DAILY CAPITAL JOURNAL, SALEM, OREGON, THURSDAY, DECEMBER 31, 1908.

LAW GOOD FOR BOTH PARTIES

(United Press Lensed Wire.) an Francisco, Dec. 31 .--- Pleading that his client was entitled to as extortion, Attorney Hiram Johnson today asked the dismissal of an indictment charging C. A. Ritter, 'a saloonman, with offering a bribe to Police Commissioner Cutler, on the technicality that the indictment does not state that Cutler is a public offi-

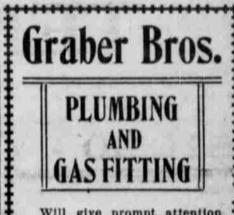
Johnson, who volunteered and acted as one of the special prosecutors in the Ruef trial, following the shooting of Francis J. Heney, said:

"I base this motion on the supreme court's recent decision in the Schmitz cace. If it is a good law for Eugene E. Schmitz, it is a gool law for Carl Ritter. It is not for me to give my opinion of that decision at this time or place. If I did I might be adjudged in contempt of court, but if it is a good enough law for an ex-mayor it is good enough for a saloonman."

Assistant District Attorney Cook was forced into the position of attacking the decision of the higher court in order to argue against the dismissal of the indictment. He said that if the higher tribunal had not found that reason for reversing the decision, they would have found another.

Johnson replied that he was of the same opinion, but added that the decision is now a law of California, and must be obeyed.

Judge Cook instructed Johns to begin his closing argument to the jury. He sold that he would decide the point raised at the next seet on of the court.



Will give prompt attention all orders, guarancee

to be up to the sanitary stand-

TO GIVE ESTIMATES

WE WILL BE PLEASED

FURS, SHAWLS, LADIES' NECKWEAR, NECK RUCHES, MEN'S SMOKING JACK-ETS. MEN'S BATH ROBES

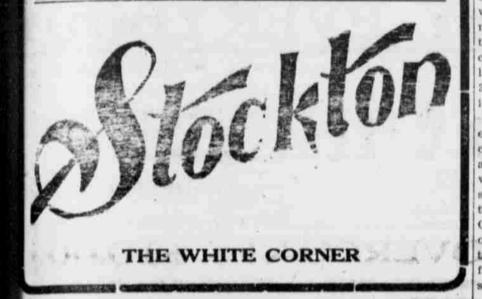


PEITICOATS AND **KIMONAS REDUCED** 20 per cent

We are not doing this because we need the money, or because we are over-

stocked, Our bills are all paid and our stock is lower than ever before as a result of the great est Christmas business we

have ever had. We offer the phenomenal reductions to protect our customers, that they will continue to believe in us and give us their patronage.



confessed that he had been

GREAT 25 PER CENT SALE MAY ASK STEAMER LINE ANNIS 'FRISCO TO PANAMA

> (United Press Leased Wire.) San Francisco, Dec. 31 .- Pledges rious meetings are very similar. The throughout the state yesterday by the attention of the legislature, congress, for participation in the shooting. cial interests of California are now being made, united 'n a common cause and from all rections of the state.

by the shippers to enjoin the change Company is apparently basing its rate

ings yesterday recommended that le- fornia shippers which the road has Annis," in order to show him that gal steps be taken to prevent the given in the past, it is in the ano- there was nothing in the gossip. raise. The more conservative ship- malous condition of having its rate pers and parties interested, howev- determined by the transcontinental tain told him that next day he found er, are averse to such drastic action | railroads, They believe injunction proceedings, fond:

tween here and Panama.

(United Press Leased Wire.)

9th round, when his second tossed took a good many wallops in the in the sponge.

long ways from being out, and fore. seemed well able to continue fight-

Kaufman made anything but a Los Angeles, Cal., Dec. 31 .- What good showing. He seemed awkward either Sam Langford or Jack Johnson and clumsy and allowed Barry to would do 'o Jim Barry or Al Kauf- fight rings around him. Repeatedly man certainly would be a .hame, if Jim would wade into Kaufman, lettheir fight Wednesday night was any ting loose rights and lefts that landcriterion of the pair's ability. Hop- ed with great force, and compelled essly beaten Barry gave up in the Kaufman to back away. Kaufman

eighth round, when Barry timed his The fight was a good deal of a rep- blows and reached Kaufman's face etition, one round being like the pre- with telling effect, having the awkceeding affair Neither man peorsd ward San Francisco boy going before knockdown until the 37th round, the bell counded. It was only a mowhen Barry took a terrific right mentary flash, however, and Barry swing flush on the jaw and went to then settled down to his old style of the mat. From that time on the big rushing Kaufman, and then letting Chicago battler had little chance, fly with both hands. The battle was other than for a stray blow. After slow, and demonstrated that the fans the knockdown he came back and to not like the distance routes as fought gamely, but everyone could well as they do shorter affairs. Afsee that the end was not far off. ter the first 15 rounds it was simply illary bishop of California instead When the end car. Barry was a a repetition of what had gone be-

Muggsy Mullins, a

ring.

