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TO CONTEST HETTY GREEN'S WILL WHILE SHE IS YET ALIVE

CONTESTANTS CLAIM SHE SWIPED \$2,500,000 FROM SYLVIA ANN HOWLAND BY CROOKED WILL--WHICH GAVE HER START

Napa, Cal., May 24.—The will disposing of the \$100,000,000 fortune of Hetty Green, the wealthiest woman in the world, is to be contested by the descendants of the "Howlands of Round Hill," New Bedford, Mass., living in this city and Oakland, according to an announcement made today. The contestants will base their claims upon the original will of Sylvia Ann Howland, whose trust bequest to Hetty Green is alleged to have been the foundation of her immense fortune.

Among those whom it is announced will institute litigation to secure a slice of the Green millions are Mrs. Williamson Finnell, Mrs. William Leacock of this city, and Mrs. Fred C. Button, Oakland society leader, all descendants of Gideon Howland, grandfather of Sylvia Ann Howland. Williamson Finnell, husband of one of the probable litigants, will finance the court campaign. Finnell is one of the wealthiest land owners in Northern California.

Finnell predicted the coming contest would overshadow all other famous will contests in the history of American courts.

Sylvia Ann Howland died in New Bedford in 1865. The contestants

claim that her will left half of an estate of \$2,500,000 to charity. The income from the remaining half was to belong to Hetty Green, with the provision that the property should go to the heirs of her grandfather, Gideon Howland, upon her death.

After the death of Sylvia Ann Howland, Hetty Green produced another will, declared by the contestants to be worthless, which unconditionally bequeathed to her the whole estate. The suit will be based on the validity of this will. If the suit is successful, the court will be compelled to determine what part of the enormous Green fortune has grown out of the Howland fortune. Finnell stated that a claim would be entered for every cent accruing from the principal that the contestants believe is rightly theirs.

If the proposed suit is brought, Edward Howland Robinson Green, known as "Ned," probably will be the chief defendant. Sylvia Green, his sister, supposed to be named after Sylvia Ann Howland, also may be named.

In so far as the suit is threatened before the death of Mrs. Green, it is thought to be unique in the history of contested wills.

ONE OF STANFORD CREW HURT BY CRAZY MAN

[United Press Leased Wire.]
Seattle, Wash., May 24.—John Fitting, stroke of the Stanford University rowing crew, is today suffering from severe lacerations to both his knees and will be unable to take his place in the racing shell for several days. Fitting was injured yesterday at the Lake Washington boat house, while assisting two boat-house employees to restrain a demented man from drowning himself. The man had leaped into the water, bent on committing suicide, and had been hauled out by the boatmen. Breaking away from them he again threw himself into the lake. He was finally dragged out a second time, and in trying to overpower the crazed would-be suicide, Fitting was thrown to his knees and received several deep cuts from a nail in the planking. It is not believed his injuries are sufficiently serious to prevent his rowing in the race with the Washington University on May 29.

SUPREME COURT REFUSES REHEARING

[United Press Leased Wire.]
Washington, May 24.—Petition for rehearing of the Columbia river boundary controversy between Oregon and Washington was denied today by the supreme court of the United States. The court recommended that congress appoint a commission of residents of both states to pass upon the case and settle definitely the controversy.

The boundary suit was an amicable action brought several years ago after a conference at Salem, Or., between Attorney General Crawford of Oregon and the assistant attorney general of Washington. The officials decided that only through a decision of the courts could they definitely determine their authority for enforcing certain fishing laws pertaining to the Columbia river. Under conditions at the time the suit was brought it was possible for a fisherman to violate the laws on one side of the river and by moving to the other side be immune from prosecution.

COMMITTED SUICIDE TO ESCAPE LYNCHING

[United Press Leased Wire.]
Lima, O., May 4.—John Beam, a negro, accused of shooting and killing Mrs. Maud Dilts, a handsome white widow, 35 years of age, was tracked by bloodhounds to his hiding place under a barn early today and committed suicide to prevent his capture by a posse.

No motive for the shooting of Mrs. Dilts has been found by the police. Friends of both principals of the tragedy scout the theory that the negro was infatuated with the pretty widow. Beam was married.

According to the story of the police, Beam went to the home of Mrs. Dilts last night and forced his way into the house, firing five shots into the body of Mrs. Dilts, who had attempted to bar the door against him. After the woman was removed to a hospital, where she died, a posse was organized and started in pursuit of the negro.

Hounds followed him all night, and finally found him under a barn. Fearing that he would be lynched, the negro fired three bullets into his own head, inflicting fatal wounds.

Beam was under indictment for conspiracy in connection with the recent robbery of the home of James Youkum, when \$5000 was stolen. One theory as to the motive of the killing of Mrs. Dilts is that she was an important witness against him when his case was considered by the grand jury.

