

CIRCULATION
Average for 1920, 2280.
Population of Salem, 1900, 4258;
1910, 74,994; 1920, 17,679.
Marion County, 1920, 47,177; Polk
County, 1920, 14,181.
Member of Audit Bureau of Circulation,
Associated Press Full
Leased Wire.

Capital Journal



THE WEATHER
OREGON: Tonight and Wednesday fair; gentle variable winds.
LOCAL: Trace rainfall; northerly winds; part cloudy; max. 52, min 35; river 4.3 feet and falling.

SEVENTY-FOURTH YEAR—NO. 8 SALEM, OREGON, TUESDAY, JANUARY 10, 1922 PRICE TWO CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

ASYLUM PATIENT MURDERS ATTENDANT

GRIFFITH ELECTED DAILHEAD

DeValera and Followers Leave Chamber As Vote Is Being Taken On Leader

Dublin, Jan. 10.—(By Associated Press.)—After electing Arthur Griffith president and naming a cabinet to assist him, the Dail adjourned late today until February 14 to permit the new government to proceed with carrying out the provisions of the Anglo-Irish treaty.

The speedy formation of a provisional government for Ireland was urged upon the Dail Eireann by Michael Collins shortly after the opening of today's session. The Dail resumed its sittings at 11:30 o'clock with the reading by Speaker John MacNeill of a cable message from Cardinal Gasparri on behalf of Pope Benedict, saying his holiness rejoiced with the Irish people at the agreement that had been reached and sent his blessing to them after they had passed through their long period of sorrow faithful to the Catholic church.

Collins Nominates.
Another message read was from the Irish labor party asking the Dail to receive a deputation for conference regarding the economic and industrial situation.

Organization Vital.
Collins moved that Arthur Griffith be appointed president of the Dail.

DeValera Walks Out.
Eamon DeValera and his followers walked out while the vote was being taken, in protest against the nomination of Griffith. Speaker MacNeill put the motion for Griffith's election and he was unanimously chosen.

Prominent Men Will Serve As Jurors In Justice Court Here

The names of several prominent Salem men appear on the 1922 jury list of the Salem justice court which was drawn yesterday afternoon by Judge G. E. Unruh assisted by P. E. Fullerton and Karl Decker, two freeholders.

9-Year-Old Boy Attempts Suicide When Pet Dog Dies

Chicago, Jan. 10.—Nine-year-old Russell Mueller is in a hospital with a self-inflicted bullet wound in his right thigh. He shot himself after his pet Boston terrier "Peggy" died yesterday. "I want to die too," Russell sobbed to his mother, Mrs. Marie Grover. Doctors say Russell will be crippled for life.

Damage Case Opens; Ramp Takes Stand

Examination of witnesses in the \$9900 damage suit of M. S. Ramp, his wife and son, Robert Malcolm Ramp, against E. G. Osborne, the Oregon Rubber company and Kenneth Ross, all involved in the automobile accident which occurred on the Pacific highway near Brooks and from which Mrs. Beulah Westley, a passenger in the Ramp car, and George Samuelson, employee of the state hospital and riding in the Osborne car, died from injuries received, began this morning in the circuit court before Judge Percy Kelly, with Roy Shields and Walter Winslow representing the plaintiffs and Walter Keyes the defendants.

Ramp, himself was on the stand this morning testifying that he did not see the Osborne car approach or strike him, and that his machine by the force of the impact was thrown 49 feet from the spot where the two cars came together at the intersection of the Brooks-Mc. Angel road and Pacific highway. The Osborne car, the witness said, was 114 feet from the same point in an easterly direction.

The witness was asked to exhibit his injuries to the jury after testifying that he had received a cut lip, a fractured jaw bone and injuries about the stomach.

Contributory negligence on the part of Ramp is the defense of the attorney for Osborne and the other defendants, who cross-examined Ramp this morning in an endeavor to establish the fact that there was nothing to prevent him seeing the approach of Osborne Ramp however, stated that he was watching a car coming from an opposite direction, north from Portland, and that he had no warning of the approach of the defendant.

The plaintiffs allege that Osborne was in the employ of the Oregon Rubber company selling tires at the time the accident happened and the, therefore, holding the concern liable in the suit. The Oregon Rubber company, however, alleges that Osborne was discharged just previous to July 2, Kenneth Ross, the third defendant in the suit, is charged with being the owner of the car driven by Osborne, but denies the allegation, affirming that he had sold the car to Osborne.

The jury selected yesterday to hear the case is composed of Ole Humphrey, G. W. Hiron, J. N. Gooding, R. S. Budlong, Albert Seitzinger, John Smith, David Jacobson, Oscar Hoven, Henry Tade, C. T. Hoover, Irvin E. Putnam, A. H. Pearsey.

