

The Daily Capital Journal

SALEM, OREGON, FRIDAY, MAY 21, 1915

PRICE TWO CENTS ON TRAINS AND NEWS STANDS—FIVE CENTS

Today's News Printed Today

Full Leased Wire Dispatches

THIRTY-EIGHTH YEAR

GERMANS CAPTURE 140,000 RUSSIANS IN GALICIAN SWEEP

Three Weeks Campaign Dastrous For Slavs Retreating Upon Przemysl

ENGLISH AND FRENCH ATTACKS ARE REPULSED

Three Hundred Thousand Men Locked In Terrific Battle Near Jaroslavl

Belin via wireless to London, May 21.—General von Mackensen's army has taken 140,000 Russian prisoners in its sweep through Galicia since May 1, an official statement from the war office announced today. In addition, 72 Russian cannon and 253 machine guns have been taken. The Russians are declared to be retreating upon Przemysl. Of other operations on the east front, the statement declared the Germans have crossed the Dabiza river and occupied Belogon.

On the western front severe English attacks south of Neuve Chapelle have failed, it was announced. French attacks in the Ailly woods have also been repulsed. Both offensive of the allied forces broke down under hot fire from the German artillery. Fighting from Tynes to Arras has been resumed on a large scale.

Great Battle In Progress

Petrograd, May 21.—Three hundred thousand men are locked in a great battle south of Jaroslavl which may decide the fate of Przemysl.

The fighting in the Ailly woods has been repulsed. Both offensive of the allied forces broke down under hot fire from the German artillery. Fighting from Tynes to Arras has been resumed on a large scale.

Dispatches here today declare that General von Mackensen has almost forced his attacks upon the western front of Przemysl, pending the outcome of the attempted envelopment of the stronghold on the east bank of the San. The official statement issued today says of the situation elsewhere:

"The fighting in southeastern Poland, southeastern Galicia and Courtland continues to our advantage."

Jeered at Drowning Men

London, May 21.—The crew of the submarine which sank the liner Falaba, with a loss of more than 100 lives, jeered and jeered at the struggles of the drowning passengers thrown into the water when the vessel went to the bottom.

This charge was made today by survivors who appeared as witnesses before Lord Mersey in the official investigation into the sinking of the Falaba. They said the crew of the German craft made no effort to assist the struggling passengers.

Riga's Fall In Doubt

London, May 21.—Private dispatches to Stockholm stating that the Germans had captured Riga after a naval engagement in the Baltic were not confirmed from any other source today. The report is not credited in official circles.

Aviator Moreau Killed.

Paris, May 21.—Aviator Moreau fell from a height of 1400 feet in his disassembled airplane at Golan today and was killed. Moreau recently gained distinction by the invention of an apparatus which prevented aeroplanes from ceasing to fly.

Italy Must Succeed Quickly Or Revolution May Ensnare

By J. W. T. Mason.

European manager of the United Press.

New York, May 21.—If Italy meets with an success and if the Austro-Germans are able to invade her wealthy northern districts, anti-monarchical revolution may break out and may overthrow the house of Savoy.

Recent fighting throughout Italy shows the tempering of the Italians and will not lead well for the spirit of self sacrifice under defeat. Unlikely the Italian populace be convinced it will have an easy time overthrowing the Austro-Germans.

After also months of exhausting struggles for the Teutonic allies, it would be highly unparliamentary for Italy to suggest that the Italian people would be unable to do as they please.

As a matter of fact it is uncertain whether the Italians will succeed. If successful, they must win quickly; otherwise side makes the most vigorous initial rush will gain an enormous advantage in the subsequent trench warfare. Italians never do things well at the first attempt. This was the early fighting in Tripoli, where the early fighting proved their leadership inefficient.

Whether Germany will wait until the end in the hope of a peaceful settlement or will make a sudden effort to cross the Italian mountains before war is declared is a question of momentous consequence. There is yet no absolute certainty of war as a compromise is possible.

If it is war, the Germans are prepared to strike and if they carry the mountain barriers and plunge into the plains of Italy, their hold may be permanent. The Italians.

