

# The Daily Capital Journal

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## ATTACKS

### SUPREME COURT

**HERBERT N. DE WOLFE, TACOMA ATTORNEY, SAYS WASHINGTON JUDGES "HANDED DOWN DECISIONS FOR MONETARY CONSIDERATION."**

### VIOLATED OATHS

When Turned Down by Governor He Submitted the Matter to Legislature—Judges Accused Are Rudkin, Fullerton, Mount, Dunbar, Crow, Gose, Chadwick and Morris.

[United Press Leased Wire.] Tacoma, June 29.—Demanding an investigation of the state supreme court by the legislature, Attorney Herbert N. De Wolfe of Tacoma has filed with the latter body a complaint against every member of the court excepting Judge Parker is charged with "directly and wilfully violating his oath of office and that in four specifically named cases erroneous decisions were handed down either for a monetary consideration or for political prestige."

"In all of the cases," says the complainant, "the opinions of the court are couched in such language that any one reading them would be led to believe that the cases had been decided correctly according to law and the facts, but an investigation of the record will clearly substantiate my charges of corruption."

In three of the cases cited by De Wolfe in which he was counsel, the interests of the Stone & Webster people, operating the Seattle Electric Company, were concerned and in the fourth case the Mutual Life Insurance Company, represented by Attorneys interested in the Seattle Post-Intelligencer, was the victor by the supreme court's decision.

Attorney De Wolfe first submitted his complaint to Governor Hay with the request that it be submitted to the legislature. The governor, however, returned the document to De Wolfe, accompanied with a letter saying that unless De Wolfe "could furnish proof that the members of the supreme court have accepted bribes or have been corrupt he did not feel like placing it before the legislature."

"I must have reasonable proof that they have been corrupt," said Hay in his letter. Upon receiving the governor's letter, De Wolfe submitted the whole thing to the legislature but declared there is a disposition manifested by some of the senators to ignore the charges he makes. De Wolfe defies the supreme court to cite him for contempt. He declares that he has no selfish motive in bringing up the charges but that he is doing it as a service to the practicing attorneys of the state, as he is retiring from the practice of law.

In his complaint he says: "The cases cited by me are not the only ones which have been so treated by the supreme court. A practicing attorney dare not raise his voice in protest but must graciously receive the harpoon and say nothing."

The justices whom De Wolfe specifically charges with corruption are Rudkin, Fullerton, Mount, Dunbar, Crow, Gose, Chadwick and Morris. Whether or not the legislature takes up his charges De Wolfe says he will place his complaint before the state bar association.

### LEGISLATURE WILL ACT.

Olympia, June 29.—The charges against members of the state supreme court, filed with the legislature by Attorney Herbert N. De Wolfe, have been referred to the house judiciary committee. Representative Palmer of King county said today that he will bring disbarment proceedings against De Wolfe.

De Wolfe was formerly city attorney for West Seattle.

### ALDRICH TO KILL ALL AMENDMENTS

Washington, June 29.—Senator Brown of Nebraska today failed in an attempt to obtain precedence in the senate for his income tax amendment. The matter was dropped after a parliamentary debate.

Senator Aldrich then gave notice that he would oppose the consideration of any more amendments to the tariff schedules. He explained that of course the members might offer amendments but that he would move that they be tabled.

Senator Owen of Oklahoma protested against this course.

Following the argument between Owen and Aldrich, Tillman's amendment which provides a tax of 10 cents a pound on tea, was considered. This amendment was presented yesterday but consideration of it was postponed until today and Aldrich could make no objection today.

### ROBBED POSTOFFICE, ESCAPED IN AUTO

[United Press Leased Wire.] Chicago, June 29.—Dashing up to the postoffice in the village of Leeland in an automobile early today, three masked men entered the office, dynamited the safe, they escaped with \$5000 in money and stamps. A mob of citizens surrounded the automobile, but quickly retreated when the bandits displayed revolvers. Other citizens fired from their homes as the motor flashed out of the town. The robbers returned the shots, but no one was injured.

A posse, hastily organized, immediately gave chase, and surrounding towns were notified of the robbery by wire.

