

# The Daily Capital Journal

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SALEM, OREGON, THURSDAY, JANUARY 6, 1910.

NO. 5.

## Guilty of Murder in Second Degree Says Jury

### CITY MARSHAL FATALLY SHOT BY DRUNKEN YOUTH

Was on His Way to the City Jail, Where the Shooting Occurred.

### PHYSICIAN SAYS NO HOPE FOR RECOVERY

After a Day of Drunken Carousal, on Being Refused a Ticket by Station Agent on Account of Being Too Drunk to Ride on Train, Became Boisterous and Was Arrested.

Auburn, ash., Jan. 6.—City Marshal August Riehl is dying today and two youths, Howard Williams and C. Hildreth of Sumner, are under arrest for the shooting, as the result of a drunken carousal here last night.

Williams and Hildreth were arrested at Sumner at 7 o'clock this morning by a posse of deputies after a chase lasting since midnight.

Both lads fled to their homes after Williams fired the shot which will probably cost the life of the marshal.

Badly frightened, they were easily captured after the posse had trailed them. They are now in the Auburn

jail and will be taken to Seattle today to be arraigned.

Riehl cannot recover, according to the physicians attending him.

The shooting occurred at 11:30 o'clock last night at the Northern Pacific depot in Auburn. Williams and his companion had been drinking and decided to come to Tacoma. At the station they were refused tickets, as one was too drunk to be allowed on the train. The pair became boisterous and George Richardson, special Northern Pacific constable, arrested them.

City Marshal Riehl was summoned and as he was conveying the men toward the jail Williams suddenly drew a revolver and fired. Riehl was shot in the mouth, the bullet lodging in the muscles of his neck.

Physicians extracted the bullet, but hope for life is despaired of.

Williams lives with his parents in Sumner and Hildreth was living in Sumner temporarily while employed as a fireman on a telephone crew.

Riehl, the dying marshal, is about 48 years of age and has a wife and three daughters.

First report of the shooting last night stated that three youths were implicated, but today his was denied.

The only change made in the personnel of the city officials of Albany this year was that of city marshal and chief of the fire department.

The Albany Commercial club will give a reception to newcomers Jan. 18.

### AFTER BEING OUT 12 HOURS JURY RETURNS VERDICT

Looks as If George Meyers Would Spend the Remainder of His Life Behind Prison Bars.

### JUDGE WILL PASS SENTENCE ON FRIDAY JANUARY 14

Attorneys for the Defense Propose to Make a Stubborn Fight for a New Trial and Failing in This They Will Take an Appeal to the Supreme Court of State of Oregon.

"We, the jury in the above entitled criminal action, find the defendant, George Meyers, guilty of murder in the second degree."

"ADOLPHE E. AUFRANCE, Foreman."

That was the verdict rendered this morning by the jury in the case of George Meyers, charged with the murder of Night Patrolman Eckhart on October 1, and the penalty is imprisonment for life behind the iron prison bars of the Oregon penitentiary.

The case went to the jury last evening after extending over two and one-half days, and from that time on until a little after 5 o'clock this morning the jury pondered and deliberated over its verdict, and at 5 o'clock submitted it to Judge Burnett. As the hour was an early one, neither District Attorney McNary, nor Attorneys Carson, D'Arcy and Richardson, for the defense, or Deputy Clerk Allen were present. An effort was made by Judge Burnett to locate the attorneys for the defense, and communicate with them, but it was unsuccessful, and the defense was only present when the verdict was returned, besides Judge Burnett, Sheriff Minto, and the defendant, George Meyers.