DISCHARGED FROM MEXICAN PRISON

[United Press Leased Wire.]
Mexico City, Mexico, May 24.—After two years in the Chihuahua penitentiary Oie E. Finstad, a former wealthy resident of Los Angeles, and "Shorty" Coughener, an American, were released today upon order of the supreme court. The men were imprisoned on charges of having murdered Charles McMurry, a brother-in-law of Finstad, and Robert Rutherford, a wealthy young man of Philadelphia.

At the time the men were killed, Coughener was wounded. Finstad and Coughener declared the shooting was done by bandits, but the Mexican authorities held otherwise and they were convicted and sentenced to 12 1/2 years each in the penitentiary. On appeal the supreme court dismissed the charges and ordered their release. Finstad is said to own considerable property in Los Angeles, having made a fortune in the Klondike.

WELTERWEIGHTS TO MEET TOMORROW

San Francisco, May 24.—Mike (Twin) Sullivan and Kyle Whitney, who fight for the welterweight championship of the world at Dreamland tomorrow night, are tapering off today. Both scrappers are within a few ounces of the weight. Several hundred fans watched Sullivan work out at Saannon's villa Sunday afternoon and between training stunts they were entertained with music by the Mission Glee club, The Hague quartette and Steve Douglas, the ragtime violinist. Sullivan showed excellent form, making a deep impression on his visitors. The Bostonian continues a favorite in the betting at 5 to 3.

SAYS THE TARIFF TAKES CANDY FROM THE KIDS

[United Press Leased Wire.]
Washington, May 24.—Declaring that the sugar trust is receiving from \$50,000,000 to \$80,000,000 annually, part of which is contributed by every child who eats a piece of candy Senator Owen, of Oklahoma, in the senate today, attacked the protective tariff, on the ground that it fostered gigantic combinations.

Owens caused a newspaper story, reviewing the customs sugar frauds, to be read to the senate, and it charged that this was one of the consequences of the protective tariff.

RAILROAD STRIKE MAY BE SETTLED

[United Press Leased Wire.]
Atlanta, Ga., May 24.—Governor Smith today summoned representatives of the Georgia Central railway and of the striking white firemen of the line, asking each delegation to name three members of an arbitration committee. The proposition was accepted, and the strike will probably be amicably settled.

There were no disorders today, but every train on the road is tied up.

The white firemen demand the discharge of the negro employes, and recognition of the union.

HAS ASKED HENRY TO PROSECUTE HERMANN

San Francisco, Cal., May 24.—It became known today that Attorney-General Wickham has asked Francis J. Heney to go to Oregon and take charge of the prosecution of Binger Herman in the land cases. Heney said today that he had not yet given the attorney-general his answer.

MAY WHEAT MAKES ANOTHER JUMP AND BREAKS THE RECORD HIGHEST SINCE LEITER CORNER CLIMBING FROM \$1.32 SATURDAY TO \$1.34 1-2 TODAY--MAY GO ABOVE \$1.40.

Chicago, May 24.—Reminders of the famous Leiter boom in wheat prices here were shown today in the local pit when May option broke all season's records by advancing to \$1.34 1/2 a bushel and closing within a fraction of that price, adding 2 cents a bushel to the former price by comparing today's closing with that of Saturday.

July went to the high mark at \$1.19 1/2; September \$1.12, and December 1.09 1/2. The closing on the general market was 1 1/2 @ 2 1/2 c above the finals of Saturday.

September and December options

closed with the best gains, each being 2 1/2 c a bushel higher than the previous closing.

When on passage increased 384,000 bushels; corn increased 2,344,000 bushels. Russian shipments of wheat 3,784,000, compared with 736,000 bushels a year ago; Danubian 324,000, compared with 288,000.

Cash wheat sales: No. 2 red, \$1.50 @ 1.52; No. 2 red, \$1.40 @ 1.48; No. 2 hard winter, \$1.30 @ 1.34; No. 2 hard winter, \$1.27 @ 1.32; No. 1 northern spring, \$1.32 @ 1.34; No. 2 northern spring, \$1.30 @ 1.33; No. 3 spring, \$1.28 @ 1.32.

THEY WANT HENRY'S APPOINTMENT WITHDRAWN

[United Press Leased Wire.]
Washington, May 24.—Opponents of Special Prosecutor Heney in the Calhoun case in San Francisco, it is expected today, will demand the withdrawal of his appointment as special assistant under Attorney-General Wickham.

This report follows the visit to Washington of Attorney-General Atterbury, who formerly was the law partner of Thornwell Mullally, who now is assistant to the president of the United Railroads. It is understood that the request for a statement of money paid by the department to Heney at various times for his services, was made by Atterbury.

