

The Daily Capital Journal

SALEM, OREGON, TUESDAY, JANUARY 4, 1910.

VOL. XX.

NO. 3.

JURY IN MEYERS CASE SECURED

Meyers Shows Great Interest in Examination of Jurors by His Counsel.

THIRD VENIRE OF FIFTEEN MEN ISSUED

The Taking of Evidence Was Commenced at 8 o'clock This Afternoon—The "Standing Room Only" Sign Was Hung Out by the Court This Morning.

With eight of the peremptory challenges allowed to the defense under the law, and three of the six allowed to the state unexercised, the special venire of 15 men summoned by Sheriff Minto last night as jurors in the case of the State of Oregon against George Meyers, charged with the murder of Night Patrolman Eckhart last fall, was exhausted before 11 o'clock this morning, and an adjournment was taken by the court until 1 o'clock this afternoon, in order to afford the sheriff an opportunity to summon another venire of 15 men. When the court convened in the afternoon Sheriff Minto was on hand with his venire of prospective jurors, and the work of empaneling a jury in the case was resumed, but the progress being made is about the same as that of the forenoon—slow—and it is not believed, at a late hour, that anything more would be accomplished in the trial than the securing of a jury—if that much is achieved. At least neither District Attorney McNary of the counsel for the defendant, Messrs. Carson, Richardson and D'Arcy, expect to get into the evidence until tomorrow's session.

Court Room Crowded.
As at yesterday's session the court room at the convening hour this morning was crowded, and the session had not progressed long until the room was completely filled, and a large number had to be excluded. There were fewer women in attendance at the session this forenoon than yesterday afternoon, but they made amends for this during the afternoon, and this session was well represented by the fair sex. The defendant occupied the same seat as yesterday—between Attorneys Carson and D'Arcy—and the nervousness that characterized his demeanor yesterday afternoon was absent today, and he was perfectly calm; signified a great interest in the examination of the jurors by his counsel, and from time to time he consulted with them with relation to questions to be propounded to a juror. While the proceedings of the day were entirely confined to the examination of jurors as to their qualifications, a proceeding which is slow, tedious and generally of no public interest, they were given the closest attention by the audience, so close that it seemed that not a single question of the attorneys or reply of the jurors was permitted to escape the ear of the individuals entering into its composition.

Many Excused for Cause.
The jury box was filled—that is passed for cause—when J. M. Coburn qualified for the twelfth man, and the defense exercised its peremptory challenge on Zadoc Riggs. Joseph A. Cook was summoned to take his place, but did not believe in capital punishment, and was excused by the court. H. R. Curtis was then summoned, and, after qualifying, the state exercised its first peremptory challenge on C. A. Bert. Next Cook was called by the clerk to fill the vacancy, but, after an examination by District Attorney McNary, it developed that he was opposed to capital punishment, and he was excused. The second peremptory challenge of the defense was used on J. M. Coburn and C. B. Meizer was called, but an examination disclosed that he entertained a friendship so strong for the defendant and his relatives that he was unable to qualify and S. Ames was called, but excused on the ground that he did not believe in the death penalty for the crime of murder. W. F. Buckner was then summoned to the stand, but he had a fixed opinion as to the merits of the case, and could not qualify. S. Presnell was unable to qualify because of his views in regard to capital punishment, and Wm. Skipton, who took his seat in the jury box, was challenged by the defense on the ground that he had formed an opinion as to the merits of the case, but the court denied the challenge.

Selected From Bystanders.
A. P. Burton was also disqualified

from acting, and so was T. A. Blackerby, and this exhausted the special venire, and Judge Burnett directed the venire, and the judge directed the court room, and Henry Fletcher was the first called. This met with an objection from Attorney Richardson, of counsel for defendant, on the ground that the laws provided that the jurors must be summoned from the county at large—that they must be selected from names appearing on the tax roll, but Judge Burnett after considering the law ruled against his objection. After Fletcher failed to qualify because of his views in regard to capital punishment, and also Thomas Edwards failed because of his decided views on the case, T. G. Chester finally qualified and the defense excused Curtis. At this juncture Attorney Carson, of counsel for the defendant, arose and stated to the court that, in his opinion, the method of securing jurors from the court room would be too slow, and that matters would be expedited by having the sheriff secure a venire of 15 men, and Judge Burnett, acting on the suggestion, directed the sheriff to secure the venire, and adjourned court until 1 o'clock.

The work of securing a jury went forward slowly this afternoon, and it is certain that no evidence will be adduced in the case today, and doubtful whether the jury will be secured before an adjournment of the afternoon session.

Yesterday's Proceedings.

