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Dispatches

# The Daily Capital Journal

Today's News  
Printed Today

THIRTY-EIGHTH YEAR

SALEM, OREGON, TUESDAY, JUNE 22, 1915

PRICE TWO CENTS ON TRAINS AND NEWS STANDS—FIVE CENTS

## MARINES TO LAND IF YAQUIS SHOW SIGNS OF VIOLENCE

### Recent Victory Of Indians Expected To Send Them Out Upon New Raids

## RIVALS MAY UNITE TO FIGHT AGAINST MARINES

### Bread Riots Add To General Chaos Now Existing At Mexico City

By John Edwin Nevin.

Washington, June 22.—As a result of the crushing defeat suffered by the forces of Governor Maytorena at the hands of the Yaqui Indians, officials were anxious today as to the action Admiral Howard may find it necessary to take to protect foreigners at Guaymas. Latest reports stated that an officer had been sent ashore to the American colony with a helicopter, under orders to signal the warships the instant marines and bluejackets were needed. It is certain that a landing will be made and the Indians engaged if any more foreigners are killed. Whether Maytorena will join the Indians in opposing the landing is causing the greatest anxiety.

The general situation in Mexico was worse today. General Gonzalez is reported to be engaged with Zapatistas in the suburbs of Mexico City. In case the Zapatistas are forced to evacuate, it is feared they will first loot foreign property. Bread riots in the capital and other cities continue. Every effort is still being made to bring about a peace agreement with this government giving all assistance possible.

### Supplies Are Sent.

San Diego, Cal., June 22.—Carrying two supply trucks, harness and equipment for ammunition wagons, and a large supply of fresh water and food, the United States supply ship Glacier is on the way today to join the cruiser Colorado and other American ships at Guaymas.

The Glacier left San Diego late yesterday. From the fact that she carried south motor trucks, harness and other equipment, it is evident that Admiral Howard is preparing to make a landing if necessary.

No word has been received from Admiral Howard today.

### Battle Is Expected.

Washington, June 22.—Consul Sullivan today reported to the state department that the telegraph line from Vera Cruz to Mexico City has been cut at Ocotuba, 25 miles east of the capital supposedly by Zapatistas. This would indicate that the Zapatistas had gotten behind the Carranza forces who were reported to be on the outskirts of Mexico City.

### News Is Censored.

Nogales, Ariz., June 22.—Governor

## "MODERN BLUEBEARD" TRIED ON CHARGE OF KILLING THREE WIVES

(By W. S. Forrest.)

United Press Staff Correspondent.

London, June 22.—In historical Old Bailey George Smith, 43, went on trial today charged with the murder of three of his six wives.

With the opening statement of Prosecutor Bodkin, in which he branded Smith as a "modern Bluebeard," the trial so long awaited and so dramatic and gripping in its horrible details that it bids fair to overshadow even any wars in London temporarily, was underway. For this is the famous "hundred of Path" murder case. Each of the three wives of Smith, for whose deaths he is held responsible were found dead in a bathtub. All had been drowned. The courtroom was crowded when Smith, a tall angular man, with high cheek bones and narrow, deep-set eyes, was led in. Many of the spectators were women.

The first thrill came when Smith was called upon to enter his formal plea. He sat near his counsel, shifting about nervously in his chair, when he was asked to stand up and plead. Smith jumped to his feet. "Not guilty, not guilty," he shrieked. "It's a lie, it's a lie!"

Bodkin then began the recital of Smith's alleged crimes. Two striking, rat-eyed defendant Hoger's his mustache nervously as Bodkin told how, one after another, the wives of Smith were found dead in bathtubs. At times when Bodkin told how previously Smith had caused these women to make out

## BROOKS IS WINNER SILVERTON CONTEST FOR POST MASTER

### Beats Opponent, George Cusiter, In Popularity Election By 2 To 1 Vote

Silverton, Ore., June 22.—(Special to Capital Journal).—By a vote of about 2 to 1 John H. Brooks, the popular druggist of Silverton, was selected as the popular candidate for the office of postmaster of that community as the result of a local popularity election, held in that city yesterday, over his opponent for the appointment, George Cusiter. The total vote cast was 537.