It was hinted today that the demand for the withdrawal of Heney's appointment would be made on the ground that his services for three years have been devoted almost exclusively to the San Francisco graft cases.

HENRY EXPLAINS

San Francisco, May 24.—Francis J. Heney said today that he had been informed that representatives of Patrick Calhoun had called upon the attorney-general in Washington. He explained that he had been employed by the government only in special cases.

"It is exactly the same," said Heney, "as if you employed me to prosecute Jim Jones, and paid for my work in that case. Later if you employed me to prosecute John Smith, you would pay me for my work in the Smith case. There would be no relation or connection whatever between the employment in these cases. It is just the same as if some individual employed me in a case. I receive no remuneration from the government and have received none for specific work that I have been retained in the past to do. It is a matter of record that I have consistently avoided employment by the government, and in December of 1907 asked that some one else be selected for federal work to which it was desired to assign me."

SHOOTING AT TARGET SHE KILLED BROTHER

[United Press Leased Wire.]
Spokane, Wash., May 24.—Mrs. Steven Shields is prostrated with grief over today's tragedy, in which she accidentally killed Johnny, her younger brother.

While shooting at a target the lad suddenly jumped in front of it as Mrs. Shields pulled the trigger of her rifle. The bullet entered the boy's breast, killing him instantly. Johnny was 12 years of age, and was visiting his sister.

LAND RESTORED TO SETTLEMENT

Washington, May 24.—Eighteen thousand acres of land in Oregon and 25,000 acres of land in California, withdrawn from the Pitt river reclamation project, has been restored to entry by the government, according to an announcement made today.

The land was restored because it was decided that it was not feasible to use the waters of Goose lake for the project.

Landis Makes Another Fine. Chicago, May 24.—Federal Judge K. M. Landis today fined the A. Booth Company a fish corporation, \$3000 for "receiving concessions equivalent to rebates in shipments from eastern to western points and from western to eastern points."

CARTER AVENGED HIS SISTER'S WRONGS

[United Press Leased Wire.]
Moberly, Mo., May 24.—Irvin Carter, who shot and killed Thomas R. Bagby, committed suicide by shooting himself last night at his home. His act is surrounded by mystery.

Carter's body was found lying upon the floor with a loaded revolver lying on his breast. His mother, his sister, Beulah, and a younger brother were in the house at the time.

It is reported that Mrs. Carter stated she placed the revolver upon her son's breast as he lay on the floor. Every chamber of the weapon was filled, but one cartridge was missing from another revolver that was found in the room. Mrs. Carter claimed she picked up the wrong gun.

According to the reports circulated here today, Bagby, whom young Carter killed, was accused of wronging Beulah Carter. In a family council of the Carters it was decided that Bagby should die, and Irvin was selected to avenge the wrong done his sister.

BRAKEMAN KILLED; 18 CARS IN THE RIVER

[United Press Leased Wire.]
Helena, Mont., May 24.—Brakeman Rogers is dead, Engineer Simben seriously injured and the engine and 18 cars of a Great Northern ore train are on the bottom of the river between Great Falls and this city, as the result of an accident yesterday.

Owing to the rising of the river, along which the railroad runs at the point where the accident occurred, the roadbed was softened, and when the train struck this stretch of track it toppled into the river. The train turned over so quickly that brakeman Rogers had no time to escape.

MANY ARE MOURNING FAILURE OF BANK

[United Press Leased Wire.]
Palouse, Wash., May 24.—Gloom has entered many homes in this city and vicinity owing to the failure of the Palouse State Bank. The bank has been closed since Friday morning. M. J. Hawkins, manager and vice-president of the bank, will issue a statement early this week, giving the depositors the first explanation of the failure.

Among the heavy depositors is S. G. Burnett, a cripple, who has \$7500 in the bank.

SUPREME COURT SAYS GUILTY OF CONTEMPT

[United Press Leased Wire.]
Washington, May 24.—The supreme court today held Sheriff Shipp, of Hamilton county, Tenn.; Deputy Sheriff Gibson and citizens named Williams, Noland, Padgett and May in contempt of court in connection with the lynching of Ed. Johnson, a negro, accused of assault at Chattanooga in 1905.

The sheriff and his deputy were accused of failing to prevent the lynching, after a stay of execution had been granted, and the citizens are alleged to have been members of the mob which hanged the negro.

Chief Justice Fuller handed down the decision. Justice Peckham dissented.

Justice White and McKenna also dissented in the decision. Peckham, in delivering his dissent, declared that there was not a particle of evidence to substantiate the charges of conspiracy.

Justices Harlan, Brewer, Holmes, Day and Moody concurred in Justice Fuller's opinion.

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