Great Victory for State. The verdict, in view of the legal questions involved, and their able presentation to the state by Attorneys Carson, D'Arcy and Richardson for the defense, was a great victory for the state. District Attorney McNary had labored faithfully and hard for a conviction, and expected a verdict of the kind. The attorneys for the defense labored equally as hard and faithfully for their client, and to them the verdict was a disappointment. Public opinion, ever since the jury retired to consider the case, had been hopelessly divided, and predictions had been made that it would be murder as charged, murder in the second degree, manslaughter and acquittal. And as for the defendant himself, that is whether he hoped for an acquittal or for a conviction of a lesser degree of the crime, is not known, as he remained non-committal on the subject, but if he did, when he saw these hopes dashed to pieces this morning by the verdict, he displayed no signs of emotion or disappointment, but received it coolly and calmly.

Defense Will Appeal.

Judge Burnett, upon the convening of court this morning, fixed Friday, January 14, as the day for the pronouncement of sentence. Meyers and his attorneys were present in court at the time, and Meyers from time to time engaged actively in conversation with his lawyers, and seemed hopeful that an appeal would bring about a reversal. Subsequent to the fixing of the time for sentence the attorneys for the defendant announced to a representative of The Capital Journal that as soon as possible a motion asking for a new trial would be prepared and filed with the court, and in the event of its denial an appeal will be prosecuted to the supreme court of the state. The motion of appeal will be based on numerous specifications of errors, but the points that will figure most prominently in the admission into evidence of the dying declaration of Eckhart; the law on the relative rights of a private citizen and an officer; the law of self-defense; the fact that the juryman was summoned from bystanders in the court room, and the instructions delivered by the judge to the jury in the case.

Interest in Case Was Great.

The case came to a close late yesterday afternoon—at about five o'clock, and there have been few homicide trials in the county to which there was attached so much public interest. Even during the empanelling of the jury, a proceeding which is generally dry and un-

interesting, the court room was crowded to its utmost capacity and yesterday afternoon it was not only crowded to overflowing, but the halls outside were crowded with interested spectators, who were excluded for the lack of room and who were compelled to content themselves by listening to such portions of the arguments as would reach them from time to time when the attorneys' voices grew loud in the emphasizing and summing up of some important portions of the evidence.

Defendant Broke Down.

While the defendant, George Meyers, and he is young (25 years of age) and just blossoming into manhood) was more or less nervous throughout all of the proceedings of the trial, he managed to keep a grip on himself, and remained cool and collected until the closing of the argument, and then he broke down and cried. One of his counsel, Attorney D'Arcy, had known him from the days when he was a little boy, and he made a powerful plea in his behalf yesterday afternoon. In the course of that plea he drew a picture—a word painting of the defendant as he knew him when a boy and told how he had watched his career with friendly interest until the horror came—the tragedy of October 1, when Night Patrolman Eckhart was killed by his hand; and it was while the attorney dwelt upon the facts of his early boyhood life, the facts leading up to and entering into that tragedy, and vividly described what a verdict of guilty by the jury would mean to his young career, that Meyers broke down and cried; and stooping over in his chair until his head rested on his chest, he covered his eyes with his handkerchief and remained in that attitude until the jury passed out of the room to deliberate on its verdict and Sheriff Minto came to his side to escort him back to his cell in the jail.

Made Masterful Argument.

District Attorney McNary closed the argument in the case and made one of the most eloquent and masterful arguments ever heard in the Salem court house. In a clear, concise and forceful manner he presented for the consideration of the jury the evidence of the state, marshaling fact upon fact and then clinching them with a logic that seemed unassailable. With this disposed of he proceeded to analyze and tear into shreds the evidence produced by the defense and then with a rebuke that was withering in its effect and sarcasm every word of which burned and seared he attacked the argument advanced by the attorneys of the defense, and leaving these behind and soaring on outstretched wings, concluded with an eloquent pre-oration on the duties of the jurors in the case—their duties to society—to their fellow men, and to the state in the case and asked them to discharge them fairly, impartially and justly. The address was universally pronounced by those who heard it as one of the best and ablest ever delivered in the Salem court room.

### BOLD BANK ROBBERS SHOOT OVERSEER

(SPECIAL FROM ST. LOUIS WIRE.)

