

The Daily Capital Journal



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JUDGE STANDS BY THE MAYOR Hendricks Changes His Mind and Pleads Guilty

JUDGE SAYS SCHMITZ DECISION IS CORRECT

Defends His Opinion and Points Out How Easy It Is to Have the Matter Tested In Supreme Court

(United Press Leased Wire.)
San Francisco, Jan. 22.—The first expression of opinion by Presiding Justice of the District Court of Appeals James A. Cooper, concerning the recent decision of his court in the Schmitz case is contained in a letter written to Attorney J. C. Hutchinson, of San Francisco and Palo Alto. In this letter the judge makes a lengthy defense of the decision. The letter in part follows:
"I am sorry to have disappointed you and my good friend who helped to elect me, but I simply took part in interpreting the law as I understood, and I could not respect myself if I had done otherwise. If we are wrong in this interpretation of the law there is an easy and simple way to bring the matter before the supreme court.
"In my opinion, and the opinion of my associates, the indictment entirely fails to state a public offense.
"We came to this conclusion after careful study and consideration of all the authorities. Some of us have had considerable experience in Criminal law, not only in a practice of 21 years, but with nine or ten years on the bench, and we did not come to our conclusion hastily.
"I can say that, personally, I was never more positive of the correctness of a decision in my life than I am of the correctness of the legal

NEW YORK TO SUPPORT BRYAN FOR TAFT BETWEEN THE LINES MANY IN COUNTIES

SOME OF THE THINGS THAT CAN BE READ BETWEEN THE ROUNDS OF THE LADDER IN THE NEW YORK MEETING LAST NIGHT—OTHERS MAY BE MENTIONED, BUT BRYAN WILL GET THERE.

(United Press Leased Wire.)
New York, Jan. 22.—The state of New York will support William Jennings Bryan for president in the Denver convention. At least, this is the significance leading Democrats attach to the calling off of the proposed conference of conservative Democrats which had been scheduled to convene tomorrow in the Waldorf-Astoria.
This conference had been heralded as another Bryan affair. According to the wisecracks the conference was called off because it became apparent that opposition to Bryan could not be solidified sufficiently to become dangerous.

proposition discussed in the Schmitz case.
"I know your idea of the character of a judge are such that you would not respect him if he should depart from his honest opinion, merely to please the public. I considered it my duty to interpret the law as I saw it. Even if by so doing I should lose your good opinion and the good opinion of all my friends.
"I must do my duty, or resign. I never yet have shirked a duty if I knew it, nor have I ever written a decision with any other view than to be correct on the law."

MRS. BRADLEY IS BROKE

(United Press Leased Wire.)
Salt Lake, Utah, Jan. 22.—Without friends or money, and with four small children to support, Mrs. Anna Bradley is poverty-stricken in a small hut on the outskirts of the city.
Immediately following her trial for the murder of former Senator Arthur Brown, she sold books and with the money paid her fare here and purchased groceries that lasted up to the present time. But now she is penniless. She finds that all her friends have deserted her, not one of them lifting a hand to her aid. She has answered "want" advertisements without success. Her condition became known yesterday, when she asked a lawyer who was in Brown's office years ago, for assistance.

Knocked Him Clear Out.
(United Press Leased Wire.)
Spokane, Wash., Jan. 22.—F. G. Ragsdale, a well-known salesman of this city, has been placed on trial charged with the involuntary manslaughter of "Dusty" Dean in his saloon October 1. Ragsdale struck Dean with his fist, who fell to the floor and never regained consciousness.

OREGON CITIZENS FOR TAFT MANY IN COUNTIES

INTERIOR AND WESTERN OREGON GOING STRONGLY FOR THE GREAT WAR SECRETARY—PEOPLE BELIEVE HE IS SOUND, SOLID, SAFE AND SANE—HE AROUSES MOST ENTHUSIASM.

(Editorial Correspondence.)
The writer has taken pains to get expressions of opinion from a great many Republicans in the past two weeks. He attended the closing exercises of the farmers short course in agriculture and the Oregon academy of sciences at Corvallis Friday last. He was at the meeting of the State Press association at Portland Saturday and has met with farmers and fruit growers in Polk and Marion counties in quite large numbers.

The general tendency of political thought, so far as expressed in the choice of presidential candidates, is favorable to Wm. H. Taft of Ohio for president. There is a scattering vote for Hughes of New York, but the drift of opinion is strongly in the direction of the Ohio man.

Taft Strong in Benton.
Benton county Republicans so far as interviewed expressed a preference for Taft. A few who have preferences for Hughes are not very pronounced, while the Taft men are very outspoken. Landlord Baker of the Corvallis hotel, who has had a long residence in western Oregon and a very successful experience as a hotel man is a Taft boomer. He says the great majority of the traveling men are for Taft. They are a pretty good index of public sentiment, and gauge their politics from the standpoint of what would constitute a successful administration from a business view. They want to sell goods. To do so they want a President who is a sure thing prosperity-getter, not a visionary or untried theorist and they feel strongly, Mr. Baker says, that Taft is not a visionary.

I talked with county people and business men and found four-fifths of the Republicans I could draw out unqualifiedly for Taft. They feel he is a safe man and the rank and file of the party are governed by their instinctive feelings of political sagacity rather than by cool critical analysis of the mugwumpian order. There is here and there a pronounced advocate of some other candidate but ordinary citizens say Taft every time.