If phlegmatic England's disaffection is able to overthrow a government, among temperamental Latins defeat may mean exile for royalty. Then Italy may become a republic.

MONTANA BUILDERS GET CONTRACT FOR E. O. ASYLUM WING

Lowest Bidders Not Allowed Benefit of \$5000 Error Claimed In Estimate

The state board of control this morning awarded the contract for the construction of the new wing to the Eastern Oregon branch insane asylum, at Pendleton, to the firm of Olson & Johnson and company, of Missoula, Montana, for \$77,680 on the original price, which may be altered one way or another in the selection of certain alternative specifications. It is specifically understood and agreed that the contract is let with the understanding that all of the materials and labor used in the construction of the building is to be obtained in Oregon, wherever possible, price, quality and all other things being equal.

The lowest bidders for the contract were Parker & Banfield, of Portland, but these gentlemen put in an appearance this morning with a statement showing that, due to a mistake in figuring on the materials to be used in the walls, an error amounting to \$4,649.98 had been made in their original bid of \$70,534, which would have brought the total up to \$75,183.96. They asked the benefit of the mistake and they will be \$2,497 lower than the next lowest bidder. But, upon the recommendation of Architect Knighton and the view taken by the board that it would likely arouse serious complications with the other bidders who would consider themselves treated unfairly, Parker & Banfield were given their choice of accepting the contract at the original bid price or nullifying their certified check of good faith and the firm chose the latter alternative.

Architect Knighton made the statement to the board that he had investigated into the claim of error in figuring up the estimates of Parker & Banfield and was satisfied that their claim was true but that the mistake was so big and glaring that they should have discovered it long ago with their experience and he also questioned the item in their estimates, supporting the original bid, concerning the bid of M. J. Walsh & Co., of Portland, to furnish the tile required in the walls of the building at \$2,298 less than the same item in the estimates of other bidders. He did not believe that the tiling cost was a big difference in cost might be due to the fact that Walsh & Co. company conducted an "open shop" and was not handicapped like the other tile manufacturers who probably employed or organized labor exclusively.

The firm of Olson, Johnson and company, of Missoula, constructed the Eastern Oregon branch asylum, which proved a very satisfactory job to the board of control, and furthermore, this firm submitted, as an evidence of good faith in their guarantee of purchasing Oregon materials and employ Oregon labor on the job, a statement showing that, in the construction of the E. O. asylum they had expended \$90,000 for materials and \$75,000 for labor in Pendleton, and \$45,000 for materials and labor in Portland.

In the acceptance of the Olson, Johnson and company bid the board necessarily rejected the two other bids held over under consideration which were that of the Beers Building company, of Portland, for \$79,680 and that of J. H. Tillman and company, also of Portland, for \$79,680.

The world isn't so much interested in who your great-grandfather was as it is in the promptness with which you pay your bills.

ROCKEFELLER SAYS HE DID NOT DIRECT BIG COAL STRIKE

Witness Claims Methods of Company Were Unknown To Him Personally

HOPES THAT LAWSON MAY GET NEW TRIAL

Admits That Ivy Lee Was Paid To Act As Press Agent For Corporations

Washington, May 21.—John D. Rockefeller, Jr., was excused late this afternoon after being subjected throughout the day to a severe grilling by members of the federal commission on industrial relations, regarding his connection with the Colorado coal strike. It was a severe ordeal for the witness who was departing freely when he left the room.

At the conclusion of his testimony, Rockefeller shook hands with Samuel Gompers and other labor leaders but he seemed to be glad to get away. During the examination, Rockefeller was courtously questioned by Chairman Frank P. Walsh, who, however, did not omit anything just because it was of an unpleasant nature.

Examination In Detail.

Washington, May 21.—Resuming the stand today before the federal commission on industrial relations, which is conducting an investigation into the recent Colorado coal strike, John D. Rockefeller, Jr., today read another statement further making clear his position regarding that great struggle.

Chairman Frank P. Walsh, in his examination, centered his attention on the trial and conviction in Trinidad, Colo., a few weeks ago, of John R. Lawson, one of the leaders of the Colorado strike, who was convicted of murder. The chairman's examination was strongly resented by Rockefeller, who declared that "the questions were so framed as to seek to place me in the position of appearing to concede that I have been willfully tampering with the courts, that I am prepared to influence the course of justice or that I entertain a position superior to any other citizen either before the law or towards its administration."