This was one of the most unique and extraordinary elections to have ever been held in this state and probably the first of its kind. Brooks and Cusiter are both democrats and prominent in political circles, and both were candidates for the postmastership. United States Senators Chamberlain and Lane were unable to agree upon a choice between them and it was finally decided to let the people of Silverton choose between the two and a special election was held for that purpose yesterday with the above result.

John H. Brooks, who will doubtless receive the appointment as a result of the election, has been in the drug business in Silverton for many years, at present in partnership with George W. Steelhammer.

## Salem Dog Ordinance Case Is Advanced On Calendar

Upon the petition of counsel for the city and the plaintiff and respondent the supreme court this morning advanced the case of George L. Roset, respondent, vs. the City of Salem, known as the dog ordinance case, which was appealed to the supreme court by the city from the decision of Judge Adolphus declaring the compulsory dog licensing ordinance invalid, has been advanced in the supreme court calendar and set for argument June 29, one week from today.

Maytorena today established a strict censorship over all news from the Yaqui Indian war zone. It was believed here that important moves were progressing and that the Mexican authorities had pressing reasons for wanting them kept secret.

John C. Harper, mining man, arrived from Espirito Santo, he declared that at least 3000 well-armed Indians were on the warpath, endangering 25 foreign colonists, many of whom are Americans. Many settlers have fled. There are not more than 300 Mexican soldiers in the field against the hostiles. Ammunition which was landed at Guaymas by the cruiser Colorado for the use of imperilled settlers three weeks ago never reached them. Americans believe it was confiscated by the Mexicans.

### Americans in Peril.

Douglas, Ariz., June 22.—American settlers are set off by hostile Yaqui Indians at Ontolaga, Sonora, and are in imminent peril, according to reports received here this afternoon.

The Americans have erected barricades and are prepared to fight as long as their ammunition lasts. Ontolaga is a few miles north of the town of Yaqui, which has been burned by the Indians.

their wills to him or sign over insurance policies. Smith would have interrupted the prosecution had not his attorneys restrained him. The prosecution charges that Smith killed the women that he might collect insurance. Smith's first wife, according to evidence gathered by the prosecution, was Caroline B. Thornhill. He married her in 1878 when he was 20 years old, but she deserted him. In 1898 he married Elizabeth Mabel Fogler, of Bristol. This was apparently Smith's only true love affair. Mrs. Fogler Smith is still alive and after the death of each of his other wives, Smith always returned to her. As Henry Williams, Smith married Beatrice Constance Annie Mundy in 1910. He deserted her, taking \$500 of her money. In March, 1912, he met her again, however, and on July 13, 1912, she died in a bathtub. Her will brought Smith \$12,500.

In 1913 Smith, under his own name, married Alice Burman at Portmouth in November. She made her will out in November, and December 12 died in a bathtub. Smith realized \$2500 as a result of her death. On September 7, 1914, under the name of Oliver Charles James Smith, the defendant married Alice Revall at Woolwich. She is still alive. On December 17, 1914, under the name of John Lloyd Smith, married Margaret Elizabeth Loftis. She made her will to Smith and on December 13 she died in a bathtub. Smith was arrested when he tried to collect \$3500 insurance.

## MILITIA GUARDING GOVERNOR SLATON FROM ANGRY MOBS

### Georgia People Threaten Violence and Soldiers Surround House

## STONES AND STICKS HURLED AT MILITIAMEN

### Governor Is Shaken But Declares He Will Hold To His Decision

By Lowell Mallett.

(United Press Staff Correspondent.) Atlanta, Ga., June 22.—Governor Slaton was still besieged in his country home this afternoon. With three battalions of infantry and the governor's horse guards patrolling every approach to his ten acre estate, six miles from the center of the city, Slaton was protected from mob violence. He was paying the price for having saved the life of a human being when he commuted the death sentence of Leo M. Frank to life imprisonment.

There is no doubt that Governor Slaton is badly shaken. But at two o'clock this morning when the militia commander reported that the last straggle of the mob which clamored at the gates had been driven from the neighborhood, the governor declared:

"I did right. And I would do it a thousand times again."

