

# SILVER THAW MAKES FIRST APPEARANCE

### Showers And Freezing Weather Turning Streets Into Sheets Of Ice; Serious Dam- age Anticipated.

The silver thaw has started in Salem. With spasmodic showers throughout the day, and the temperature remaining below the freezing point, that element of winter most harmful to street traffic, wire systems and railroads was descending upon the city. Prediction was that with nightfall the thaw and freeze would continue.

### Streets Dangerous.

The snow has been on the streets one week today, and this afternoon was almost impassable beneath horses' feet and auto and truck wheels. Repeated traffic over the snow in the streets has cut it up and with the big rain that has begun will soon be solid ice and perilous to traffic. Little effort was being made in any part of the city to remove the snow from the streets. Many citizens, hiring unemployed men, have cleaned off their sidewalks and heaped the snow high along the curbs.

Through conservation of users the water company was able to announce today that pressure in the mains had been increased at seven points. It is declared that at this rate of increase supply will be normal in a few days. Little apprehension was felt by officials of the P. R. L. & P. company because of a silver thaw. They said that in event a serious thaw sets in they would be powerless to act as it would affect all lines simultaneously.

## DROWNED BOY NOT KIDNAPPED MOTHER ADMITS TO OFFICERS

Atlantic City, N. J., Dec. 16.—Mrs. Esther Blake, accused of sacrificing her little dumb son, "Buddy," in an insane belief she could thus win back her husband's love, today admitted the boy was not kidnaped, as she first declared, according to Dr. Louis Souder, county physician.

Souder said Mrs. Blake admitted walking out on the municipal pier at Ventnor with the boy Friday night and that she declared: "I guess he must have fallen into the water."

### Kidnaping Story Told

Mrs. Blake, who is charged with the "willful murder" of five year old James W. Blake, Jr., has been ill in an Atlantic City hospital since Friday night, when she had accused two negroes attacked her and "Buddy" on a street in Ventnor, choking her into unconsciousness and stealing the boy.

According to Souder, Mrs. Blake started to repeat the "kidnaping" story to him.

### Mother Nervous

"I told her she knew that was not true," he said. "She began crying and said 'no, it isn't. I can't remember just what happened. Buddy and I went down on the pier. He was running ahead of me carrying my purse. I guess he must have fallen into the water.'"

According to Police Chief Sprague, William Pepper, a street car conductor, declares Mrs. Blake and her son rode on his car just before the boy disappeared. Mrs. Blake was nervous, Pepper said, and told him:

"The child annoys me; I've got to get rid of him."

Pittsburgh, Pa., Dec. 26.—Harry Creb, local middleweight, toyed with Billy Kramer, Philadelphia, for seven rounds here last night and after being cautioned by the referee, gave the Quaker an unmerciful lacing.

### Weather Forecast

Oregon: Tonight, Wednesday rain  
Maximum 24  
Minimum 12

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AVERAGE CIRCULATION FOR NOVEMBER, 1919  
**5459**  
Only Salem Member Audit Bureau of Circulation.

# THE CAPITAL JOURNAL

42ND YEAR.—NO. 297.—TEN PAGES. SALEM, OREGON, TUESDAY, DECEMBER 16, 1919.

## INSANITY PLEA BANKED ON TO CLEAR SLAYER

### Trial Of Harry S. New For Murder Of Sweetheart Opens In Los Angeles; Sen- ator Drawn Into Case By Defense.

Los Angeles, Cal., Dec. 16.—Harry S. New, who claims to be the son of United States Senator Harry S. New of Indiana, went on trial here today for his life.

He is charged with murdering Frieda Lessar, his 18 year old sweetheart, because she told him the night of July 4 that instead of becoming his bride the following night she proposed to undergo an operation that would relieve her of approaching motherhood. The state will ask that New be hanged.

Mother Promises Sensation.

A defense of insanity will be made. In support of this, New's mother, Mrs. Lily Urger, has promised if necessary, to lay open the story of her life and of her alleged relations with Senator New, covering a period of 19 years. Broadly covering the circumstances of his birth, the defense will hold, had unbalanced New's mind.