The witness, after repeated questions regarding the Lawson trial and the part taken in it by employees of the Colorado Fuel & Iron company, said he hoped the Colorado supreme court would grant a new trial of the case should material ground be sustained.

Walsh read to the witness a letter written November 8, 1913, by L. M. Bowers, then chairman of the executive board of the Colorado Fuel & Iron company, as Rockefeller's subsidiary, in which he said, among other things: "We have been able to line up all the bankers"; "the little cowboy governor (Ammons) will be brought to such pressure brought to bear on a governor"; and adding that "tuffy" means in "the right frame of mind."

Walsh asked the witness if he had ever been used to keep Governor Ammons from resigning. Walsh asked, "Is this your policy?" Walsh asked, "Is this your policy?" Walsh asked, "Is this your policy?"

Rockefeller objected that it was Bowers and not he who had written the letter.

"But we have six letters," Walsh remarked, written by you, saying that you backed all that was being done in Colorado."

Walsh asked the opinion of the witness regarding charges that witnesses of the Colorado Fuel & Iron company had cheated the miners.

"That was abominable," Rockefeller agreed.

"Did you cheat?" Walsh next asked.

"Not to my knowledge."

The chairman read several letters Bowers had written to Starr J. Murphy of the Rockefeller foundation, in which he asserted that competing companies were robbing the Colorado miners through the use of false weights.

Walsh asked Rockefeller if he and Bowers would join in the presentation of these companies.

"It is not my affair," witness answered.

"After you know through this letter that miners were being robbed," said Walsh, "you joined these people and your father paid for the issuance of a statement saying the charges were false?"

Rockefeller admitted that his father had paid for the publicity agent of the Rockefeller foundation, \$9000 to conduct the publicity work of the Colorado operators during the strike.

Returning to the matter of press relations, Walsh inquired whether the reason he and Bowers were unwilling to prosecute was "false consciousness" that they felt that they ought to stick together.

Rockefeller considered and then answered slowly:

"I fancy that attitude is the same as any father or uncle might be if we knew the saloons were violating the law in our city. We might not feel that it

ITALY'S ACTION PREDICTED

Madame De Thebes, the famous French seeress, predicted the entrance of Italy into the European war in her prognostications for the year 1915, written for the United Press on December 15, of last year. At the time Mme. De Thebes said: "The hour will soon strike when Italy will be compelled to draw her sword. She will be forced to do so. Since it is already known that I was once called to Italy under tragic circumstances to give my humble opinion concerning the destiny of a person high in the human scale, I may say that I have additional reasons for believing in the magnificent future of the reigning house."

"However danger menaces it, feminine hate, which nothing disarms, pursues it. There will be abundant tears. There will be great destruction of things—in artistic southern Italy in particular—around the summer solstice."

RIVER OF MUD FLOWS FROM LASSEN

Stream Is Six Feet Deep and Farms Are Buried—Ranchers Flee

Redding, Cal., May 21.—Mount Lassen, the California volcano, is sending forth a veritable river of mud which is burying farms along Hat Creek from four to six feet deep. People in these sections are fleeing from their homes to find safety in the hills.

Warnings were received here at midnight from Forest rangers. The inhabitants who were thus warned could scarcely believe that the reports were true. W. O. Hall, called to receive the warning in time and his house and barns were swept away. He reports the members of his family escaped in their night clothes.

Hall said every head of his stock was killed except one horse. Last reports stated that the mud flood was five miles above the postoffice at Cassel.

The farms of Wilbur Wilcox and Charles Hawkins have both been submerged in mud, advised say. Their families escaped.

The volcano is sending forth volumes of smoke and strong sulphuric fumes. No lava and no ashes are being ejected, just mounding mud. Hat Creek rises on the northern slope of Mount Lassen and flows in a northerly direction for 40 miles, emptying into the Pitt river. Farms line the whole length of the stream up to Hall's place, which is nearest the mountain. Hall's farm was the first one hit.