The work of empaneling a jury in the circuit court for the trial of Geo. Meyers, charged with the murder of Night Patrolman Thomas Eckhart last fall, was commenced yesterday afternoon before a crowded court room—in fact so crowded that orders were issued by the court to the bailiff to admit no further spectators. The crowd was mostly made up of men, but a few women entered into its composition, and while the work of empaneling a jury is generally dry and uninteresting, it was listened to by those in attendance with the keenest interest. District Attorney McNary appeared for the state, and Attorneys Carson, Richardson and D'Arcy appeared for the defendant. The defendant was seated between attorney's Carson and D'Arcy and while at first he seemed nervous, as the proceedings went on grew more calm and collected, and took an active interest in the work of empaneling the jury which is to render a verdict as to his guilt or innocence of the crime with which he is charged. The work of securing a jury consumed all of the afternoon session, and when five o'clock arrived the regular panel had been exhausted, and the court directed that an extra venire of 15 men be issued, and court was adjourned until 9 o'clock in the morning.

Serious Matter Says Judge.

The work of examining the jury went forward solemnly during the afternoon with one exception, and that was when a prospective juror made a reply to a question put to him by one of the attorneys, which caused a ripple of laughter to spread over the audience. The juror had been examined at length by counsel for both the state and defense—examined as to his qualifications in almost every respect and finally in reply to a question by one of the attorneys stated he would rather not sit on the case. There was not anything witty about the remark, but it came unexpectedly and the audience was in a right humor, and it was greeted with laughter and noise. Judge Burnette brought his gavel down as soon as it started and after rapping for order several times, announced to the audience that any one who desired to remain in the court room must be orderly—that the proceedings were not a show, but a solemn matter—the cause serious, and that if there followed a repetition, he would have the officer eject from the room the offenders, and from that time there were no further outbreaks.

Self Defense Be Invoked.

It became apparent as soon as Attorney Carson for the defense took up the examination of the veniremen that the fact whether Eckhart overstepped the law in arresting Meyers will figure prominently in the trial, and that the attorneys for the defendant will rely greatly, if not solely upon the law of self defense, to acquit their client. Each venireman was examined carefully as to whether he had any prejudice against the law of self defense by Attorney Carson, and also asked as to whether he believed that an officer owned the same obedience to the law as a private citizen or whether the jurymen would be willing to overlook negligence on his part in observing the law. Another feature of the examination of the jurymen was that as to whether they had formed an opinion as to the case from the reading of accounts concerning it in the newspapers—whether that opinion was such that it would be necessary for evidence to remove it.

Opposed to Capital Punishment.

If the sentiment expressed by the veniremen yesterday afternoon with relation to capital punishment is any criterion by which to measure the sentiment as it exists among the people generally with relation to

AEROPLANE COLLAPSED KILLS FAMOUS AVIATOR

Sailing Along About Fifty Feet From the Ground When Something Went Wrong and the Machine Shot Down Rapid.

THE FIFTH LIFE FORFEITED TO AVIATION

Both Legs Were Broken, Chest Crushed, and Skull Fractured. De la Grange Was One of the Most Experienced Manipulators of Aeroplanes in the World, Having Established Record for Covering 124 Miles in Two Hours.

[UNITED PRESS LEASED WIRE.]

Bordeaux, France, Jan. 4.—Leon de la Grange, the famous aviator, was killed here today when his aeroplane collapsed while he was making a flight.

The death of de la Grange makes the fifth life forfeited to aviation.

The first to be killed was Lieut. Selridge, who was killed in the collapse of a Wright aeroplane at Fort Meyer, Va. The second was Le Peuvre, who was killed at Juvisy. The third was Ferber, who died at Bologna, and the fourth was Fernandez, killed at Nice.

De la Grange was flying his monoplane, which had replaced the biplane originally used by him. The flight began with apparent ease and feet from the ground, when suddenly the aviator was sailing at about 50 feet from the ground when suddenly something went wrong and the whole machine collapsed.

It shot like lightning to the ground de la Grange being caught in the wreckage and crushed under the machinery.

Both his legs were broken his

chest was crushed and his skull was fractured. The body was so completely entangled in the debris that his friends found great difficulty in removing it.

The monoplane was completely wrecked.

De la Grange was one of the most experienced manipulators of aeroplanes in the world having been making flights in heavier-than-air machines since May 16 1907.

He established a monoplane record at Juvisy on December 30, when he flew 124 miles in two hours and 32 minutes, receiving the plaudits of the world or the accomplishment of one of the greatest feats in the conquest of the air.

When de la Grange first took up aviation he used a biplane somewhat similar to the machine of the Wright brothers. Recently, however, he discarded that style of aircraft and purchased a monoplane of the type in which Bleriot crossed the English channel. It was a ship of this kind which caused his death today.

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SAYS TERMINAL COMPANY WAS NEGLECTFUL

Must Pay Stella Laung \$7,000 Damages for Injuries Received.

