."

Formal Declaration Asked.

"It is further understood that the Japanese government will at the time of signature of the treaty make a formal declaration to the effect that the government of the United States be made public. "The proposal as a basis for the settlement of the question of immigration between the two countries, the government of the United States, in order to meet necessary reserves and without prejudice to the inherent sovereign rights of either country to limit and control immigration to its own domains or possessions."

On February 8, 1911, in a memorandum informing the department of state of the regulation of the emigration of laborers to the United States, I feel constrained to advise the department had assented, subject to reservation above quoted, the Japanese embassy stated that "the imperial government, in view of the understanding of the proposal relating to the question of immigration set forth in the above mentioned note of January 23 last."

It was thus with the distinct understanding that the inherent sovereign rights of the United States to control immigration to its own domains or possessions that the treaty of 1911 was concluded. While this government acquiesced in the agreement by which Japan undertook to enforce measures designed to obviate the necessity of statutory enactment, the advisability of such an enactment necessarily remained within the legislative power of this government to determine.

As this power has now been exercised by the Congress in the enactment of the provision in question, this legislative action is mandatory upon the executive branch of the government and allows no latitude for the exercise of executive discretion as to the carrying out of the legislative will expressed in the statute.

It is provided in the immigration act that the violation of section 13 (C) to which you have referred, shall take effect on July 1, 1924. Inasmuch as the presentation on the part of the United States from an exercise of its right of statutory control over immigration was the condition upon which was predicated the undertaking of the Japanese

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Seattle Detective Accused of Being Partner in Raided Cafe

TESTIMONY that John F. Majewski, Seattle detective, was a "silent partner" in the Bush Cafe, 621 Jackson St., raided a year ago by federal prohibition agents, was given by two men during the trial yesterday afternoon of William Marglich and Charles Andrews.

Majewski, according to both Andrews and Tony Demo, formerly third owner of the place, held a third interest in the place, and employed Henrietta Brittan at the cafe as his agent, paying her \$15 a week. Demo testified that he was Majewski's partner for several months before selling out. Orders to sell drinks, marking the checks "D" for the cashier, had been

SALEEN WINS FIRST POINT

Identification records must be removed from "Rogues' Gallery." All photographs and identification records of John A. Saleen were ordered expunged from the Detective Division "rogues' gallery" yesterday afternoon as one of the points in the settlement of a \$25,000 complaint which Saleen had filed against Chief W. B. Severyns and Detective Capt. Charles Tennant. The complaint was dismissed by Judge Mitchell Gilliam. Saleen asserted that although he was never convicted after his arrest, he was unable to get the photographs and records removed.

Charged With Impersonation.

W. F. Chadbourne, arrested on a federal indictment charging impersonation of an officer, was released yesterday on \$1,000 bond. Trial has been set for July 1.

NOVE AGAINST MISSIONS

TOKYO, Thursday, June 19.—The more responsible elements of Japan are taking up the fight against the boycott of American goods and the demand for the expulsion of American missionaries from the country as a protest against the exclusion of Japanese immigrants from America. The Yokohama Exporters' Association, a Japanese organization, has

Adopted a resolution condemning the proposed boycott.

The National Christian Council, the governing body of all the Protestant "missions" native churches, has declared its opposition to the movement to expel missionaries and divorce the native churches from the American missions. Japanese Christians were in the majority at the meeting and made this declaration: "We desire the missionaries to remain at their posts undisturbed, continuing their evangelistic work until their mission is fulfilled." They also expressed their desire to cooperate with American Christians.

HAROLD TEEN

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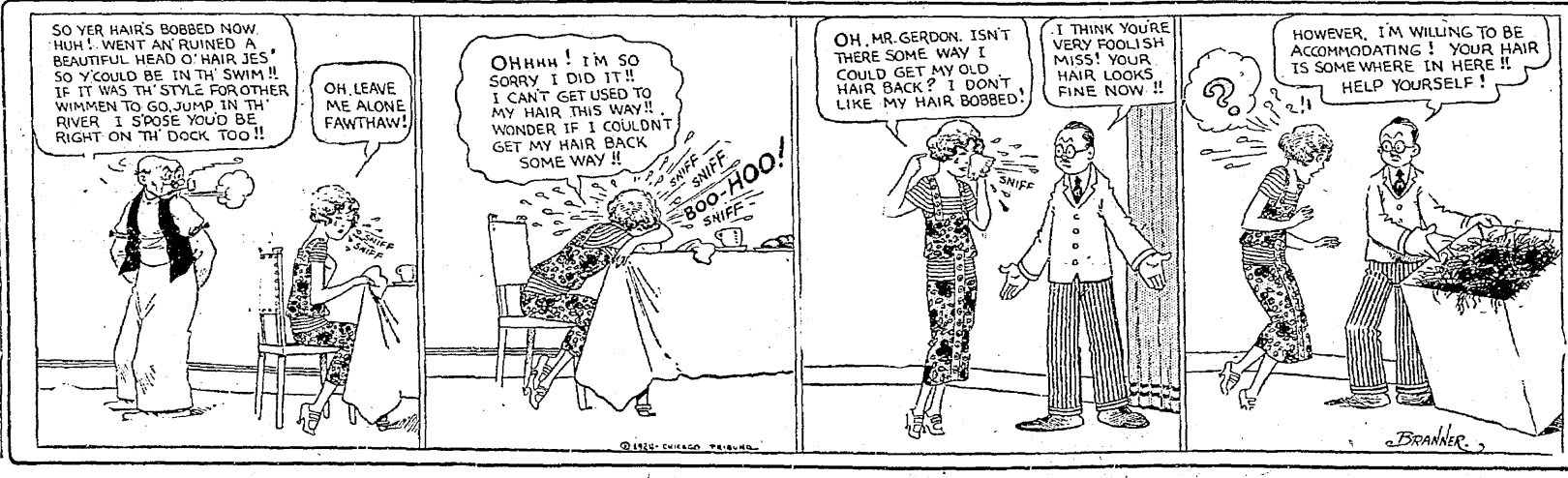
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