DRUG EVIL DECLARED REAL KNOT

Problem One Demanding Immediate Action State Officers Agree In Session Here

Oregon's narcotic problem is a most serious one and demands immediate attention. Thus far members of the state board of health and state board of pharmacy assembled here today on invitation of Governor Olcott to consider ways and means for meeting the drug problem are agreed. As to the proper solution of the problem, however, members of the two boards are divided into almost as many channels as there are members on the two boards.

Work of State Among Injured Men Discussed

Reconstruction work among men who have sacrificed themselves on the altar of labor and are entitled to state compensation from the industrial accident commission, was reviewed by Dr. Fred Thompson, member of the commission before the Kiwanis club this noon in the Commercial club auditorium.

According to Dr. Thompson a certain award is made to men who have been injured, payable \$25 a month with the additional feature of being able to take up vocational training if the injury prevents them from following their previous occupation. Forty-six men are now learning new trades while 49 have already completed their course and are independent in their new line of work.

Dr. Thompson stated that about 90 patients are treated daily by the departments of electric-therapeutics of the commission the advantages of this treatment being that it lessens the time of convalescence, and also cuts down the number of permanent disability cases.

1,500 Addicts, Estimate

For the incurable drug addict, the report recommends a source of supply of drugs under strict supervision where the addict can receive his necessary supply at cost.

A survey of the situation in this state, the report points out, shows that there are approximately 1350 drug addicts in Portland with probably an additional 150 addicts outside of Portland. Drug addicts, it is pointed out, favor the slum districts of large cities and railroad centers. While complete cures are held to be entirely possible, relapses are frequent because of an inherent defect of character in the average drug addict.

Newberry Assailed By Borah

Washington, Jan. 10.—The senate seat held by Truman H. Newberry should be declared vacant, Senator Borah, republican, Idaho, declared today in the senate, on the ground that the Michigan election in 1918 "being tainted with corruption and controlled through the use of money, is void."

A movement to recommit the Newberry election case to the senate privileges and elections committee developed late today while debate was under way. Those behind the movement, it was said, desired to have Senator Newberry examined by the elections committee.

DOG TAX STATUTE UPHeld

The constitutionality of the dog tax law enacted by the state legislature of 1919 is upheld in an opinion written by Justice Rand and handed down by the supreme court this morning affirming the decree of Judge Bingham of the Marion county circuit court in the case of E. Hofer vs. John Carson, district attorney, and other officials of Marion county.

Hofer, as the owner of a dog, sought to enjoin officials of Marion county from collecting the license fee fixed by the state law at \$1 annually for male dogs or spayed bitches, and \$2 annually for female dogs. Hofer in his complaint asserted that his dog was already regularly assessed and taxed as personal property and that he had paid this tax and that under the act of 1919, under attack, he would be compelled to pay an additional sum as license fee which in reality is not a license fee but a tax levied wholly for the purpose of raising a revenue to create and maintain a "dog fund."

In upholding the validity of the act Justice Rand points out that "the keeping of dogs is under the absolute control of the legislature and that right may be conditioned upon the payment of a license," that the license imposed by the state law was created "as an exercise of the police power" of the legislature "as distinguished from the taxing power."

Colonel Hofer, Salem business man, who has been conducting the fight against the dog tax law, declared this morning that he was not yet through with his fight, intimating that he would carry his case to the next legislature for a repeal of the act of 1919.

Farm Bureaus to Be Advocated by Visiting Speaker

With a view to organizing a number of county farm bureaus, Colonel Aird of Washington county will speak in Silverton Friday night, it was announced today by T. E. McCroskey, manager of the Salem Commercial club. Colonel Aird will make several talks in various parts of Marion county and may later appear in Salem. He hopes eventually to line up the bureaus with the county community federation, Mr. McCroskey said.

Unfilled Orders of Steel Increase

New York, Jan. 10.—The monthly tonnage report of the United States Steel Corporation made public today showed 4,268,414 tons of unfilled orders on hand December 31. This is an increase from November's unfilled orders which totalled 4,250,542 tons.

Suit to Dissolve Tile Trust Filed

Columbus, Ohio, Jan. 10.—An action seeking to dissolve the so-called "tile trust" otherwise known as "the tile manufacturers' credit association" was filed in the district court here today by District Attorney J. R. Clark of direction of Attorney General Daugherty.

DOG TAX STATUTE UPHeld

Supreme Court Sustains Judge Bingham In Case Instituted by Hofer

The constitutionality of the dog tax law enacted by the state legislature of 1919 is upheld in an opinion written by Justice Rand and handed down by the supreme court this morning affirming the decree of Judge Bingham of the Marion county circuit court in the case of E. Hofer vs. John Carson, district attorney, and other officials of Marion county.