### NEGRO MURDERER KILLED BY POSSE

Adrian, Ga., June 29.—Surrounded in a deep swamp near this city, Roullet Jenkins, a negro, who killed George Howell, and seriously wounded Mrs. Howell, was shot to death by a mob today, after a pitched battle lasting for more than an hour.

The negro was heavily armed, and succeeded in wounding two of his pursuers before he was struck from the rifle of a member of the party, who crept into the swamp and executed a flank movement upon the fugitive.

### SPECIAL ELECTION CALLED

### COUNCIL PUTS BOND MATTERS UP TO THE PEOPLE

A quiet session was held by the city council last evening, and several matters were introduced during the evening, and settled without much controversy.

The long-looked for guns from the battleship Oregon have arrived, and the freight bill was presented to the council and approved last night. A motion was passed to have the guns placed in Willson avenue.

Alderman Elliott handed in a petition from the property owners asking that the name of Rock street be changed to Fairmount Avenue, which was referred to the city attorney.

The bill for an ordinance covering the sale of beer in restaurants was reported on unfavorably.

A bid from the Warren Construction Company to improve Commercial street from Trade to the bridge was referred to the street committee.

The following resolutions were presented by City Attorney Keyes, and adopted: Calling for bids for the improvement of Kearney street from Commercial to High. For the Portland Railway, Light & Power Company to place their track in the middle of the street on Winter, from State to Oak streets. The advertising of assessment notices for the improvement of Broadway from Madison to Highland avenue. A special election was called for August 2, to vote on the issuance of \$65,000 to redeem 4 per cent bonds now floating, and for the issuance of \$17,000 for the purchase of land for a city park in what is known as Fairmount Park addition.

The special committee reported on the improvement of the county road in Highland addition, and a motion was made to call the thoroughfare Cherry Avenue, which was adopted.

The council last night, in the matter of Mrs. Alice Gray, the lady who was injured by driving into a ditch on State street, unmarked by a light, placed it in the hands of the committee on health, with power to act.

An ordinance to improve Winter street, from Mill to Oak, with a layer of gravel was passed.

The secretary of the state fair board, Frank A. Welch, asked the council to grant the board the permission to construct a sewer through the streets from the fair grounds to the river, which was passed; with instructions that the city engineer look after the matter.

Alderman Eldridge presented a bill for an ordinance compelling the street railway to install fenders on their cars which would hang only two inches above the rails, and also safety brakes. After considerable discussion as to the feasibility of installing fenders as suggested in the bill, which would hardly be practicable, in the opinion of some of the councilmen, owing to the single-track cars riding so unevenly, and causing the fenders only two inches above the rail to strike, the city attorney was instructed to amend the bill to conform with the state laws concerning safety devices on cars.

## ROASTS

### OTHER PAPERS

**SAN FRANCISCO CALL INDORSES HENRY, SAYS PHELAN'S CANDIDACY IS FOOLISH, AND "THE GLOBE IS OWNED BY GRAFT. IS CALHOUN'S HAND-BILL."**

### IT WILL STAND PAT

It Says "the Oakland Tribune is Crooked, the Chronicle Both Crooked and Cowardly," and That "Its Nose Is Dirty From Rooting in the Muck Heap for the Price It Seems to Have Found."

[United Press Leased Wire.]

San Francisco, June 29.—Simultaneously with the arrival of John D. Spreckels from San Diego today his newspaper here, the Call, printed an editorial pledging its support to the graft prosecution and saying, with reference to the candidacy of Francis J. Heney for district attorney, he is "the only man in the field at this time who seems to fill the bill."

The action of persons who, in the name of the Good Government League, sent out "straw ballots" bearing hidden marks by which persons who wished to vote anonymously could be identified, is condemned by the paper. Incidentally stating that the papers supporting the graft prosecution is not because of the relationship between John D. and Rudolph Spreckels, but, rather, in spite of it, the Call editorially says:

"Some of the Call's journalistic neighbors are, or profess to be, much concerned about the attitude of this newspaper toward the graft prosecution. They need not worry. The Call is on the people's side in this struggle, and will play there. It has not wavered in its support of the district attorney during the long fight to catch and convict and punish the authors of San Francisco's municipal shame. It will continue in that course while an indicted grafter remains untied. Moreover, it will do its best to secure the election in Langdon's place of a district attorney who will effectively carry on the work being done under Langdon's administration. Francis J. Heney is the only man in the field at this time who seems to fill the bill."

