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PRICE FIVE CENTS

DECISION AGAINST TEACHER

Jury Finds Grace Lusk Guilty of Murder in the Second Degree After Four Hours of Deliberation—Penalty Is Heavy

MRS. ROBERTS' SLAYER COLLAPSES IN COURT

Attacks Acting District Attorney Tullar, Attempting to Choke Him—Ten Balloons Taken

WAUKESHA, Wis., May 29.—Grace Lusk was found guilty here tonight of second degree murder for the killing of Mrs. Mary Newman Roberts.

When the verdict was delivered Miss Lusk attempted to choke D. S. Tullar, acting district attorney, but was overpowered and led screaming from the courtroom.

"It's a lie! It's a lie against me! He lied!" she screamed as she sprang at the throat of the prosecutor.

The verdict carries imprisonment from fourteen to twenty years. Miss Lusk collapsed when the jury retired and her condition became such on returning to the jail that it required nearly half an hour to return her to the courthouse when the jury reported a verdict.

The jury deliberated four hours. Demands for a Mitton Penalty.

Walter D. Corrigan, for the prosecution, and James Clancy for the defense, delivered the closing arguments. Mr. Corrigan in demanding the maximum penalty, declared that neither Dr. David Roberts or Miss Lusk was on trial for their relationship and that the only question to be decided was responsibility for the death of an innocent woman.

Mr. Corrigan argued that the words and actions of the defendant proves her sane at the time of the shooting.

Mr. Clancy cited the stories told on the witness stand by both Miss Lusk and Dr. Roberts as the best proof that the defendant was insane, arguing that a woman of her admitted social and educational attainments would be incapable of the things revealed if she were sane.

Miss Lusk listened to the closing argument of the state with hardly a trace of emotion but broke down completely after the case had gone to the jury and sobbed in her father's arms.

Men Drag Girl Away. Grasping the throat of Mr. Tullar, who is more than 60 years old, she shook him back and forth in his chair at the counsel table until several men dragged her away, when she fainted.

Recovering several minutes later, her aged father and one of her attorneys attempted to lead her from the courtroom, but she struggled with them, her hair tumbling about her face, as she was dragged away screaming: "That man's son lied! He lied! He lied my life away! Maudie Tullar swore my life away!"

Several hundred spectators, mostly women, stood with tears streaming down their faces during the outbreak. The twelve men on the jury stood in their places with ashen faces as though paralyzed and shrunk away from Miss Lusk as she was led past the jury box.

Tullar in Ill Health. Maurice Tullar, now in a sanitarium because of ill health, is the district attorney of Waukesha and at the trial held four days after the shooting of Mrs. Roberts, he obtained a statement from Miss Lusk in which she said she realized why she shot Mrs. Roberts, but could not understand how she had done it so calmly and deliberately.

D. S. Tullar was appointed special prosecutor at the trial by his son who was unable to act because of his illness. The elder Tullar took little part in the case, leaving its active direction to Walter D. Corrigan, of Milwaukee, who had been appointed prosecutor.

Showed Little Emotion. When the case was given to the jury Miss Lusk, who had shown little emotion during the day broke down and sobbed hysterically and it was only after restoratives had been applied that she was able to get back to the courtroom when the jury announced that it was ready to report.

More than a hundred persons were awaiting the verdict in the dimly

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British Steamer Sunk In Mediterranean—101 Lost

LONDON, May 29.—The British steamer Leasow Castle has been sunk by an enemy submarine, the British admiralty announced tonight. One hundred and one persons were drowned.

The Leasow Castle which was of 9737 tons gross, was sunk in the Mediterranean on May 26. Among those who lost their lives were thirteen military officers and 79 soldiers of other rank.

YANKEES HOLD NEWLY-GAINED CANTIGNY LINE

Positions Consolidated—Renewed Counter-Attacks of Germans Repulsed

GAS FAILS TO FRIGHTEN

Three Attempts Made With Deadly Fumes Are Total Failures for Huns

WASHINGTON, May 29.—Consolidation of positions taken yesterday by the Americans in the Cantigny salient and the repulse of renewed counter-attacks is announced in General Pershing's evening communique issued tonight by the war department. It also tells of the repulse last night of three raids in Lorraine in which several prisoners were taken and a number of the enemy killed.

Make Three Efforts. WITH THE AMERICAN ARMY IN FRANCE, May 29.—The enemy launched another heavy gas attack against our troops in the Luneville sector early this morning and attempted to reach our line in three places. They were repulsed with comparatively heavy losses.