One hundred prospective jurors were called into court for the opening session, including a liberal proportion of women. The prospects were that half of the jury will be women. Rowsides showed a willingness for women to sit in the case.

Challenging of three women who were called as prospective jurors, because they declared they were opposed to capital punishment, was the opening incident today of the trial of Harry S. New for the alleged murder of Frieda Lessar.

The challenge, from the prosecution, was sustained by the court.

When court opened, the corridors were thronged with persons wishing to witness the trial, but only a handful of them could get within the courtroom. It was necessary to rope off a passage way through when New was led into court.

New appeared in far better health than at any time since his arrest.

## BUSINESS MEN OF CITY DEMAND REMOVAL OF SNOW FROM STREETS

Almost unanimous in their condemnation of the city council for its failure to make some provision at its meeting last night for cleaning the snow from the streets of the business section of Salem, merchants are demanding that some plan for cleaning the streets be devised and devised immediately.

Indignant that the council, charged with the administration of the city's affairs and the safety of the public, could do nothing more definite toward meeting the dangerous situation now existing in the city than to instruct the street commissioner to "clean the streets," without even so much as indicating to him where the money to pay for the work was to come from, business men are suggesting that some civic organization take the lead and organize the work. It is suggested that the needed funds be secured by subscription if the city officials cannot be made to realize that an emergency exists and provide the money.

Willing to Share Cost.

How the business men feel regarding the situation is clearly shown in the following interviews granted The Capital Journal today:

L. L. Busiek, of the Busiek grocery store: "We would be willing to share the costs of removing the snow from streets in the downtown district. Expense of the removal could be borne equally by the property owners, the tenants and the city."

F. W. Steustoff, Steustoff Bros. meat packers: "The city certainly should be held responsible for the removal of the snow from downtown streets. In case of a sudden change of weather, the immense quantities of waste present a menace to life and property. The city administration is empowered by statute to create an emergency and the citizens never be-

## DANGER OF WAR BEING RESUMED AVERTED TODAY

### Supreme Council Decides Hun Reply To Allied Note De- manding Signing Of Proto- col Is Satisfactory.

By Henry Wood  
(United Press staff correspondent)  
Paris, Dec. 16.—Danger of possible resumption of hostilities as the result of Germany's attitude toward the protocol of the peace treaty was finally averted today.

The supreme council decided that the German reply to the allied note demanding acceptance of the protocol, delivered by Baron Von Lersner yesterday, was "most satisfactory" and that a reply would be despatched to Berlin "as soon as possible."

Semi-official forecasts of the German government showed the signing after certain comparatively minor concessions, but it was not until the supreme council met today that it was officially learned there was no further cause for continuation of preparations for invasion of Germany to enforce the peace terms.

Supreme Council Meets

The supreme council today further ordered a joint session this afternoon of allied and German naval experts for the purpose of studying the form that compensation will take for sinking of the interned German fleet at Scapa Flow.

(Foreign Minister Mueller, in an exclusive interview with Carl D. Groat, published in this country Sunday, declared sufficient concessions to insure allied approval. He also announced for the first time that Germany would send a commission of experts to Paris to reopen the question of reparations for Scapa Flow.)

In addition to the question of assistance for Austria, the decision was reached that American aid was also necessary if Austria were to be saved from famine.

Food Relief Asked

After Chancellor Renner had addressed the council in behalf of Austria, the council considered means for sending 20,000 tons of wheat to Trieste immediately. Renner asked that a regular food supply program for Austria be drawn up for the ensuing year to permit this country to resume "normal life."

The council declared it was especially necessary that the United States open credits to Austria.

To maintain Austria's territorial integrity, the council reached a decision to prevent separation of Vorarlberg from that country.

# COUNCIL SLIPS FROM BEATH DUTY TO PUBLIC

## City Fathers "Pass Buck" to Street Commissioner; Order Snow Removed Without Pro- viding Funds for Work

The council "passed the buck." That was their principal action in meeting last night at the city hall.