The strain is telling on him. He is frightened by the threats of violence and gathering of the mobs. He admitted today he himself called out the militia last night, though Sheriff "Buck" Mangum lied like a gentleman and said he did.

"I sent for the militia," said the governor, "because I believed it was the best way to keep somebody from being killed. The sheriff and his deputies could have kept the mob back, but it would have been at the expense of some lives, I am sure."

Having seen the sheriff on the job, I believed Slaton. Behind barred wire entanglements hastily stretched across the gate, Mangum stood smiling and chewing tobacco. Mangum is a stage sheriff come to life. He is tall and spare with a skinny bunch of shin whisks. No one doubted he was the real thing last night, however. He appeared to have the crowd cowed and it was about ready to leave when the militia arrived and renewed the excitement. An hour's persistent work by the uniformed youngsters, some badly scared, but all keeping a stiff upper lip, was necessary to clear the famous old Peach Tree avenue. Many stones were thrown, but injuries were few. Major Cronin suffered the most serious "wound" with a broken finger.

Governor Slaton was practically unharmed when the first noise of the mob was heard. He passed around such weapons as he had in the house and impressed newspapermen on guard duty.

When the crowd was finally dispersed, the governor responded readily to an interview.

"Have you read my statement?" he asked. The length of the statement—it was some 15,000 words—was commented on, and Slaton replied:

"It was for the people of Georgia. I do not expect others to read it."

"They tell me the mob consists most of boys of 12 and 15 years," the governor told.

He was told this was scarcely true. "Well, it is not the people of Georgia out there," he responded. "It is not the worth while people. It is the rag tag element. I want to tell you their demonstration does not mean an expression by the state."

"I did not reflect on the jury, the judge, the press, the mob or anybody in my statement. There was doubt in my mind, and feeling so, I could not allow the execution to be carried out without having it on my conscience the rest of my life."

"It is not that I do not believe in hanging. I simply could not feel that Frank's guilt had been proved."

The citizens of Valdosta were today subscribing \$1 each to erect a monument to Mary Phagan, the little factory girl Frank is charged with having murdered. The Phagan child formerly lived in Valdosta.

Saloons and clubs were permitted to reopen today and this was regarded as indicating that the authorities believed the worst was over.

Every available policeman in Atlanta was kept on duty throughout last night and early today the authorities reminded their still in the down town districts where crowds were again gathering.

The storm of bitter sentiment aroused against Governor Slaton for commuting the death sentence of Leo M. Frank to life imprisonment had not abated early today. Governor Slaton and a dozen friends who remained in his home with him

## Cost "Lucky Jack" Peterson \$600 To Beat A "Dog Tamer"

Through the conditional affirmation of a decree entered by Judge Davis, of the circuit court for Multnomah county, by the supreme court this morning, in an opinion written by Justice Beason, it will cost J. H. (Lucky Jack) Peterson \$600 for assaulting and beating up J. H. Housman, who won a bet of \$10 by succeeding in pacifying and subduing Peterson's "ferocious" bull dog, in Portland, on March 24, 1914; provided Housman elects to remit \$75 of the verdict for \$675, which represents doctor's bills, medical attention, etc. If Housman, plaintiff and respondent, does not agree to forego the \$75 item of the verdict within 10 days the whole judgment will be reversed.

This suit arises out of a bet made between Peterson and Housman, as a result of the latter's boasting that he could approach and make friends with the most vicious of dogs, that Housman could not make friends with Peterson's "ferocious bull dog." Housman succeeded in making friends with the dog to the extent of entering the dog's enclosure and petting him but in doing so the dog got out and Peterson protested the bet on the ground that this violated one of the rules of the wager. This brought on a quarrel and resulted in Peterson assaulting and beating Housman up and the latter sued "Lucky Jack" for \$2,500 damages.

Other cases handed down by the supreme court this morning follow: State of Oregon vs. John M. McPherson, appellant, convicted of larceny of a mare, appealed from Crook county, opinion by Justice Eakin, Circuit Court Judge Bradshaw, judgment for state affirmed.