"Let it be understood that the Call's support of the graft prosecution is given, not on account of the relationship between Rudolph Spreckels and the owner of this paper, but in spite of it. Also, let it be understood that Rudolph Spreckels has not and never did have the remotest interest in this paper, or the slightest influence in shaping its policies. The Call has not stood behind or for the man, but it has stood and will stand for the work he inaugurated, disregarding altogether his identity or the motives that actuated him. That work would have been indorsed and aided by the Call no matter by whom begun, whether by Spreckels or Smith or Brown, or by anybody at all."

"And the Call neither seeks nor desires any credit for its stand as to the graft prosecution. The prosecution of rich men, who bribe poor men to commit crimes is not merely right, it is the duty of the plundered people's law officers to prosecute the real criminals, and it is the duty of honest men and honest newspapers to uphold and aid the public prosecutor. The newspapers that fail to discharge this duty are cowardly and the newspapers that defend the bribe givers are crooked. The Oakland Tribune, for example, is crooked. The Chronicle is both crooked and cowardly." As for the Globe it is merely the handbill of Patrick Calhoun. Inasmuch as he pays for it, he is privileged to say in what he pleases about his own virtues, and the utter wickedness of public officials that dare to prosecute him and of courts that have the hardihood to try him. The Globe is owned by Graft—the others, such as the Chronicle, are only rented.

"It is chiefly the Chronicle, pretending to be concerned about the Call's policy toward the graft prosecution that pokes an inquisitive nose into the business of this paper—and it is not a clean nose, having been engaged too lately in rooting around the muck heap for the price its owner seems to have found. The excuse for its latest offensiveness is disapproval by the Call of the shabby political trick attempted in name of the Good Government League. This newspaper doesn't know who is responsible for the stamp-hidden marks of identification on the people's ballot, and does not care. It was a stupid, as well as vicious thing, obviously done in bad faith, and unless its author be promptly disavowed, the league may expect to suffer severely on account of it. The

## DECISION

### SHUTS OUT HENRY

**HE CANNOT ACCEPT NOMINATION FROM DEMOCRATIC PARTY—IF HE PERMITS USE OF NAME IN ANY PARTY PRIMARY, CANNOT RUN AS AN INDEPENDENT.**

### HITS UNION LABOR

Seventeen of Its Candidates, Including Nine Supervisors, Are Disqualified Under This Decision, and Cannot Run on Union Labor Ticket—Labor Leader Says "Glad of It."

[United Press Leased Wire.]

San Francisco, June 29.—Francis J. Heney is no longer a possibility in the race for district attorney of San Francisco as the result of the decision handed down last night by the state supreme court upholding the direct primary law.

The court upheld the sections of the law providing that no candidate could accept two nominations and that he must have been registered two years in succession in the nominating party to be qualified to accept its nomination. Also that he must have voted for two-thirds of the candidates nominated by his party.

Heney registered as a Republican last year. He has now been offered the nomination for district attorney by the San Francisco Democratic club the "Independent" wing of the party. The supreme court decision prevents his acceptance of any nomination except that of the Republican party, and it is considered certain that he cannot get that.

Heney's only hope for office is to remain out of the primaries, and run as an independent. If he allows his name to come before any party's primary election and is defeated, he will be out of the race altogether.