Holding that the Northern Pacific Terminal Company, at their Portland terminals, failed to exercise due precaution in the operation of their trains, Stella Laury, the respondent in the case of Laury against the Northern Pacific Terminal Company, a entitled to \$7500 damages for personal injuries sustained as the result of a car throwing her on the track and crushing her limbs.

This is a case wherein Stella Laury brought suit against the N. P. Terminal Company for a large amount of damages for being run down and injured by one of the terminal company's cars. The circuit court of Multnomah county handed in a decree in favor of the plaintiff, and judgement was rendered in the sum of \$7500, on which judgement the defendant company appeals.

In reviewing the case, the written opinion by Chief Justice Moore, Stella Laury was in the employ of the American Can Company, located on Front street, in Portland, and over this thoroughfare the N. P. Terminal Company operated their switch engines. While leaving the American Can Company's building, located a short distance from the defendant company's tracks, Stella Laury walked across the track, and, overlooking her pocketbook, which she left in the building, she returned, but before she could clear the track, a car, which frightened herself and others while leaving the building, began rolling, and caught the plaintiff, and, throwing her down, dragged her

severely, and finally passed over her limbs.

Due to the fact that there was not proper caution taken on the part of a switchman stationed at the end of the car to warn pedestrians, the supreme court holds that the company is liable. Citing a few questions in the trial court, the opinion states that the switchman jested with several young women who barely escaped being caught by the car as they were leaving the building, and that his back was turned to the car at the time Stella Laury received the injury, and failed to warn the engineer of the impending danger. Also, that the engine headlight was obscured by the shadow of the attached car, and the driver could not see who was crossing the track. All the testimony was corroborated by witnesses, while the terminal company introduced the allegations that carelessness was the fault of the accident on the part of the injured woman. Chief Justice Moore holds, however, that railroad companies are compelled to recognize the right of way in a like manner as the public recognizes the safety of the trains, and that the testimony introduced by the defendant company was not sufficient to warrant a reversal, and the lower tribunal's judgment is affirmed.

There was only one other opinion handed down, it being an equity matter involving a small sum of money. Sarah Swank, plaintiff and respondent, vs. G. P. Elwert, et al., defendants and appellants; appealed from the circuit court of Multnomah county; Thomas O'Day, Judge. Judgment of lower court reversed and remanded in an opinion written by Justice Slater.

Gathering Them On.

[UNITED PRESS LEASED WIRE.]
Chicago, Jan. 4.—John H. Garrett, former president of the Great Western Beet Sugar Company and now the head of a Chicago realty firm is under arrest here today, charged with implication in the Idaho land frauds. The indictment under which Garrett is held was returned at Boise, Idaho. Through his attorney, J. Hamilton Lewis, Garrett waived examination and posted bonds of \$2,500 for his appearance in Boise next March.

BURIAL POSTPONED ON ACCOUNT OF RAIN

[UNITED PRESS LEASED WIRE.]
Pomona, Cal., Jan. 4.—Because the rains filled the graves nearly as fast as they could be dug, bodies which were to have been interred nearly a week ago were not buried until today.

During the heavy rainstorm which has just passed over this section of the state, the bodies of seven persons were held by the undertakers on account of the storm.

Funeral services were held as usual, but the bodies were kept in the undertaking parlors. Had the rain continued longer special arrangements would have been necessary to store the bodies.

Four bodies were interred yesterday and three today.

Wants Court to Remove Attorney.

[UNITED PRESS LEASED WIRE.]
Oakland, Cal., Jan. 4.—Miss Clara E. Haggott, who is plaintiff in a \$50,000 breach of promise suit against Philip E. Bowles Jr., son of an Oakland banker, is in the public eye again today. Miss Haggott filed with the superior court affidavits containing charges against her attorney, William E. Killee, of San Francisco.

Killer made love to her Miss Haggott declared, and wanted her to run away to Mexico with him when a compromise, which he said was forthcoming, would be affected in the Bowles suit. The plaintiff furthermore asserted that Killer promised to "queer" her case if she refused to do his bidding. She wants Oron B. Leidy, of Oakland, Killer's associate, substituted as her counsel.

Leidy joins with her in the charges against the San Francisco attorney. Killer accused Leidy of unduly influencing Miss Haggott, declaring that his threats caused Miss Haggott to fear him enough to do his bidding in the present attempt to oust him. Leidy issued a bond to the alleged letters of Bowles upon which Miss Haggott based her suit, according to Killer, and every effort to compel him to disgorge them had failed. Killer declared that he will "show up" his associate.

BLOWN BACK WITH THE COIN

Constable Ira Hamilton served a warrant on a young woman last night, accused of converting \$5.75 to her own use which belonged to her landlady, Mr. Dilley, who keeps boarders in Salem.