The first attack, made two kilometers southwest of Premont, broke down under the fierce machine gun fire from the American trenches, the Germans retreating. Both the Americans and Germans fought in gas masks.

Soon afterwards the enemy put down a heavy barrage a kilometer to the west and 14 Germans managed to penetrate a trench in which the Americans on Monday were subjected to a gas attack and who were fighting mad.

Fighting Hand-to-Hand. The Americans emerged from their dugouts and hand to hand fighting, which was bloody for the Germans, ensued, the Americans going for the enemy with knives and bayonets.

The Germans had been ordered to take prisoners at any cost, but they failed to get any.

The American losses were insignificant. The enemy lost all the 14 men who penetrated the American position—nine having been killed, one having died of wounds and four having been made prisoners.

HAWLEY URGES RIVER BOATS

Transportation by Water Is Declared to Be Policy of Economy

(Evening Telegram) WASHINGTON, May 29.—Congressman W. C. Hawley has sent a letter to Director General G. McAdoo regarding water transportation and urging the greater use of river craft whenever possible. He says:

"The government has expended considerable sums of money in the improvement of rivers for the purpose of assisting in the movement of commodities, and I have received from captains of boats, which have been operating successfully in the past on some of the rivers in Oregon, this suggestion:

"That the government use water transportation for the movement of local freight wherever possible, and for the movement of freight for longer distances where time is not an important factor. This plan will release a large number of trains for use in carrying commodities which cannot be transported by water.

"For instance, the government has improved the Columbia river by two systems of locks, opening a long stretch of the river to navigation. This stretch of the river is tributary to the great wheat-growing section of the Pacific Northwest. A large proportion of this wheat is shipped to Portland. If this wheat could be sent to Portland by water it would release many trains for other work.

"Doubtless conditions similar to those in the Pacific Northwest obtain in many other sections. I respectfully submit this for your consideration."

THE WEATHER. Fair; moderate westerly winds.

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M'CAMANT TO QUIT BENCH FOR OFFICE

Supreme Court Justice Announces That His Resignation From Supreme Court Is Effective June 4

CHARLES A. JOHNS TO FILL OUT TERM

Governor Withycombe Pays Tribute to Both Men in Formal Statement

Associate Justice Wallace McCamant of the Oregon supreme court yesterday announced that his resignation will take effect June 4. Immediately after Justice McCamant's announcement, Governor Withycombe said that Charles A. Johns, nominated for the position by the Republican party at the primaries May 17, will be appointed the day McCamant's resignation goes into effect. The term expires January 5 next year.

In his resignation Justice McCamant follows out plans made known by him several months ago when he said he would resign soon after the primary election so that he might return to his private law practice in Portland. A few days ago Governor Withycombe said that upon McCamant's resignation he would appoint in his place the successful candidate for the Republican nomination in the primary election, Johns won the nomination over Percy R. Kelly of Albany and John S. Coke of Marshfield.

McCamant Named by Governor. McCamant was appointed to the supreme court bench by Governor Withycombe early in 1917 to fill a vacancy caused by the death of Robert Eakin. In resuming his practice in Portland, Judge McCamant will be associated with Earl C. Bronaugh and W. Lair Thompson under the firm name of McCamant, Bronaugh & Thompson. Financially, he considers the step a wise one and another reason given is that he prefers the freedom of a law practice to the confinement of the supreme court chambers.

Justice McCamant has stood for a simplification of the supreme court procedure and has been instrumental in bringing this about through being appointed by the court to propose certain amendments to the court rules. His report to the court was adopted last Tuesday.

Announcing his resignation, Justice McCamant made the following statement:

Obligations Acknowledged. "In resigning my office I desire to make public acknowledgment of my obligation to Governor Withycombe for the honor he has conferred upon me; to the other members of the court for the uniform kindness with which they have treated me; to my brethren of the bar whose ability and research have greatly assisted me in the performance of my duties; and to the people of Salem, from whom I have received many courtesies."

Governor Withycombe made the following formal statement:

"While I have known for some time that Justice McCamant contemplated leaving the bench it is with regret that I think he feels it with respect to retire. He has been a tower of strength on the supreme court and he has left a record of which he, the state and the court may well be proud. Mr. Johns will come to the court with matured judgment and 35 years of experience in the practice of law which should well equip him for the duties which he faces."