The Union Labor ticket received a particularly hard blow from the decision. Seventeen of its candidates, including nine supervisors, are disqualified and cannot run on the Union Labor ticket. They are: Chas. M. Fickert, for district attorney (Republican); John M. McDougall, for treasurer (Republican); Thomas F. Boyle, for auditor (Democrat); H. A. Kuchmeister, for tax collector (Republican); Joseph G. Mansfield, for public administrator (Republican); E. P. Shortall, for police judge (Republican); Dr. Joseph M. Toner, for coroner (Democrat); John R. Daniels, for city attorney (Republican); and Supervisors Geo. James (Dem.); Cornelius (Rep.); William C. Pugh (Rep.); Theodore Lunnebeck (Rep.); J. Emmett Hayden (Dem.); P. A. Bergerot (Rep.); Fred L. Hansen (Rep.); William A. Newsum (Dem.); Gus. B. Rizzo (Dem.).

Despite the blow that was dealt his ticket, P. H. McCarthy, Union Labor candidate for mayor, sees much good in the decision.

"This is the best thing that ever happened," he exclaimed today when it was discovered what effect the decision would have. "The citizen voter is now in a position to express his choice, and put it into effect without danger of being shuffled by the manipulative-inclined political trickster."

### WHEAT PRICES ARE FIRM AND STEADY

[United Press Leased Wire.]

Chicago, June 29.—Wheat opened lower this morning but gained strength during the day, reports showing a decrease in the world's visible supply to the extent of 6,750,000 bushels. Patton houses were good buyers and the Armour forces too, were in the field. But there were no startling features in the market. The closing quotation was \$1.16 for July.

There is reason to believe that Saturday and Sunday will be holidays and the holiday atmosphere is already felt with operators looking for a little rest. The European visible decrease over last week is 3,952,000 bushels.

### HOT WAVE STRIKES OKLAHOMA COUNTRY

[United Press Leased Wire.]

Tulsa, Okla., June 29.—The thermometer registered 100 in the shade here today and reports from various parts of the state tell of a similar condition. There has been but one prostration here but the suffering is intense.

Candidacy of Phelan was foolish enough, but this means of advancing it might well have been suggested by an enemy.

### INSTITUTION NEEDED IN BOTH SECTIONS

[United Press Leased Wire.]

Olympia, Wash., June 29.—A fight is promised in the legislature between members of the eastern part of the state and those from the west, involving the home of the feeble minded at Medical Lake.

Representative Taylor, of King county, intends to introduce a measure which will provide for the removal of the institution from Medical Lake to Orting. The bill will also include the transfer of the old soldiers at Orting to the new home near Port Orchard. East-of-the-mountains legislators will fight this move to a finish.

### BREEZES FROM LAKE MODERATE THE HEAT

[United Press Leased Wire.]

Chicago, June 29.—Relief from the oppressive heat, which has been responsible for many deaths in the last few days, came today with cool breezes from Lake Michigan.

The mercury fell during the night, and today the weather is not causing nearly so much suffering as heretofore. Relief workers have not given up their efforts in the poor quarters of the city, and much good is being done among the people who have not recovered from being stricken by the hot wave.

### SPEED MANIACS DITCHED

### AUTO CARRYING SIX PERSONS DASHES INTO FREIGHT CARS

Seattle, June 29.—Three women and three men are in the county hospital at Georgetown, a suburb of this city, this morning suffering from injuries that are expected to result in the death of two members of the party as the result of a collision between the automobile in which they were riding and a string of freight cars on the Northern Pacific tracks near Van Asslet about 1 o'clock this morning.

The fatally injured: Carl Scott, chauffeur, Seattle; Grace Thompson, Seattle.

Seriously injured: Hattie Webster, 334 Granville, avenue, Vancouver, B. C.; Ada Weber, Seattle; Ben Bowman, Seattle; Russell Lutz, Seattle.

The accident occurred at a point where the roadway passes over the Seattle-Tacoma interurban car tracks and the Northern Pacific railroad line. The automobile driven by Scott, was traveling at a terrific speed as it approached the car tracks and in avoiding an interurban train the machine was sent crashing into a number of freight cars being switched onto a spur track. The speed at which the automobile was traveling was so great that it was smashed to a heap of wreckage by the shock of the collision. The accident was witnessed by the crew of the interurban train, who picked up the injured persons and brought them to the hospital at Georgetown. Little could be learned from the members of the ill-fated party regarding the accident and it is believed that several of the names given by the injured men and women are fictitious.