They passed the buck—the removal of the snow from the downtown streets and incidental prevention of flooding basements—to the street commissioner, and today nothing has been accomplished toward making the thoroughfares in the business district trafficable; and nothing worthwhile was being done to stem the avalanche of water that comes with the thaw.

Councilman Halvorsen proposed action. He said that he didn't have time to devise any concrete plan to carry out the work, but recognizing that "something must be done" to clean off the streets, charged the council to take some action.

Halvorsen Proposed Action

"We might appropriate a sum of money to give the men here work in removing the snow from the streets," he said.

"Where are you going to get the money?" Volk broke in. "What do you mean 'clean up the streets'?"

"I mean to clean up the streets," Halvorsen replied.

"I don't know of other business men who would do the same, if the council would show enough interest to sanction the move, and perhaps lend a little assistance."

"Oh, that's all right," Volk said. "If they want to pay for it."

Emergency Pointed Out

Demanding some action, Halvorsen moved that the street department be ordered to clean the streets. Volk seconded the move.

"Councilman Utter, after picturing a city of flooded basements, and likening the disaster that would follow to an epidemic of flu, declared:

"It's up to the council to take some action. This is an emergency, just like it would be during a flu epidemic."

But the council passed the buck. It voted unanimously to have Street Commissioner Low clean the streets.

Mayor Wilson opposed the move. He said that "it would be impossible to clean the snow off the streets now," and that he "feared no flood."

He suggested that the snow be left where it lays until it thaws off.

Scott spoke in favor of removing the snow, only to be blocked by Councilman Gerald Volk.

"It isn't the downtown streets that need cleaning," Volk said. "The merchants say they are losing money while the snow lays on the streets. It's the fault of the county, if it hadn't clean off the roads leading into the city the farmer would be able to get in. It would be easy going when he got inside the city. The merchants are doing nothing to clean off the streets. When the city opens the sewers, they grow the snow off their roofs right into the ditches made."

"It's foolish to think of the sum that it would take to clean off the streets. The amount of money would be enormous."

Economy is Plea

Then he told the oft repeated tale of how the city lays stranded on the shores of bankruptcy.

After other business of the evening had been transacted, Halvorsen again raised the question of cleaning the streets, pleading for some action. It was readily taken up by the opposition, although Vandervoort, telling of the danger in case of fire when the trucks would be unable to get around, supported it, and Scott again championed it.

An ordinance establishing the boundary lines of the seven wards of the city, as formed by the special committee working in conjunction with the county court, was read. Action was taken on several petitions to construct sewers.

Bond Sale Confirmed

Action confirming the recent sale of \$70,000 serial refunding bonds to the city to the High Schnebeck company, was taken. Several days ago the question of the legality of the sale of bonds was raised. When attorneys for the bonding company, and the city attorney, Macy decided the validity of the move, Councilman Weid, chairman of the ways and means committee, drew the ordinance tending to clarify the action of selling the bonds, and waiting all doubts of irrelevancy.

## DECISION OF LOWER COURT IN PORTLAND CASE IS REVERSED

Julius Silverstone of Portland is allowed \$100 as trustee and Seneca Pouts of Portland is allowed \$100 attorney's fees in lieu of the \$1000 originally claimed for services in administering the trust fund left by the will of the late Mary Boehmer, according to an opinion handed down by the supreme court today in which the decree of Judge Kavanaugh of the Multnomah county circuit court is reversed. The opinion, written by Justice Beane holds that the claim of Silverstone and Pouts of \$1000 as attorney's fees in administering the \$5000 trust fund left by Mrs. Boehmer to her grandson, Robert Lee Boehmer, be excessive. The lower court in passing upon Boehmer's complaint against the action of the trustees had declared that the will had not created a trust and had dismissed the complaint. This action is reversed by today's opinion of the supreme court.

Other opinions were handed down as follows:

Leo Nora Wakefield vs Irvn Wakefield, appellant, appeal from Lake County; suit for divorce; opinion by Justice Beane. Judge L. F. Cunn, affirmed.