Charles A. Johns, who is to succeed Justice McCamant on the bench, is a native Missourian, having been born in Jackson county in 1857. When an infant he was brought to Oregon by his family, the trip being made by water. The family arrived at Salem on Christmas day, 1858, and Mr. Johns has lived in the state continuously since that date. The education of his early years was received in the schools at S. E. Linn county. Later he matriculated with Willamette university and was graduated with the class of 1878 with the degree of bachelor of arts. He took his master's degree in 1881.

For Marion County Official. One of Mr. Johns' first associations with public office was as deputy sheriff of Marion county under Sheriff J. O. Baker from 1878 to 1880. As a law student he entered the offices of B. F. Harding and W. H. Holmes and in March, 1881, he was admitted to the bar. He practiced law in Dallas, Polk county, and Governor Moody appointed him county judge. While a resident of Dallas he was married to Mabel Ellis.

In May, 1888, Mr. Johns moved to Baker City. He served that town four terms as mayor and was a member of the school board for 21 consecutive years and served three terms as a member of the state school textbook commission. He moved to Portland in April, 1912. Mr. Johns has practiced law in Oregon for thirty-seven years.

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Grippe Epidemic Continues To Spread Through Spain

MADRID, May 29.—The grippe-like epidemic continues to spread. There are 12,000 victims in Madrid. King Alfonso is still in bed with the malady, but his condition is not dangerous.

The population believe the disease was brought to Spain by German submarines as there are cases among crews of interned undersea boats. Many persons hold the opinion that it had been spread by microbes blown by the winds from the battle fronts.

MURPHY SOUNDS EMERGENCY CALL

Board Will Meet Next Month and Be Asked to Provide \$50,000 for Penitentiary

With only about \$12,000 left in the maintenance fund of the state penitentiary, Warden Murphy finds it necessary to sound an emergency call, and some time next month the state emergency board will be called and asked to declare a deficiency in the fund and provide \$50,000 to run the remainder of the year. The remaining \$12,000 will serve until about the middle of July.

The legislature of 1917 appropriated a maintenance fund of \$180,000. For the previous biennium the 1915 legislature appropriated \$178,000 which resulted in a deficiency of \$22,000 which was provided for at the last session.

To the increased salaries and wages paid employees and to the higher cost of all kinds is attributed largely the necessity of calling for more funds. The penitentiary apparently will be the first of several state institutions that will have to rely upon action of the emergency board to carry them through the remainder of the year.

War Industries Board Formally Created by Wilson

WASHINGTON, May 29.—Under an executive order announced tonight President Wilson formally created the war industries board as a separate administrative agency to act for him and under his direction, with all the duties and powers informally conferred by the president last March in a letter to Bernard Baruch, chairman of the board.

MOORE CANNOT DRAW SALARY OUT OF STATE

Olcott Upheld in Stopping Pay of Official of Hygiene Society

\$250 MONTHLY INVOLVED

Work at Washington Not Directly for Benefit of Oregon Soldiers

In support of a recent ruling made by Secretary of State Ben W. Olcott, Attorney General Brown, in an opinion submitted today, holds that the salary of H. H. Moore, executive secretary of the Oregon Social Hygiene society, is not payable by the state of Oregon during the time Mr. Moore is located in Washington, D. C., and employed as secretary of the committee for civilian co-operation in combating venereal diseases of the council of national defense.

The attorney general's opinion relates specifically to the claim of H. H. Moore for salary for the month of March, 1918, amounting to \$250. This claim was drawn on the special deficiency appropriation of \$10,000 which was authorized by the emergency board on October 10, 1917. The resolution covering recites that it shall be expended on the recommendation of the Oregon Social Hygiene society, for moral uplift and sanitary work in connection with the different camps where Oregon citizens are in the service of the army and navy of the United States."

Mr. Olcott held that unless a showing should be made that Mr. Moore's work in Washington was directly in the interest of "Oregon citizens in the service of the army and navy of the United States," the same could not be paid from funds of the state of Oregon. Replying to his ruling, A. F. Fliegel, vice president of the Oregon Social Hygiene society, fully explained the nature of Mr. Moore's work in Washington, and upon this showing the attorney general based his opinion which follows in part:

"Permit me to emphasize the fact that the question you have submitted to me for interpretation is one of law alone. It is the sworn duty of the attorney general of the state of Oregon to advise the officers of this

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ASK NATION TO BUY ONLY NECESSITIES

President Appeals to People to Help Save Materials and Labor for War Purposes

NEED VOLUNTEERS FOR NATIONAL THRIFT DAY

June 28 Set Aside for Systematic Purchase of Savings Stamps

WASHINGTON, May 29.—To save materials and labor for necessary war purposes, President Wilson today appealed to Americans "to buy only those things which are essential to the individual health and efficiency" and two volunteer on or before June 28, national thrift day, to invest systematically in war savings and thrift stamps, or other government securities.