New York, Jan. 6.—Two robbers failing in their attempt to hold up the Foreign Money Exchange Bank of Henry Kern in Brooklyn, shot and mortally wounded the banker's brother, Sam Kern, who was overseer of the place.

The proprietor was out when the affair happened.

They pointed two revolvers at Sam and ordered him to give them all the money on hand. Kern turned and fled. The robbers both fired at him, and then they fled to the street. Three clerks were in the back at the time of the robbery and witnessed the shooting.

### COLONEL L. K. PAGE IS CALLED TO HIS HOME

#### DRIVING ORDINANCE IN EFFECT TODAY

The new driving ordinance, recently passed by the city council, went into effect today, and it compels the driver of any conveyance to conform with many rules in meeting, passing and leaving teams standing on the streets of Salem.

When approaching a team turn to the right, and always upon passing a team turn to the left; never leave a horse or team standing on the street without being hitched to some substantial object; do not back a horse or team up to the curb with his head pointing toward the center of the street until actual loading or unloading is being done; and be sure to take the right hand corner at intersections of streets when meeting another team, and do not drive fast at any time, are a few of the provisions contained in the ordinance, and if these rules are followed Salem vehicle traffic will be in accordance with the method adopted by all large cities.

#### RAILROAD COMMISSION KEEPS VERY BUSY

The Railroad Commission is holding a hearing today in Albany in the case of Hudson against the C. & E. railroad in which the railroad company is accused of overcharging their patrons on shipments of green fruits and vegetables.

On the 17th of January a hearing in the case of J. H. Upton vs. the Southern Pacific railroad will be held in Portland. Complaint raised on the grounds that the railroad company were tardy in delivering baggage.

The case of Geo. G. Randall vs. the Southern Pacific company will be heard in Ned Era on the 19th of this month, abolishment of an agency at Ned Era being the cause of complaint.

A hearing will be held in Warren on the 21st of the month in the case of Larson vs. the Northern Pacific company and the Astoria & Columbia railroads. Depot facilities are the grounds for this complaint.

### THE SULTAN COMES THROUGH WITH COIN

Pays \$400,00 and Takes the Crown Jewels Out of "Hock."

Paris, Jan. 6.—Dealers from all parts of the world were disappointed when Sultan Mulai Hafiz, of Morocco, put in his appearance and paid the Mont de Piet, the national pawn shop of France, \$400,000 for the crown jewels, pawned by the former sultan, Abdul Aziz.

The dealers had gathered in expectation of an auction of the jewels, said to be worth nearly a million dollars, after the officials of Mont de Piet had repeatedly refused to allow Mulai Hafiz to redeem the pledge until the pawn ticket, lost by the former ruler, had been recovered. An announcement was made some time ago that no further delays would be granted the Moroccan government, and that today would see the jewels disposed of unless Mulai Hafiz came forward with the pawn ticket and the money.

The ticket was never found, but the sultan's pleading seemed to have its effect for the officials today yielded the point and allowed the sultan to take the jewels without the pledge.

#### Assaults Labor Champion.

(SPECIAL FROM ST. LOUIS WIRE.)

London, Jan. 6.—John Burns, who represents the labor union element in the British parliament, was assaulted at Staffordshire last night by an unidentified man, according to dispatches received from that place today. Burns was entering his automobile after making a political speech in a town hall when his assailant, who was not identified as a resident of Staffordshire, sprang upon him from the crowd on the sidewalk and struck him several times with his fist.

The assailant then made good his escape and disappeared in the crowd. Burns was not seriously hurt, but suffered a number of bruises and cuts on his face.

Passes Over From His Residence in This City at an Early Hour This Morning.

### DECEASED WAS VICTIM OF PTOMAINE POISONING

The Poison Was Supposedly Contracted by Eating Food on a Dining Car on His Way Home From an Eastern Trip—Was Taken Ill on His Arrival at Portland.