Hofer, as the owner of a dog, sought to enjoin officials of Marion county from collecting the license fee fixed by the state law at \$1 annually for male dogs or spayed bitches, and \$2 annually for female dogs. Hofer in his complaint asserted that his dog was already regularly assessed and taxed as personal property and that he had paid this tax and that under the act of 1919, under attack, he would be compelled to pay an additional sum as license fee which in reality is not a license fee but a tax levied wholly for the purpose of raising a revenue to create and maintain a "dog fund."

In upholding the validity of the act Justice Rand points out that "the keeping of dogs is under the absolute control of the legislature and that right may be conditioned upon the payment of a license," that the license imposed by the state law was created "as an exercise of the police power" of the legislature "as distinguished from the taxing power."

Colonel Hofer, Salem business man, who has been conducting the fight against the dog tax law, declared this morning that he was not yet through with his fight, intimating that he would carry his case to the next legislature for a repeal of the act of 1919.

Other opinions handed down by the court this morning were: Myrtle Point Mill & Lumber company vs. O. H. Clarke, appellant; appeal from Coos county; controversy over sale of stock. Opinion by Chief Justice Burnett; Judge John S. Coke affirmed.

Arthur N. Smith vs. Germania Fire Insurance company of New York; appeal from Yamhill county; suit to recover fire insurance. Opinion by Justice Brown; Judge H. H. Belt reversed.

City of Portland vs. Paul C. Yates, appellant; petition for rehearing denied, objections to costs sustained in opinion by Justice Bean.

State of Oregon vs. C. E. Dooley, appellant; appeal from Union county; appeal from conviction for larceny of automobile. Opinion by Justice Rand; Judge J. W. Knowles affirmed.

State of Oregon vs. T. J. Keelan, jointly indicted with C. E. Dooley, appellant; appeal from conviction for larceny of automobile. Opinion by Justice McCourt; Judge J. W. Knowles reversed and case remanded.

Train and School Bus Collide; Four Children Killed

Vanwert, Ohio, Jan. 10.—Four children were killed and 17 others were injured shortly before 9 o'clock this morning when a school bus was hit by Pennsylvania fast freight 3 miles east of here.

There were 33 children in the bus which was on route to the township school.

The driver of the motor bus did not see the approaching train on account of the heavy fog, it was said.

C. I. Lewis Is To Represent State At Meet

Washington, Jan. 10.—Names of 43 additional delegates to the National Agricultural conferences were announced today by Secretary Wallace, bringing the total number of acceptances to date to ninety.

The list of delegates issued today included the names of Governor Carey of Wyoming; Governor Parker of Louisiana; Eugene Meyer Jr., director of the war finance corporation; A. C. Miller, member of the federal reserve board and Judge Robert W. Bingham of Lexington, Ky., representing the Burley Tobacco Growers association.

Others given in today's list include Dwight Heard, Phoenix, Ariz., stockman, and president Pima Cottongrowers association, Thomas F. Hunt, Berkeley, Cal., dean California College of Agriculture; B. H. Rawl, San Francisco, central creameries; W. J. Jamieson, Layeta, Colo., general farmers; C. J. Osborn, Omaha, president Farmers Union of Nebraska; Praeger Miller, Roswell, N. M., cattleman; C. I. Lewis, Salem, Oregon, assistant general manager Oregon Cooperative Fruit Growers association; L. J. Wortham, Fort Worth, Texas, agricultural leader.

Pioneer Woman of Polk County Called By Death

Monmouth, Or., Jan. 10.—Mrs. Sarah Mulkey, a resident of this city since 1873, died at her home here Sunday evening. Mrs. Mulkey had been in feeble health for many years and death came as a result of the infirmities of old age.

Sarah Malone was born in January 5, 1838, in Belmont county, Ohio. She was married in 1855 to David Martin and crossed the plains to Oregon in 1871. They moved to Monmouth soon after, where Mr. Martin died.

She was married to Monroe Mulkey in 1897 and survived him by ten years. Mrs. Mulkey had no near relatives. A half-nephew lives in California and a niece in Iowa. There are four step-children L. D. Mulkey of McMinnville, Dr. S. A. Mulkey of Portland, Melvin Mulkey of California and Mrs. Nora Sickafosse of Newberg.

Mrs. Mulkey joined the Christian church at early age and lived a faithful member to the end. The funeral will be held at the Christian church at 2 p. m. today.

Man Charged With Speeding Pays \$10

Russell B. Eyerley, 2820 Reservoir street, pleaded guilty to a charge of speeding when he was arraigned before Police Judge Earl Race this morning and paid a fine of \$10.