"This war is one of nations—not of armies," said the president, "and all of our 100,000,000 people must be economically and industrially adjusted to war conditions if this nation is to play its full part in the conflict. The problem before us is not primarily a financial problem, but rather a problem of increased production of war essentials and the saving of the materials and the labor necessary for the support and equipment of our army and navy. Thoughtless expenditure of money for non-essentials uses up the labor of men, the products of the farm, mines and factories, and over burdens transportation, all of which must be used to the utmost and at their best for war purposes.

Participation From All. "The great results which we seek can be obtained only by the participation of every member of the nation, young and old, in a national concerted thrift movement. I therefore urge that our people everywhere pledge themselves as suggested by the secretary of the treasury to the practice of thrift; to serve the government to their utmost in increasing production in all fields necessary to the winning of the war; to conserve food and fuel and useful materials of every kind; to devote their labor only to the most necessary tasks; and to buy only those things which are essential to individual health and efficiency; and that the people, as evidence of their loyalty, invest all they can save in liberty bonds and war savings stamps.

"The securities issued by the treasury department are so many of them within the reach of everyone that the door of opportunity in this matter is wide open to all of us. To practice thrift in peace times is a virtue and brings great benefit to the individual at all times; with the desperate need of the civilized world today for materials and labor with which to end the war, the practice of individual thrift is a patriotic duty and a necessity.

Must Continue Economy. "I appeal to all who now own either liberty bonds or war savings stamps to continue to practice economy and thrift and appeal to all who do not own government securities to do likewise and purchase them to the extent of their means. The man who buys government securities transfers the purchasing power of his money to the United States government until after this war and to that same degree does not only buy in competition with the government.

"I earnestly appeal to every man, woman and child to pledge themselves on or before the 28th of June to save constantly and to buy as regularly as possible the securities of the government; and to do this as far as possible through membership in war savings societies. The 28th of June ends this special period of enlistment in the government volunteer army of production and saving here at home. May there be none unlisted on that day."

NO GERMAN FOR SCHOOLS. NEW YORK, May 29.—The board of education voted unanimously tonight to discontinue teaching of German in the public schools for the duration of the war.

THREE BODIES MISSING. WATERLOO, IA., May 29.—Three bodies remained in the wreckage of the Illinois Central train at Arlington, according to officials in charge of the wreck. Seven are dead and 32 injured, a majority only slightly, and it is not expected the list will be increased.

Seven of the eight mail clerks have been accounted for.

VON KESSEL IS DEAD. AMSTERDAM, May 29.—General von Kessel, military commander of Berlin, died suddenly at his home yesterday, according to advances from Berlin.

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Policy of New Express Combine Fair Treatment

WASHINGTON, May 29.—The new express monopoly created by merging the Adams, American, Wells Fargo and Southern express companies under agreement with Director General McAdoo will have as a foremost policy the fair treatment of shippers and the public, George C. Taylor, president of the combination, announced today. Mr. Taylor, also promised wage increases for the 100,000 employees.

FUGITIVES ARE CAPTURED WHEN POLICE ARRIVE

Robert Burns, "Hard Boil," and Charles Potter Make Break From Prison

NEW GUARD IS MISLED

Two Convicts Walk Away With Shovels on Shoulders As Ruse

Responding to a hurry call from Warden Murphy of the state penitentiary, a dozen members of the state military police under Major Deich arrived here in automobiles at 6 o'clock yesterday afternoon and within an hour had captured and returned to the prison Robert Burns and Charles Potter, two convicts who escaped from the prison brick yard a few hours before. The two convicts were taken while hiding in the brush along Mill creek one mile from the prison, and the capture was made by Richard Pickert, a member of the second company. Neither of the fugitives was armed.

Burns is "Hardboil." Burns was convicted in Multnomah county for forgery to serve from two to twenty years. He is 33 years old. Potter was sent up from Baker county for larceny. He is 25. Burns has done time in the penitentiary of another state and prior to that in a reformatory. He is considered a "hard boil," and had been able to obtain arms in a belief he would have been an ugly man capture. Last August, with another convict, he escaped by cutting through the prison roof, climbing to the ground by a rope dropped between the windows of the front office in daylight. Potter, several years ago was in custody for some time in a Washington state reformatory.