MOUTH, BUT REGRETS

as a New Year's greeting, not to men- impossible to remove the ball until

tion what the dentist will have to several of Robbins' teeth had to be

The resolutions adopted by the va-Flushing, L. I., Dec. 31 .- The of financial support poured in today shippers of the state determined at events preceding the shooting of to the executive committee appointed their meetings to request the legisla- William E. Annis by Captain Peter by the California shippers, who are ture and the government to inquire C. Hains and following the return of much protection from the supreme protesting against the proposed ad- into the tracsportation conditions in the captain from San Francisco to court decision reversing the convicvance in railroad ir ight rates by California, with a view to securing his home, were related today by Ma- tion of the ex-mayor on a charge of transcontinental lines in this state. a better relation of common carriers jor Hains, brother of the captain and As a result of the meetings held in the state, and decided to call the of Thornton Jenkins, now on trial

GASE

DRAGS

growers, merchants and manufac- the President and the Interstate Major Hrins festified that the capturers the agricultural and commerce Commission to the protest tain told him that when he reached Fort Hamilton his wife was angr7. H re, and at some other places, it and demanded to know, why he hurpromises of aid have been received was recommended the attention of ried across the continent. He said the national administration be called the captain told him that he had t is possible action will be taken to the fact that the Panama Railway heard gossip affecting her name.

According to the witness, Mrs. in rates before Saturday, the date upon a certain proportion of the Hains said there was nothing in the the rate increase goes into effect. transcontinental rail tariff and that, stories, and that the captain was ra Resolutions at many of the meet- instead of giving the relief to the Cal- lieved that he asked her to " 'phone

Major Heins explained the tthe cap his wife at the telephone talking ex-Sontimontis rapidly crystalizing in citedly to Annis, and that the the if instituted, would ultimately do the favor of the proposal to petition for captain took the telephone away from protestants as much harm as the rail- a government steamship service be- his wife and invited Annis to dinner.

> The major textified that the captain related the circumstances of an automobile ride taken by himself and Mrs. Hains with Annis. He said that Captain Hains told him of meeting with their father, General Hains, in the Hotel Astor, where the general told the coptain that Claudia Hains had been absent for a week, and that he did not know her whereabouts.

> The witness soid that the captain remarked to him that he guessed ha might as well confess all, that Claudia was in love with Annis, and that instead of being away with relatives, as she had led him to believe, she was with Annis in New York, and had an operation performed.

> The major corroborated the story of the alleged confession of Claudia Hains of improper relations with Annis, and added that the actions of the captain indicated insanity.

Made Auxilliary Bishop.

Washington, Dec. 31 .--- The papal legation today was notified officially that the pope has appointed the Right Rev. Dennis O'Connel, rector of the Catholic university here to be auxiliary bishop of California.

Bishop O'Connell will become auxof co-adjutor to the metropolitan archbishop Riordan, as previously

KAUFMAN BEATS BARRY IN SCIENCELESS FIGHT

AFT PULLS OUT OF

(United Press Leased Wire.) Taft, brother of the President- "fixed." ed, today announced officially his cans he will succeed Senator Dick gin soon. vo years hence.

Representative Theodore Burton, Cleveland, now is almost centain succeed Foraker. The whole Hamuse of harmony.

SYRUP COMPANY'S PLANT DESTROYED

(United Press Leased Wire.) Los Angeles, Dec. 31 .- Efforts are ing made today to discover the tigin of the fire which last night doit \$60,000 insurance was carried.

wak authoritatively, he believed the estimates were based. last would be rebuilt.

The Pacifi- Const Syrup Company one of the old st concerns in Los Atgoles. The constal which controls

OUR YEARS IN PEN FOR TRYING TO BRIBE JUROR (United Press Leased Wire.)

San Francisco, Dec. 21.-E. A. S. lake, a contractor, who was con ficted a month ago of offering a br'b o John Martin Kelly, a prospective hef juror, was centenced by Judge service to the propecution. Following his conviction, Bicke field.

Murphy was placed on trial on a ithdrawal from the Ohio senatorial similar charge, but acquitted. The ntast. Politicians may that this trial of Newburgh is expected to he-PUT BILLARD BALL IN HIS

Consul Doubles Estimate.