Several times during eruptions of the volcano ashes have been blown into Hat Creek, muddying the waters so that it could not be used. The full extent of the recent activity is not yet clear here as telephone communication with the Lassen district is badly crippled. Rotted residents of that section, however, telephoned to Mount Somers creek and told of the latest activity of the volcano.

Fred Seaborn declared the sea of mud hit his place at 4:30 o'clock this morning.

The rans along Hat Creek are Cassel, Carbon and Hall, all very small settlements.

Flood Reaches Miles

Redding, Cal., May 21.—A river of mud which rolled down Mount Lassen, the California volcano, destroying farms, obliterating roadways and partially filling the bed of Hat Creek, had spread fifteen miles down the Hat Creek valley at noon today. Several farm houses and buildings were destroyed and considerable livestock was killed. Heavy smoke was setting over the valley this afternoon. The volcano could not be seen through rain clouds which had gathered and it was not known whether it was still in eruption.

The outburst from Lassen came at midnight. Forest Ranger Seaborn at the lookout station on the north base of the mountain, seeing the flood, sprang upon his horse and rode at top speed down the valley, sending sleeping inhabitants and spreading the alarm. The warning reached the home of W. C. Hall some two miles. His family escaped to the hills in their night clothing, but

The Weather

Oregon: Tonight fair east, showers west portion; Saturday fair; Sunday fair; south to west winds.

AUSTRIA PREPARES TO ADD ITALY TO LIST OF ENEMIES

Interns All Italian Males Of Military Age—50,000 Sent To Camps

ANOTHER ULTIMATUM MAY GO TO AUSTRIA

Italian Mobs Aflame With Martial Spirit Cheer Prospect Of War

Venice, May 21.—Austria today began internment of all Italian males of military age. Fifty thousand boys and men between the ages of 17 and 60 around Barbariga, Dignan and Marzana were today placed aboard trains for concentration camps established at Carisola and Croatia, according to advices received here.

Leading Italians in Pola have been arrested while others have been terrorized by Austrian mobs.

POPE WILL PROTEST

Rome, May 21.—The pope will protest against the refusal of the government to grant diplomatic immunity to the Austrian and German ambassadors to the Vatican, it was authoritatively stated this afternoon.

MRS. RAINS WILL FIGHT

San Diego, May 21.—Mrs. Marjorie E. Rains, recently discharged as police judge of El Cajon by a vote of three to two of the board of trustees, is going to fight for her rights according to her announcement here today.

Up to the time of her discharge early this week, Mrs. Rains was the only woman justice in California, if not in the United States.

Local women's clubs are interesting themselves in Mrs. Rains case and hundreds of San Diego women are rallying to her cause.

Bill In Senate

Rome, May 21.—Premier Salandra this afternoon introduced in the senate the bill giving the cabinet plenary powers in the identical form in which it was passed by the chamber of deputies yesterday.

The bill was referred to a committee with instructions for an immediate report.

Austrians Search Vessel

Venice, May 21.—The Italian steamer Marsala arrived here today and reported that an Austrian submarine stopped her off Havena. The submarine's crew searched the Marsala and then permitted her to proceed.

Female Suffrage, Says an Old Bachelor, Is Caused by a Scarcity of Husbands

Washington, May 21.—President Wilson and the cabinet today considered the confidential reports which have been received from Ambassador Gerard since the protest against the submarine warfare of the Kaiser's navy was presented to the foreign office.

It is understood that the reports of the ambassador's were comparatively optimistic in showing that Germany desires to meet the United States more than half way.

It was indicated that Germany has pointed out that the allies are relying upon munitions from the United States which are superior to those manufactured in Europe, and that Germany can consequently hardly be blamed for trying to destroy merchantmen carrying munitions, even though they be passenger vessels.

That this is the most crucial point in the negotiations is becoming increasingly evident. It is likely that this may

MISS HOBBS RETIRES AND CARLE ABRAMS INDUCTED INTO OFFICE

Attorney General To Pass Up on Abrams' Eligibility To Hold Two Jobs

Miss Fern Hobbs' resignation having taken effect last evening she vacated the office of industrial accident commissioner and Carle Abrams, of this city, the new appointee, was sworn in by the secretary of state this morning and assumed his duties. Miss Hobbs, in retiring, would make no statement as to her future plans or expectations merely stating that she intended, for the present, to return to her home near Forest Grove, in Washington county. She was appointed by Governor West January 1, 1915.