HENRY YEARY DIES FROM UNPROVOKED BLOWS UPON HEAD

F. F. Gerber, Trusty, Suddenly Grows Violent and Beats Attendant With Shovel; Had Been Considered Harmless Since Commitment Twelve Years Ago

Henry Yeary, 55, of Canby, an attendant at the state hospital for the insane, was almost instantly killed by F. F. Gerber, a patient at the hospital, in an unprovoked attack at nine o'clock this morning.

Yeary, who has been an attendant at the hospital since October 1, was directing the work of a crew of patients on the hospital lawn near the main building when he was suddenly attacked by Gerber who struck him on the top of the head and the base of the skull with a shovel, fracturing his head and killing him almost instantly.

Yeary was attacked from behind and had no chance to defend himself from the assault of the patient. Gerber was committed to the state hospital from Multnomah county on April 5, 1910, and has been a trusty at the institution for several years. He was always regarded as harmless and hospital authorities are unable to account for his attack upon Yeary. He has neither relatives nor friends so far as the records at the hospital show.

Yeary is survived by a daughter, Miss Edna, who is also an attendant at the hospital.

Salem Pedants Brave; Mouse Can't Scare 'Em; Only 1 Mounts Table

If the law of averages might receive as fair a test among public school teachers as in other lines of endeavor, then American women are not so frightened by mice as our cartoonists would insist. It follows that only one woman out of nine, if the law of averages holds, will attempt to apply her Masama training to a nearby table upon the appearance of a mouse.

Yesterday noon nine instructors of the Grant school were eating lunch in one of the school rooms. The pedagogues were conversing on subjects intellectual—endeavoring, as teachers are wont to do, to gather a little brain food along with the rest.

And then a little mouse, attracted by the aroma of palatable food, made the mistake of entering the room unannounced. Apparently he understood it was his error before the first piteous—but that is another story.

Of course there were shrieks. No body of school teachers would deliberately disillusion a public which fondly believes that all women are thrown in a paroxysm of fear upon the advent of a mouse. And so, when the small ball of gray made his quiet entrance and subsequently endeavored frantically to escape, there was a disturbance of a mildly cataclysmic nature. The teachers did all that might be expected of them.

There were nine of the teachers, quiet and sedate. Entered, just a single mouse, then there were eight. For one of the instructors—just one—climbed upon a table and gave the mouse the right-of-way. The other eight essayed to make life miserable, and of short duration, for the mouse.

Entering wholeheartedly into the spirit of the chase, the teachers made short work of it. In a comparatively few seconds the mouse was imprisoned in a shoe box which later was turned over to the school's janitor. An eight-to-one vote had told the world that women are an intrepid lot.

And the little mouse? He sacrificed his life on the altar of pedantic prowess, but not before he had helped to make the unbelievers understand that Kipling was right when he made a pass to the effect that the female is somewhat more deadly than her male contemporary.

The First Farm Loan association of Eugene has more loans, and more than twice as many borrowers as any other association in the state. It has 275 borrowers and \$686,300 loaned.

Governor Asks New Jersey Dry Law Be Killed

Trenton, N. J., Jan. 10.—Repeal of the VanNess prohibition enforcement act of New Jersey, which is characterized as "an instrument of oppression" and substitution of a less drastic act providing jury trials for all alleged violators, was urged by Governor Edwards in his second annual message to the New Jersey legislature today.

"The belief that the surest protection against judicial and other forms of oppression and tyranny lies in the right of trial by jury," said the message, "is so well settled in the minds of our people that attempts to encroach upon or destroy that privilege can have but one effect, namely to breed suspicion of the motives of legislators and contempt for law."

The governor also suggested adoption of a resolution calling on congress to prohibit hearing by federal judges of cases decided by the state utility board.

German Delegates Arrive In Paris

Paris, Jan. 10.—(By Associated Press.)—The German delegation which is to discuss the German reparations questions with the allied supreme council arrived in Paris from Berlin today.

The delegation, comprising 16 members, headed by Dr. Walter Rathenau, found an invitation from the supreme council to proceed to Cannes awaiting them at their hotel.

Four Wounded In Saloon Raid

Belfast, Jan. 10.—Four men raided a saloon last night and seriously wounded a tenant. One of the raiders was captured.

Two bartenders employed in another saloon were seriously shot while walking on the street.

Miller Seriously Ill

St. Paul, Minn., Jan. 10.—Clarence B. Miller, secretary of the republican national committee and former congressman from Duluth, who was operated on for appendicitis, more than a week ago, was reported by attending surgeons as being in a "very critical condition" today.