Lucius Kimball Page died at his home in this city this morning after an illness of about 10 days, caused by ptomaine poisoning that he incurred on his way back from the East, where he had been for several months on a visit to old friends in Iowa and Illinois, with Mrs. Page, who accompanied him on the trip. He was born in 1845 at Granville, Ohio, and removed with his parents to Lowden, Cedar county, Iowa, in 1857. As a mere boy he enlisted in the Union armies and rose from private in the Sixteenth Iowa volunteers to major in the course of his service, which lasted during the entire war. He was wounded at the battle of Shiloh, and participated in the battles of Kennesaw Mountain, Corinth and Iuka. At Kennesaw he was taken prisoner and served five months in the prison pen at Andersonville, from the effects of which he has always suffered, although apparently a strong man. In 1854 Col. Page removed with his family to Ida county, and became a prominent factor in the development of Western Iowa, where he still owns property interests. With only a common school education, Col. Page was a remarkably successful business man, and possessed a character and a range of ability of the very highest order. He was kind-hearted and liberal in his views of life and his treatment of others. To his family he was the embodiment of goodness as a husband and father.

In a public way Col. Page was well known all over the United States as a prominent man in Grand Army circles. In Iowa and Oregon he was recognized as a leader, and was selected to lead as grand marshal on nearly all patriotic occasions. He was a Mason of high degree and a member of the Knights of Pythias. He was a member of the Presbyterian church all his life, and died surrounded by all his family, and with a smile of recognition on his lips, and in the consciousness of a life awaiting him beyond. Besides a wife he leaves two sons, U. S. and A. M. Page, and a daughter, Miss Mabel Page, and one grandchild. The remains will be buried at Salem. Besides his property in Iowa, he leaves the whole community will mourn the loss of Col. Page. Few men had won the hearts of all with whom he came in contact so completely as did he in his brief life in this community. Besides his property in Iowa, he leaves a fine estate and summer home at Labish and his residence on Cottage street this city.

### "PACKEY" WANTS TO BE CHAMPION

Chicago, Jan. 6.—Packey McFarland started for New York today, on his way to England, where he will meet Freddie Welch, heavyweight champion of Great Britain. The prize fighter was accompanied by Pat Kinnealey.

McFarland said that he expected to win his fight against the Welchman at 125 pounds. The first match between the two, fought at Los Angeles several months ago, resulted in a draw, due, according to Packey, to his being off weight, which prevented his winning.

McFarland said he intends to stay abroad a year. When he returns, he stated, he will "say th'ugs" to "Batling" Nelson, declaring that if Nelson does not fight somebody soon, he will be a has-been.

An Indiana mayor gave the children of his town three tons of candy.

## What Enormous Prices

These stores in Salem must get which do a small volume of business, when they can afford to give cash discounts from 10 to 35 per cent on everything all over the store. Do your trading at the CHICAGO STORE, which gives the prices you cannot beat.

### HALF PRICE ON LADIES' COATS AND SUITS

Go to the other stores first and get their prices then come here and see the money we can save you

- 1909 and 1910 newest garments at half price and less.
- \$14.00 Suits now only \$6.90
- \$20.00 Suits now only \$9.50
- \$10.00 new Capes now \$4.95
- Ladies \$9 Coats now \$3.95
- 15.00 Coats now only \$7.50
- 7.50 silk Petticoats \$3.75

We will undersell the best prices you can get elsewhere



## CLEARANCE PRICES

ON THE FOLLOWING GOODS:  
Dress Goods, Silks, Wash Goods, Calicoes, Gingham, Sheets, Pillow Cases, Mualins, Blankets, Comforts, Hosiery, Underwear, Bedding of all kinds, Table Linens, Furs, Millinery, Dress Skirts from \$1.50 and up, Laces, Embroideries, Shirt Waists from 25c up. We do the business and can give you the bargains.

## CHICAGO STORE

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The Store That Saves You Money