In accepting the appointment and office of industrial accident commissioner Carle Abrams is confronted with the constitutional question of holding two lucrative offices at the same time, he being a major of the third battalion of the 3rd regiment, O. N. G. and, in order to settle the matter conclusively, he has submitted the question to Attorney General Brown for formal opinion. Section 10, of article 2, of the constitution, provides that "no person shall hold more than one lucrative office at the same time, except as in this constitution expressly permitted," and the last clause of the same section makes the following exemption: "Provided that officers in the militia to which there is attached an annual salary shall not be deemed lucrative."

As an officer of the state militia Major Abrams receives compensation only for the time that he is actually engaged in his duties in his military capacity and the question arises whether or not he comes within the exception described in the constitution. Mr. Abrams has been in the service of the state militia for the past 15 years and he states that, while he has no desire to shrink any duty or responsibility, he would not be disappointed if it were decided that he must retire from the military service as it takes much of his time and attention which would otherwise be devoted to his official duties.

JURY TRIES TO FIND FOR COLONEL BUT GETS INTO MIXUP

Legal Tangle Ensues When Jury Suggests That Parties Divide Costs

ROOSEVELT PLEASSED WITH PARTIAL VICTORY

Democratic Juror Holds Out For Barnes and Jury Is Sent Back

Syracuse, N. Y., May 21.—After deliberating most of the night the jury which heard the evidence in William Barnes \$50,000 libel suit against Colonel Roosevelt attempted to return a verdict at 10:45 today, but succeeded only in bringing out an unparalleled mixup and legal tangle.

Instead of having really reached a verdict, it appeared when the jury was polled in open court that the 12 men stood 11 to 1 in favor of returning a decision for the former president and denying Barnes damages. At the same time, the verdict announced by the foreman carried the request that part of the costs of the trial should be paid by Roosevelt. The entire report of the jury was held to be illegal by Justice Andrews and the men were sent back for further deliberation.

That the jury had not reached a unanimous decision on the verdict in favor of Roosevelt, but recommending that the colonel be forced to pay the costs was not known until the court clerk called the roll for the individual votes. The foreman had announced a verdict, but when the name of Edward Barnes, a democrat, was called he announced his decision in favor of Barnes. There was no commotion in court, but suppressed excitement was evident as Justice Andrews explained that he could not accept the verdict as rendered and ordered the men back. The justice had warned the spectators against any demonstration.

It was shortly before 11 o'clock when the jury filed solemnly in and prepared to put itself in legal history for its ability to throw a case into utter confusion. Clerk Clark asked the usual question as to whether a verdict had been reached. Foreman Somers then said:

"We find for the defendant with the suggestion that the costs be divided between the two parties."

Attorneys for both Roosevelt and Barnes were at first astounded. Then they all smiled. Colonel Roosevelt joined in showing his amazement at the jury's announcement, but his grin quickly disappeared as he turned to consult with his counsel.

"Gentlemen, your verdict is not in proper form," said Justice Andrews in addressing the jury. "You must find a verdict one way or the other, for the defendant or plaintiff."

Foreman Somers then asked if the jury might take a rising vote.

"I can't permit you to carry on your deliberations in court, but you may take a vote."

A poll of the jury was begun by Clerk Clark, but before he completed it, Juror Walter Zull, a bull moose, wanted to discuss the case.

When the name of Henry Hoag, juror number 2, was called on the poll, he arose and said:

"I find no cause for the defendant."

GERMANY WILL MEET U. S. MORE THAN HALF WAY SAYS GERARD

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Swiss Ambassador Chosen

Washington, May 21.—Switzerland will represent Germany in Rome if Italy declares war. The German embassy was advised this afternoon that arrangements had been made for the Swiss ambassador to look after German interests. The embassy would make no comment as to the choice of Switzerland instead of the United

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Shop Post of Union St.

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