Manchester, England, Dec. 31. on county delegation, including the The Italian consul here estimates the acinati delegates, will be solidly number of dead as the result of the Burton. Thorne Baker, who was earthquake in Calabria and Sicily to heduled to present Taft's name, be 240,000. Unofficial messages reill second the nomination of Bur- ceived by him from government ofa. Taft says he withdrew in the ficials at Rome say that the exact Robbins, of Fruitvale, has proved to a billiard ball"in your mouth." number of the dead can never be the world that he is such a "game known. The consul bases his estisport" that he can put a bill'ard out hesitation. With great difficulty mate upon dispatches he has reball in his mouth, but he is minus he forced the ball into his mouth, ceived and his personal knowledge several teeth, half dead from nerv- Then the trouble came. Dr. J. H. of the citles affected. ous shock and has a big doctor's bill Callan was summoned, but found if

Corroborate Consul's Figures.

say. But he won \$2.50 and nobody extracted, and even then he had to will deny he's a "game sport," so he be almost choked to death, and suf-Rome, Italy, Dec. 31 .- Dispatches royed the local plant of the Pacific from the naval offices at Messina tola satisfied. Frup Company. The property loss day place the number of dead in that estimated today at \$150,000 and city at 135,000. Similar dispatches say that the total number of dead at FINCH FOUND GUILTY OF B. A. Garrison, manager of the Messina and Reggio at 175,000. The tory, said that, while he could not messages did not state on what the

A "Lady" Bootlegger.

San Bernardino, Cal., Dec. 31 .--of which E. B. Berger is prest- Mrs. Paula Marcus, known to the ant: E. F. Baker, vice-president, and government agents as "Queen of the R. Myrick, secretary, has plants in Bootleggers," is under arrest here 25 Franci -o, Portland, Tacoma and today accussed of selling liquors to Indians. Mrs. Marcus put up a savage fight when surprised caching liquor in a gulch. Drawing a revol-

> ver, she sprang behind a tree but was overpowered by one of the officers before she could discharge the weapon.

Senator Foraker Withdraws.

Columbus, O., Dec. 31 .- Senator Dunne today to serve four years in Joseph B. Forsker announced his e state penitentiary. District At- withdrawal from the senatorial conorn'y William H. Langdon personal- test today one hour after a similar appealed to the court for clemen announcement had been made by representing that Blake had been Charles P. Taft. This leaves Theo-

SENATORIAL FIGHT proached by A. S. Newbzurg and ing. Teddy Murphy, his manager. from one of the beach towns, ran in-J. Murphy, Ruef's attorneys, who, he explained that Barry had broken both to Jack O'Keefe in the first and only said declared that would be money in his hands in the 20th round, and, as preliminary, and took a six-round Columbus, O., Dec. 31 .-- Charles it for him if a Ruef juror could be he had no chance to win, Murphy beating. He had the most weird as- the archbishop's death, whereas an did not see the use of letting Barry sortment of punches ever seen in the

stand up and be punished.

(United Press Leased Wire.)

reported work to give satisfaction and

The differences consists in the right of the co-adjutor to succeed to the archepiscopal see in the event of auxilliary bishop is not entitled to succession, the appointment of a successor being left to the discretion of the pope.

B. F. Emmert returned to his home in Hubbard last night, after transacting business in the city.

ON CONTRACTS Call at our shop on Liberty street, back of Barr's Jeweiry Store. Phone 550.

ard.

He was playing billiards at Mel-CENIS rose yesterday, when a friend snid: Oakland, Cal., Dec. 31 .- John "I'll bet you \$2.50 you can't pockst "You're on," said Robbins with-

You can buy any one of the following articles

Mixing Spoon Hammer 40 Marbles Tin Cup 30 Marbles Tin Pan Rubber ball Mouse Trap Top Cake Turner **Bottle Whistle Potato Masher** Doll Head Sonp Dish Nysa Toilet Soap Kettle Cover Pencil Tablet Lamp Chimney Ink Tablet

Ink 10 Eagle Pen Points Handkerchiefs **5** yds Beading 2 Post Cards 5 Post Cards. **1** Tinsel Card . . with your name 21/2 doz Clothespins Dish Mop Match Safe

un found	GUILLY OF	5 Lamp Wicks, No. 2 5 Peneils 10 Lamp Wicks, No. 1 Note Book
MURDER.	FIRST DEGREE	Golden Ru

Tin Wash Pan UUIUEI

(United Press Leased Wire.)

Po. tland, Or., Dec. 31 .- "Well, If life. The verdict of guilty was anthey succeed in getting me to the nounced after 30 minutes' deliberagallows I'll die game, anyway," to- tion,

day declared J. A. Finch, the lawyer, The convicted man, who had been who late yesterday was found guilty drinking, was angry at Fisher beof murder in the first degree for kill- cause the latter had him suspended ing Ralph Fisher, prosecutor for the from the Bar Association for a year Oregon Bar As ociation, in the lat- for misconduct as a lawyer. Finch

fered great agony.

Finch's plea was self-defense, but United States supreme court.

The Giraffe's Neck.

ter's office a few weeks ago.

says he will carry the case to the

chuse the young giraffe was conceived, so as to speak, as continuing Lamarck thought that the giraffe at the branches which its parents obtained its long neck by transmis- could just reach and then stretching