Warden Murphy gives credit to the state police for the capture yesterday. "It was the first time we have had men enough to hunt for fugitives in the woods," said the warden. "I was sure we had the two men surrounded with the prison posse and the exits blocked, but because of the difficulty of hunting in the brush I called the police. Upon their arrival a skirmish line was formed and Burns and Potter were soon taken."

Take Advantage of Guard. In making their escape Burns and Potter took advantage of a gun guard who was new on the job. As a blind they walked ahead of the brickyard crew with shovels on their shoulders, making it appear that they belonged to the pit crew, and were able to place considerable distance between themselves and the guard before they bolted.

The capture yesterday was the first that has been made by the state police.

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GERMANS CONTINUE FORWARD

Berlin Claims Capture of 25,000 Prisoners Including One French and One British General on Aisne Front—Resistance Stubborn

HEAVY FIGHTING ON BOTH FLANKS OF LINE

Overwhelming Onslaught Met by Thin Ranks of Allied Troops—Soissons Evacuated

BERLIN, VIA LONDON, May 29.—The number of prisoners taken by the Germans on the Aisne battle front has increased to 25,000, says the German official communication issued today. The prisoners include one French and one English general.

WITH THE FRENCH ARMY IN FRANCE, May 29.—The Germans advanced against the French lines again today after throwing further masses of troops into the battle. Both flanks of the battle lines were the scene of very heavy fighting by inferior numbers against superior, with the result that the allies were obliged again to cede ground at several points.

Besides Von Boehm's and Von Buelow's armies, many divisions of Von Hutler's troops were engaged. These especially trained units had participated in the first rush on March 31 and had since then been re-constituted.

An enormous number of light machine guns were employed by the Germans as well as a large fleet of tanks and much heavy and light artillery, while the German aviators were extremely active.

From the plain towards Juivcourt, Villeaux Bois, Pontavert and Berry-au-Bac, numerous tanks came into action. For a considerable time the thin line held out but as the enemy debouched, wave after wave, the French and British almost submerged, fell back slowly, getting across the river. Several British officers afterwards sacrificed their lives in destroying the bridge.

Troops Lose Ridge. Almost simultaneously overpowering enemy forces made their way to the top of the Chemin-des-Dames ridge and also to the western end of this road in the neighborhood of Chavignon and Malmaison and the troops holding these points were obliged to recede.

The allied movement to the rear was executed with the greatest precision; there was no disorder and all the units kept in constant liaison.

In the direction of Soissons a readjustment of the front line became necessary, in consequence of the falling back of the center where the Ger-

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WAR SUMMARY

In their violent attacks on the 30-mile battle front running from Soissons eastward to the region north-west of Rheims, the German armies continue to force back the French and British on nearly every sector.

The fortified town of Soissons, the extreme left flank of the allied battle line, has been occupied by the enemy, although the French still holding tenaciously its western environs, though which emerge the railway lines leading to Paris and Compiegne.

According to the German official communication, 25,000 prisoners, among them a French and British general, have been taken and numerous additional towns and vantage points along the front have been captured.

Seemingly Rhinns like Soissons, also is doomed to fall into the hands of the enemy, as the French war office reports that the troops covering the famous cathedral town, have been withdrawn behind the Aisne canal to the northwest.

On the sector directly southeast of Soissons the Germans now are fighting approximately twelve miles from where they started their drive Monday from Vauxaillon, while further east, near Loupeigne and in the center in the vicinity of Savigny, wedges have been driven into a depth of approximately fifteen miles.

The Germans continually are throwing fresh divisions into the battle, but the British and French

troops are keeping up their tactics of giving ground only when it is impossible longer to hold positions under the tremendous pressure of the enemy. Heavy casualties are being suffered by the army of the German crown prince, while the losses of men to the allied forces are described as relatively light.

Although unofficial reports have mentioned the rushing up of reinforcements from the south, there has as yet been no official statement that General Foch is sending in his reserves.

Of almost as great interest as the Aisne battle is the situation around the little town of Cantigny, where the Americans made a notable gain in their first "solo" attack against the Germans Tuesday. Numerous counter-attacks have been launched against the Americans holding Cantigny and the outlying positions, but all of them have met with the same result—failure and the loss of many men killed or wounded.

Unattained praise has been showered upon the Americans by military officers for their dash and daring.

Still another defeat has been inflicted on the enemy by the Americans—this time far to the east, in the Toul sector. Here the Germans let loose large quantities of gas near Brementil and delivered an attack, which the Americans shot to pieces with machine guns. Later, on another sector, under a heavy barrage fire, fourteen Germans managed to invade an American trench. None of them returned.

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