State ex rel Hoxis Simmons, vs C. Bonaross, appellant, appeal from Lincoln county; motion to dismiss granted by Chief Justice McBride.

L. G. Farman, appellant vs Mary M. Farman, appeal from Wheeler county; suit for divorce. Opinion by Justice Benson. Judge Fred W. Wright, son affirmed.

First National Bank of Union vs F. C. Wright, et al, appellants; appeal from Union county; suit to foreclose involving several labor liens and bills of sale. Opinion by Justice John Deere vs Judge Knowles modified and affirmed.

## GRAM RECOMMENDS FITZGERALD TO BE EMPLOYMENT HEAD

C. H. Gram, state labor commissioner, today forwarded the names of W. H. Fitzgerald, deputy labor commissioner in charge of the Portland office, to the U. S. employment service, as his nomination for appointment to the position of federal director of the employment service for Oregon. The position carries with it a nominal salary of one dollar per year, and must be approved by Secretary of Labor Wilson before becoming effective.

L. F. Shinnaman also of Portland is nominated by Gram to be chief deputy to the federal director of employment in this state at a salary of \$100 per month. This arrangement is being made at the suggestion of Deane, and is only temporary, pending action by congress on a bill providing for a similar arrangement but carrying with it an appropriation of some four million dollars. \$25,000 of which will be apportioned to Oregon for the employment service contingent upon the state appropriating a like amount.

## COMMERCIAL CLUB TO ELECT TONIGHT

The annual election of officers of the Commercial club will be held tonight at the chambers of the club at eight o'clock. Preparations have been completed. Election program has been completed, and a short entertainment—singing by the club and a short address by the university—has been prepared. The fact that the other entertainers were women they have been excused.

All members of the club are urged to attend the meeting tonight, and participate in the election of officers. Because of the volume of work ahead of the club next year much care will be exercised in the selection of men to carry this on.

CUMMINS BILL FOUGHT

Washington, Dec. 16.—A campaign to defeat the Cummins tax bill will now pending in the senate and to force a two-year extension of federal control was launched here today with arrival of representatives of farm organizations. Members of the delegation in a statement declared that the Cummins bill would grant a "billions dollar subsidy to the railroads and is un-American and unjust."

## CONGRESS DENIES AID TO WET CLAN; DRY BILL FOUGHT

Washington, Dec. 16.—All hope of congress coming to the aid of the liquor interests before constitutional prohibition becomes effective tonight when the 16 to 3 against a repeal of war-time prohibition.

The action was taken on a bill by Representative Gallivan, Massachusetts, and means that his measure will be permanently pigeonholed by the committee.

Washington, Dec. 16.—Legal efforts to make invalid the constitution prohibition amendment were started in the supreme court today.

The retail liquor dealers of New Jersey under the name of William Duesch asked the court for permission to file an original bill testing the validity of the ratification of the amendment.

An injunction to restrain state and federal officers from enforcing the Volstead law in New Jersey, after constitutional prohibition became effective, was asked.

Similar action is expected by the state of Rhode Island in a bill of complaint that it is expected will file in the court in a few days. The state in this case will seek to have the amendment and the date it is to be amended declared invalid.

The New Jersey action was filed today by George W. Tucker, New York attorney. The court probably will announce next Monday whether it will consider the case.

## MILDER WEATHER PREVALENT OVER NORTHWEST TODAY

Portland, Or., Dec. 16.—Decidedly milder weather was reported from most northwest weather stations today, as shown by the following minimum temperatures, all above zero.

Walla Walla, 2; Yakima, 2; Baker, Spokane, 14; Portland, 24; Marshfield, 23; Roseburg, 23.

While below normal temperatures also prevail in the east, no point was as cold reported, the lowest being 29 below at Winnipeg, Canada. The registration at Missoula, Mont., was 19 below.

"Weather not cold" is predicted for the northwest tonight and tomorrow. In expectation of a smart breeze along the coast, the weather bureau has ordered storm warnings up along the Oregon and Washington coast, a southeasterly gale shifting to southwest being forecast.