The proprietress of the boarding house claimed that she left the money on a shelf and had just stepped up stairs, leaving the young woman near the spot where the money had been laid. Upon returning to get the money a minute later, Mrs. Dilley found both money and her boarder gone. The sheriff's office was notified, but, owing to court being in session, those officers could not handle the case and turned it over to Constable Hamilton. The constable soon discovered the young woman on State street, and, after the victim of her own carelessness had made an identification, the officer approached the woman and presented the warrant. The constable did not wish to lock the woman up, and gave her a opportunity to clear herself by returning the money, which she did.

COAL BARON DIES FROM INJURIES

[UNITED PRESS LEASED WIRE.]
San Francisco, Jan. 4.—A romance came to light today following the death of Frank M. Jermyn, the Scranton, Pa., coal baron. Jermyn, who died yesterday of injuries he received when struck by a street car New Year's day, had been engaged to marry Mrs. Clara Wadsworth of Oakland for the last four years. Their wedding was set for February 27th.

Mrs. Wadsworth is the divorced wife of Joseph A. Wadsworth, formerly paying teller in the Wells Fargo National Bank of San Francisco.

Mrs. Wadsworth and Jermyn had planned an automobile party and a dinner for an early hour of the day the millionaire was struck and fatally injured. She was at Jermyn's bedside when he died.

COME AND GET ALL YOU WANT

Expert examination made recently of a sample of water taken from the Salem brewery's filtering tank at the establishment in this city, proved that the fluid was absolutely free of typhoid fever germs, and was an excellent prepared water. The sample sent in from the brewery was accompanied by like samples of other water here, and the examining chemist selected it as being the purest sample in the lot. The Salem Brewery Association has notified the public that this water can be obtained free of charge by any one calling at the brewery and carrying it away, providing they bring their own pails, several feet, and finally passed over her limbs.

EIGHT DEAD AS RESULT OF BLIZZARD

Rocky Mountain States In the Grip of the Worst Storm in Many Years.

HUNDREDS OF CATTLE AND SHEEP PERISH

Railroad Traffic Paralyzed and Wire Communication Prostrated—The Financial Loss to Stockmen and Ranchers Cannot Be Fully Estimated Until the Snow Melts in Coming Spring.

[UNITED PRESS LEASED WIRE.]

Denver, Jan. 4.—Eight persons are dead, hundreds of cattle and sheep have perished, railroad traffic is demoralized and wire communication is prostrated as the result of the blizzard, rains and resulting floods that have swept the Rocky Mountain states for the last three days.

Four men are reported to have been killed near Shenandoah, Colo., by snow slides.

One man and two boys, whose names were not learned, were frozen to death in New Mexico, near the Colorado line, last evening.

At the Iowa mine in this state a miner was buried beneath an avalanche of snow. His body has not been recovered.

Reports from all sections of the mountain states indicate that the storms were general and that heavy damage was caused.

Owing to the disrupted state of telegraph and transportation reports from isolated districts are unobtainable, and no approximately correct estimate of the financial loss resulting from the storm can be obtained.

The Denver and Rio Grande railroad is completely tied up by the heavy snow fall in the mountains. Between Durango and Silverton, Colo. forty snow slides have occurred and the tracks are buried for miles.

It is impossible to say when traffic may be resumed.

Heavy damage has been done in the mining sections of Colorado. Tram lines and electric plants at several mines have been ruined by snow slides and many places all work has been abandoned. The loss, the miners stated, will run well into the thousands of dollars.

Stockmen and ranchers also will suffer heavy financial loss. Ice gorges in the Arkansas river have caused it to overflow its banks inundating much rich farm land.

Reports from Northern Colorado indicate that the grip of the storm was most severe there. Cattlemen, it is stated, will not be able to estimate their losses until the snows melt in the spring.

Several unconfirmed rumors of loss of life in that section have been circulated.

INVESTIGATING THE WHITE SLAVE TRAFFIC

[UNITED PRESS LEASED WIRE.]
New York, Jan. 4.—The Rockefeller grand jury, of which John D. Rockefeller Jr. is the foreman, today began the probing of the white slave traffic in New York.

George Kibbe Turner, who article in a magazine exposed the girl traffic conditions said to exist in New York and started the investigation, said today that he did not expect indictments to follow.

His information, which he said was of a general character, will not be sufficient to substantiate a charge to any one person or set of persons. The grand jury, however, intends to go deeper into the trafficked will call many witnesses in the hope of remedying conditions as Turner found them.

Will Build Canal.

Reports from Pacific country say that the project for the construction of a canal from Gray's harbor to the Columbia river has been financed and practically everything is ready for commencing the construction work early in the spring, excepting that some difficulty is being encountered in securing the rights of way.

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