Milwaukee Mechanics Insurance company, appellants, vs. A. Ramsey et al, suit on a fire insurance policy, opinion by Burnett, Circuit Court Judge Holmes, judgment for defendant affirmed.

School District No. 5, of Baker county, vs. J. H. Nader, appellant, suit to quiet title to property, opinion by Justice Burnett, Circuit Court Judge Anderson's judgment for plaintiff affirmed.

W. E. Robertson et ux, appellants, vs. City of Portland, respondent, from Multnomah county, Circuit Court Judge Bobb, affirmed, affirmed. Opinion by Justice Harris.

City of Portland, respondent, vs. H. K. Blue, et al, appeal from Multnomah county, Circuit Court Judge Davis, affirmed. Opinion by Justice Harris.

State of Oregon, respondent, vs. Fannie O'Donnell, appeal from Coos county, Circuit Court Judge John S. Cook, defendant, opinion by Justice Eakin. Defendant convicted of selling liquor on Sunday.

Petitions for rehearing were denied in Evans vs. Marvin and Nielson vs. Portland Gas and Coke company, Dale vs. Marvin and original adhered to in Wolfier vs. Bechell.

Fraud cannot be presumed. It must be alleged and established by the great weight of the evidence. While the evidence has a right to rely on an assertion of facts, he has no right to rely upon the mere expression of an opinion by the vendor in whatever language such expression is made. He is assumed to be as equally able to form his own opinion and come to a correct judgment in respect to the matter as the vendor, and cannot justly claim to have been misled by the opinion however erroneous it may have been.

Based upon the above rules of law and conclusions the supreme court this morning, in an opinion written by Justice Beason, reversed the decree of Judge William Galloway of the circuit court for Marion county, and dismissed the suit of William A. Irvin which was against Irvin to set aside and annul a transaction whereby the Blacks traded a 104-acre farm near Silverton, for the old Elite safe and lodging house, upon the ground of fraudulent representation of the value of business transacted by defendant Irvin during the negotiations for the trade. The plaintiffs were awarded a verdict and decree rescinding the sale or trade in the trial court.

The principal allegation of fraud was based upon the representations that the statement rendered by Irvin, covering the year prior to the trade, and showing a margin of profit over expenditures was false and plaintiff sought to establish the fraud by a comparison of receipts and disbursements, expert testimony and the conduct of the trade itself during one month and 10 days after the trade was made, January 1, 1914.

The court held that this did not necessarily discredit the statement rendered by Irvin for the year previous, which was not proven false by the evidence; as Irvin's statement showed a decrease in revenues for the last month which fact plaintiff should have taken note of. It was also pointed out that the city went "dry" in November, 1913, immediately preceding the trade.

A statement from the government press bureau today added the reports from Dutch sources stated that the French forces north of Arras were "fearful."

Neutral reports agree that the battle raging near Arras may decide the fate of France. The press bureau's statement continued:

"Both sides are fighting with unrelenting determination. The British are fighting the trade, in consequence of which the patronage of the cafe fell off from 8 to 10 per cent by reason of the elimination of the serving of 'drinks' with meals, while the 'dry' trade did not.

## FALL OF LEMBERG EXPECTED AT ANY TIME BY GERMANS

### Russians Leave Small Body To Hold Germans In Check To Gain Time

## ARTILLERY AND STORES BEING RUSHED TO BORDER

### Italians Halt Advance On Account Of Heavy Reinforcements To Enemy

Berlin, via The Hague, June 22.—Announcement of the fall of Lemberg was awaited today. Three Austro-German armies were within a few hours march of the city when the last dispatches were filed from Przemysl. It is considered possible that the Russians may have already withdrawn and that the victorious forces of General Von Mackensen may even now be in possession of the Galician capital.

The Russians are reported to have sent a small force to the hills west of Lemberg to maintain a stubborn defense in covering the retreat of the main army.

By seizing Kavarushka and Zolkief, north of Lemberg, the Teutonic forces have cut off the Russian retreat in that direction. They can only withdraw eastward upon Brody. The railway leading to this section of the Russian frontier is the only line open to the Slavs. The Austro-German right wing has made unexpectedly rapid progress on the southern front along the Daister and with the rapid rush of the center and left wings, west and northwest of the city the Russians must evacuate Lemberg to escape being bottled up in the city. At last reports the Gradch line, where the Russians had been expected to make their stand, had been practically abandoned by the Slavs.