A decided storm is developing off the upper British Columbia coast today and a wind of 36 miles an hour from the southeast was reported at North Head at the mouth of the Columbia river.

## SIX BIDS FOR PAVING PLANTS ARE RECEIVED

Bids for two new paving plants for Marion county were opened today in commissioner's court. Six competitive bids were entered and the estimates furnished involve such a great variety of differences in specifications that the bids cannot be decided upon before tomorrow afternoon, the commissioner said.

In many of the estimates, additional equipment is extra to the amount named, and in a few instances the bids are a lot higher at the eastern point of shipment making necessary the allowance of one or two thousand dollars extra item in shipping expense.

The bids, from top firms:

Barber Asphalt company, 1250 yard plant, \$12,500; 1500 yard plant, \$16,442; 3000 yard plant, second hand, \$20,000.

Road Builders Equipment company, 1250 yard plant, \$15,339; larger equipment, \$16,450.

Howard Cooper company, 1500 to 2000 yard plant, \$15,150; larger equipment, \$19,500.

Hodson-Connors company, 1250 yard plant, \$11,740.

Williams Equipment company, 1250 yard plant, \$15,500; two plants, 1250 capacity, \$30,750.

Warren Construction company, \$15,550.

Bids for 10 new trucks to be used for county purposes will be opened December 19.

## New Ordinance Would Deprive Johnson of Job

If the city council passes a proposed ordinance establishing new boundaries for the seven wards in the city, Councilman Paul V. Johnson will be out of his official job. He will have to leave the post May 20, 1920, where the ordinance fails he will remain in the place until December 31, 1919.

The ordinance, submitted by Councilman Volk last night at the regular meeting of the council, was passed and the ordinance be passed Johnson and Simeral and Vandervoort voted against the suspension.

The ordinance, as drawn, provides for the merger of ward four to three, which relieves Johnson of his ward to be represented.

## Loyal Forces Occupy Fiume As Poel's Troops Withdraw

Paris, Dec. 16.—One of the most daring and romantic episodes in his-dary has ended with the withdrawal of Gabriele D'Annunzio from Fiume and the occupation of that city by and the occupation of that city by regulars, a Rome dispatch reported today.

The post-aviator dictator's withdrawal followed an agreement reached by him with Premier Nitti. It was said the Italian troops occupying Fiume were commanded by General Cavaglia, former minister of war.

## GLASS TO BE SENATOR

Washington, Dec. 16.—Secretary of the Treasury Glass announced today he would take his seat as senator from Virginia on the reopening of congress January 3, after the Christmas recess.

## Trustees Subscribe \$50 For Return Of Fuel

Voluntary contributions totaling approximately \$50 were tendered Warden Steiner of the state prison here by trustees engaged in cutting wood for the institution at Camp Porter to defray the expense of returning John Gray who escaped from the camp more than a week ago surrendering to police at Oregon City a few days later. These contributions were declined with thanks by Warden Steiner who in a letter to the foreman of the camp expressed his appreciation of the act and his confidence in the men who are out on their honor.

### PEACE TREATY BALLOT

Following the armistice, the representatives of 23 nations, including our own, drew up and signed at Paris a peace treaty with Germany, part I being the League of Nations covenant. This was also signed under compulsion of congress that ended on November 19th, a series of 15 reservations to this treaty and foreign relations committee. When the ratifying resolution came to a vote of the senate, however, a two-thirds majority being necessary for adoption, it was defeated; 41 senators voted to ratify with reservations, while 15 voted against ratification without any conditions whatever.

This is a democracy and in the end the will of the people will be acted upon by our representatives in this most important question of modern times. The Capital Journal asks its readers to state their attitude by checking that one of the following statements which expresses their views.

Check here

1—I favor compromise on reservations with immediate ratification of the peace treaty and the league of nations covenant.

2—I favor ratification, but only with all the Lodge reservations.

3—I favor ratification, but only without any reservations.

4—I am opposed to ratification in any form.

Name \_\_\_\_\_

Address \_\_\_\_\_

Sign and mail to Capital Journal.