### ORGANIZED LABOR GAINS GREAT VICTORY

[United Press Leased Wire.]

Pittsburg, June 29.—Victorious in their contest against the Pittsburg Railway Company, the striking platform men returned to work today, and service to every section of the city has been restored.

President McMahon, of the National Association of Street Railway Employees, declared today that the strike resulted in the greatest victory ever won by organized labor in the history of the country.

"Every demand we made," he said, "was granted by the company's officials. Our cause was just, and we triumphed."

President Callery, of the Pittsburg Railway Company, admitted the defeat of the company. He refused to make any statement further than that the strikers had won every point at issue.

Yesterday Chicago ran a close race with New York for first place in the number of deaths from heat.

## THE LAW

### MAKERS WORRY

**THE INVESTIGATING COMMITTEE WILL HAVE CHARGES READY TO PRESENT TO THE SENATE WEDNESDAY AND SCHIVELEY'S TRIAL COMMENCES THURSDAY.**

### ALL ARE SCHEMERS

Effort Will Be Made After Charges Are Filed to Have the Legislature Adjourn Until October—Some of Governor Hay's Backers Desert His Standard.

[United Press Leased Wire.]

Olympia, Wash., June 29.—The senate and house were in session for fifteen minutes this morning, after which an adjournment was taken, the senate until this afternoon, and the house until tomorrow.

Investigation committee reported that it would have their charges ready to be presented to the senate tomorrow. If the committee makes good, Schiveley's trial will probably begin Thursday morning. In the meantime, every member of the legislature is busy hatching some scheme whereby impeachment proceedings can be headed off. The administration forces claim to have the better of the situation, and assert that the opposition is now ready to give in, and is only looking for a graceful method of doing so.

Hutchinson, of Spokane, who deserted the administration at the critical moment, is now said to be willing to come back into camp, provided a new investigation committee is appointed, which will probe every state office.

Still others are said to be working on a plan whereby the senate will receive impeachment charges and then adjourn until next October, in order to give Schiveley an opportunity to prepare his defense.

The session of the senate this afternoon promises to be the scene of a legislative fight over the introduction of a number of new bills. Brown, of Whatcom, has a measure already drawn, which will repeal the law of the last session directing the sale of the capital lands and the completion of the capitol building. Other repeal bills have been drawn, touching upon nearly every appropriation passed at the regular session, including the Wenatchee bridge sale, the appropriation for clearing the Columbia; the Spokane National Irrigation Congress appropriation and the Tacoma State Historical Society building appropriation.

### CANADIAN INDIANS GROWING INSOLENT

[United Press Leased Wire.]

Hazleton, B. C., June 29.—The finding of the lacerated body of a white settler near Clearwater, presumably murdered by disgruntled Indians, has caused great excitement here and in the valley generally, and a serious clash between the whites and Indians may result. The body, which has not been identified, was found floating in the Skeena river yesterday. It was destitute of clothing, with two bullet wounds, one in the breast and one in the hip. The face was terribly slashed by some sharp instruments and the arms and hands bore evidence of a grim, unequal fight for life.

The Indians are openly defiant, and it is asserted that they are to blame for the tragedy. A provincial constable has already left to pick up the slender threads that may lead to the arrest of the murderer. It is stated his mission among the Indians will be a dangerous one.

### ONE YELLED AND RAN; ONE GRABBED THE MAN

[United Press Leased Wire.]

San Francisco, June 29.—Two women in San Francisco had experiences with burglars early today. One of the women screamed and ran; the other disarmed the intruder and held him until the police arrived.

Mrs. B. Anderson, at 804 Eddy street, was awakened by three house-breakers, one woman and two men, early this morning. She screamed and the burglars fled.

Mrs. Maud Wright didn't scream when she found an intruder in her room at 1335 Golden Gate avenue, this morning. She did not even scream when the man drew a razor and threatened to cut her throat. Instead she pounced upon him, took possession of the razor and rang for the police. The man, who gave the name of Al Adams, was booked for burglary.