The fighting now in progress is believed to be mostly rear-guard actions in which the Russians are endeavoring to delay the final rush of the Austro-Germans into the city until the last moments, guns and men being hurled eastward over the one remaining railroad line have been placed aboard trains and started for the border.

Italian Advance Halted. Rome, June 22.—Strong Austrian defenses encountered on the Trentino and Carnic Alps fronts and the arrival of heavy reinforcements for the enemy along the Isonzo river has caused a halt in the Italian advance everywhere, an official statement admitted today.

Equal action in the Polleggera and Upper Carnic valleys east of Trieste, disclosed strong lines of enemy armored trenches, the statement said. "Some were of concrete and sheet metal. We occupied Punta Tassa."

"In the Carnic region the bombardment of the Austrian positions at Malborget has been resumed. The enemy delivered several fruitless attacks against our newly captured about Fiekkof. Sunday night we completed occupying the ridges of Monte Terzo and surrounding heights."

For three days the Austrians along the Isonzo have been attacking the heights taken by the Italians north of Goritz. The captured positions are still held, however, the enemy attacks having been repulsed with heavy losses.

Submarine Base Established. Rome, June 22.—Reports that the Austrians have secretly established a submarine base on the remote shores of a small island have been confirmed, an official statement declared here today. An Italian auxiliary ship captured a suspicious looking vessel after a chase of 150 miles and found it to be carrying naphtha. The captured ship was taken to Naples.

Battle Fields Littered With Bodies Of Dead. Berlin, via wireless to Bayville, I. I., June 22.—The battlefields about Somme are littered with decomposed bodies. Neither side has been able to collect its dead and the stench from the decaying bodies is horrible, dispatches received here declared.

A statement from the government press bureau today added the reports from Dutch sources stated that the French forces north of Arras were "fearful."

Neutral reports agree that the battle raging near Arras may decide the fate of France. The press bureau's statement continued:

"Both sides are fighting with unrelenting determination. The British are fighting the trade, in consequence of which the patronage of the cafe fell off from 8 to 10 per cent by reason of the elimination of the serving of 'drinks' with meals, while the 'dry' trade did not.

## INDEPENDENCE WILL HAVE BIGGEST RACES EVER—OPEN TOMORROW

### Fastest Entries Ever Secured Are Signed To Start—Thursday Salem Day

"It will be positively the best racing meet we have ever had, and will furnish some rare sport and excitement to the race fans," said J. S. Cooper, Jr., of Independence, this morning, in speaking of the annual race meet of the Independence Driving Club association, which opens in that wide awake and enterprising little city "across the creek" from Salem, in Polk county, tomorrow, and continues for four days.

By reason of the fact that much of the racing events in the northwest circuit, particularly in Butte, Olat, and in British Columbia, the Independence races, for which there are some very attractive purses hung up, have secured some of the best sprinting and harness talent that has ever been on the coast for this week's meet, and every one of the three daily events put on the program will be a go for blood from start to finish.

Thursday has been set aside as Salem day, and an especially elaborate and choice program has been arranged for that day, and arrangements have been made to provide entertainment for a big attendance of Salem people. Independence expects to turn out royally in celebration of the Fourth of July and Cherry fair at Salem, on July 2 and 3, and it is expected that the Salem people will show the spirit of reciprocity and "good neighborliness" upon this occasion.

Mrs. Gladys Bennett Takes Carbolic Acid. Mrs. Gladys Bennett, housekeeper at the Electric hotel, committed suicide yesterday afternoon by swallowing the contents of a seven-ounce bottle of carbolic acid after sending her 12-year-old daughter to the home of her mother-in-law, Mrs. Fannie J. Bennett, in Baker. Mrs. Bennett left a note addressed to her mother-in-law, which said:

"I am sending my little girl to her grandmother for the last time. I know you will keep her and care for her. Please do not tell her how her mother died. Tell her I was ill. Good bye, Gladys."