Taft on the Common Level.
Why are the rank and file so outspoken for Taft? Because there is a growing feeling that he is on the plain, common level of everyday Americanism. He is not regarded as sensational or brilliant but as sane and safe on all the vital issues of Americanism and Republicanism. Hon. Julius C. Moreland, clerk of the supreme court of Oregon, has up to the present not been an enthusiastic Taft man. He has rather inclined to Hughes. Spending some time away from the capital the past two weeks, he has come to the conclusion that Taft is the choice of a majority of the Republicans of Oregon. He has come to this opinion slowly, but yesterday admitted it was a fact that more Republicans generally speaking

(Continued on page four.)

IT IS A CASE OF CELERY WITHOUT THE SALT

Evelyn's Story and That of Other Witnesses Show Only the Salacious Side of the Situation

(United Press Leased Wire.)
New York, Jan. 22.—Mrs. Frances E. Pierce, the first witness called to the stand this morning in the trial of Harry Thaw for the murder of Stanford White, identified Thaw's signature to his will, which was made on the evening of his marriage to Evelyn Nesbit.

District Attorney Jerome objected to the witness giving testimony along this line. He insisted that she would be unable to swear that the document was in the same condition, and that it read the same as it did on the night it was signed.

A lengthy technical discussion followed. Anthony Comstock has been

sworn in as a witness for the defense.
Justice Dowling finally ruled that the condition to the will over which there was so much argument should be admitted. The defense made an offer to admit the will in evidence and then temporarily withdrew it.
Anthony Comstock was the next witness for the defense. He said Thaw called at his office in February, 1904, by appointment, and told him that a well known New Yorker had acquired a habit of ruining young girls by drugging them in his apartments at 122 Twenty-second street. He identified registered letters sent him by Thaw.

(Continued on page five.)

IMMUNITY BATH MAKES THEM LOOK FOR TOWELS

"Wash Me and I Shall Be Clean, Purge Me and I Shall Be Whiter Than Snow", Is the Motto

(United Press Leased Wire.)
Portland, Or., Jan. 22.—Hamilton H. Hendricks, a co-defendant of John Hall and Edwin P. Mays, W. W. Steiwer and others in the land fraud cases, came into court this morning, reversing his former plea, pleaded guilty to the charge against him.

It is said that two other defendants will take this same course, and that all three defendants will then take the stand and testify as to their alleged conspiracy to fence public lands, and their relations with John Hall and Edwin P. Mays.

This action has been frequently

predicted. Rumors that Heney would pinch his case against Hall by evidence of some of the co-defendants have been rife since the day the case opened, and there was many indications that this supposition was correct. Today's proceedings seem to bear out this conclusion.
Edward W. Dixon, a special agent of the general land office, testified this morning as to his investigations into land frauds in Eastern Oregon, and the connection of Hall and Mays with these alleged violations of the statute.

THE WOMAN THIS TIME MADE THE GUN PLAY

Shot and Killed the Man and Then Turned the Pistol On Herself, and May Die

New York, Jan. 22.—In the midst of scores of shoppers in Macey's dry goods store at noon today a woman, supposed to be May Roberts Clark, leaped from a table in the store's restaurant, where she was dining with Frank Brady an advertising man, and shot him five times, instantly killing him. As the terrified diners were dashing from the large room, dropping knives, forks, napkins and even food as they ran, the murderess shot herself twice, and died a few minutes later in a hospital.

There were several hundred persons dining in the place when the Clark woman stepped from the elevator and approached the table at which Brady was sitting with Frank McPherson, of the Evening Telegram

She sat down for a moment, and then quickly pulled a revolver from a handbag and started to shoot. Brady had no time to defend himself. He tried to run, but fell over dead. In the panic that ensued several women were trampled upon, a few of them being slightly injured. The woman shot herself twice. The police say they found a third revolver in her handbag. Brady was 37 years old, and the woman was three years his senior. The motive for the shooting is not known.

Everybody Reads.
The Journal locals. If you would sell your goods let the public know what you have. That's what they want.

CHICAGO STORE PEOPLES BARGAIN HOUSE

Our Annual Clearing Sale

is still continued and will be kept in full blast until further notice. We must have room for our Spring Goods. That is the reason we are offering our entire stock of up-to-date merchandise at such sacrifice prices. Hundreds of articles all over the store sold at cost and less than cost. Read on

5000 yards of beautiful Needlework Embroideries from 4 to 18 inches wide, going at less than manufacturer's cost.
Lot 1.—9c; Lot 2.—12 1/2c yard
Lot 3.—15c yard worth 35c.

1000 yards of Square Mesh Linen Lace, all widths, worth 10 and 12 1/2c per yard, now 3c
All our Colored and Black Dress Goods going at—
CLEARING PRICES.

1000 yards of Dark and Light Colored Outing Flannels, 7c quality, now per yard 3c
1000 yards of Dress and Waistings Silks—new, up-to-date goods at—
CLEARING PRICES.

Clearing Prices
On the following Goods—this season's latest Ladies' Coats, Ladies' Suits, Petticoats, Dress Skirts, Furs, Raincoats, Rubberized Silk Coats, Ladies' Waists, Ladies' Jackets, Children's Furs and Coats, also Millinery and Fancy Feathers.



The Store That Does The Business