Mrs. Bennett was 28 years old and had been housekeeper at the Electric hotel for over a year. She was separated from her husband, but had not so trouble recently as far as the officers have been able to find out. No reason for her deed is apparent.

It is said that she attempted to take her life over a year ago and made another attempt Sunday night. A friend was present at this attempt, however, and took the bottle of carbolic acid from her and threw it into the street. About 4:30 yesterday she went to her room and locked the door. A little later Chief Welsh was notified and went to the room. The door was locked and he had it unlocked and entered to find the woman breathing her last. The battle, empty of its contents, was found in an adjoining room.

Mrs. J. H. Hayes, mother of the dead woman, was notified of the tragedy at once, at her home in Stanfield, Ore.

Lots of them give more thought to the selection of a gown than of a husband.

Defeat of Germans Is Inevitable, Says American Financier. New York, June 22.—"The highest military figures, the allies are determined that King Albert shall be able to celebrate next Christmas in his palace at Brussels."

"I believe I saw more from the British standpoint than any other civilian has been permitted to see. There is no lack of patriotism in England, but the changed military conditions have made certain military ammunition more important to any army than men. Things began to take the upgrade within 24 hours after David Lloyd-George was placed in charge of supplying the British army with munitions. Within a few weeks, the supply will not only meet with British demands, but England will be able to assist Russia."

"It is the Germans who are thinking of an early end of the war. The British are prepared to devote all the time necessary to the conflict and do not expect early success."

From New York Moore is going to his home in Michigan.

## TURKS WITHSTAND ATTACK BY LAND, AIR AND WATER

### Allied Troops Make Furious Assaults By All Available Means

## HEAVY LOSSES REPORTED BEFORE TURKISH TRENCH

### Bulgaria Informed By Allies That She Must Enter Into Struggle

Constantinople, via Berlin, June 22.—Furious attacks by the combined land, sea and air forces of the allies were made upon the Dardanelles yesterday, but were repulsed with heavy losses, it was officially announced here today.

The assault upon the Turkish positions opened near Ari-Burnu on Monday morning with a fierce artillery bombardment. This was followed by an infantry attack. In the afternoon large British forces rushed the Turkish trenches about Sed-ul-bahr. The positions of the Turks had been damaged but little by the artillery fire and the Muslims inflicted terrific losses upon the attacking forces. Swept by machine gun and shrapnel fire, the allied troops faltered and finally retreated, leaving hundreds of dead and wounded at the foot of the cliffs, the tops of which are held by the Turks.

Toward evening a general assault was made by the allies. A flotilla of aeroplanes dropped bombs upon the Turkish positions. The fleet opened a long-distance bombardment and the infantry attempted to cut its way through the Turkish entanglements and carry the trenches by storm. The land forces were again hurled back and the official announcement from the war office asserted that all Turkish positions were held intact.

Losses Reported. Athens, June 22.—The Turkish military stocks and warehouses at Gallipoli are believed to have been destroyed by the bombardment of the allied fleet yesterday, according to Mytilene dispatches received here today. Allied aviators and observers reported having seen explosions which appeared to have wrecked the docks and buildings.

Bulgaria Must Enter. Berlin, via London, June 22.—The allies have demanded that Bulgaria immediately mobilize and march against Turkey, a semi-official announcement stated here today. Bulgaria avoided a direct answer and requested details as to territorial concessions to be made the Sofia government as well as concessions promised other Balkan powers, it was declared.

All of Lemberg Certain. Berlin, via wireless to Bayville, I. I., June 22.—"The Russians have been defeated all along the Lemberg line. We are only 10 miles from the city," an official statement from the war office asserted today.

"The enemy is fighting only to gain time and save his artillery and material," the statement continued. "The main Russian position is being attacked by the armies of Generals Von Mackensen, Von Linsingen, Woyrach, Boehm and Pfauzer."

If all women were mind readers every man on earth would take to the tall timber.

### The Weather

IT IS THE DUTY OF OUR COUNTRY

Oregon: Fair to night and Wednesday; north westerly winds.

(Continued on Page Three.)