

The Daily Capital Journal

SALEM, OREGON, MONDAY, OCTOBER 16, 1911.

VOL. XXI.

NO. 247.

PHILADELPHIA WALLOPS NEW YORK AND QUAKERS MAKE ZENITH RATTLE

BAKER PUTS ONE OVER FENCE WITH ONE MAN ON BASES—SCORE WAS THREE TO ONE

Collins Was on Second Base When Baker Sent the Ball Over the Fence, Adding Two to the Quakers' Score—The Big Crowd Rotating for the Home Team Just Split the Atmosphere With a Mighty Roar, for It Realized, Barring Accidents, the Game Was Theirs—Philadelphia, for Once, Was Almost Alive.

Shibe Park, Philadelphia, Oct. 16.—One solid swat over the right field fence from Frank Baker's war club won the second game in the world's champion series for the Athletics here today by three runs to one for the New York Giants.

The deciding wallop came in the sixth inning. Eddie Collins had poked one into the crowd for two sacks and with the score tied at 1 to 1, Baker delivered the goods. He leaned against the ball good and hard and as he followed Collins across the home plate, such a scene broke loose as staid Philadelphia has seldom seen. Thirty thousand fans, who hung breathless, on the struggle, split the air with one roar of joy. It was all over, and from that time the Athletics were never in danger.

The first run for the Athletics was made in the first inning, when Lord crossed the pan on a wild pitch by Rube Marquard. In the second inning Oldring misjudged a double by Herzog who scored for New York, when Big Chief Meyers delivered a nice clean single.

From the start of the game McGraw's beauty, Marquard, was wild. In the middle of the struggle he settled down but weakened again after Baker's tremendous drive, and in the eighth McGraw jerked him out of the box, sending Crandall to bat. Crandall delivered the goods, but Plank, who was steady as a rock throughout the game, held the Giants hitless, and the deed was done. The score:

Score by inning:
New York0 1 0 0 0 0 0 0—1
Philadelphia...1 0 0 0 0 2 0 0—3
Summary: Home runs, Baker; two base hits, Herzog, Collins, sacrifice hits, Oldring, Fletcher. Struck out by Plank, 7; by Marquard, 6; by Crandall, 2. Hit by pitched ball, Snodgrass. Wild pitch, Marquard. No bases on balls. No stolen bases. Time, 1 hour 52 minutes.

Philadelphia, Oct. 16.—Batteries: New York, Marquard and Myers; Philadelphia, Plank and Thomas. Line-up same as Saturday except for pitchers.

The grand stand filled up slowly, every seat being taken when the game started. Thirty thousand people were in the grounds, and five thousand others packed temporary stands and the roofs of nearby buildings.

The ground rules agreed upon provide that a hit into the crowd shall go for two bases, and anything over the fence is a home run.

First inning: New York—Devore flied to Lord. Snodgrass hit by pitched ball. Murray lined to Collins. No runs.

Umpires—Connolly behind the bat; Brennan on bases, and Klem and Dinneen is the outfield.

Philadelphia—Lord singled to right and took second on Murray's fumble. Crandall is warming up. Oldring sacrificed Marquard to Merkle, Lord taking third. Lord scored on Marquard's wild pitch. Collins singled through Fletcher Herzog being unable to field it in time. Baker fanned. Murphy flied to Devore. One run.

Second inning: New York—Merkle out, Barry to Davis. Herzog doubled to center, the hit being misjudged by Oldring. Fletcher out, Collins to Davis; Herzog taking third. Meyers singled to left, scoring Herzog. Marquard fanned. One run.

Philadelphia—Davis out, Doyle to Merkle; Devore muffed Barry's drive, Barry reaching second. Fletcher lost Thomas' fly, Devore running in, making the catch at his shoestrings. Plank out, Meyers to Merkle. No runs.

Third inning: New York—Devore fanned. Doyle flied to Lord. Snodgrass singled to right. Murray out, Plank to Davis. No runs.

Philadelphia—Lord fanned. Oldring fouled to Meyers. Collins flied to Devore. No runs.

Fourth inning: New York—Merkle out, Collins to Davis. Herzog popped to Barry. Fletcher out, Barry to Davis. No runs.

Philadelphia—Baker out, Doyle to Merkle. Murphy flied to Devore; Davis fouled to Meyers. No runs.

(Continued on page five)

THE COOPER SALOON HAS SMALL BLAZE

The igniting of straw in the Cooper saloon yesterday evening caused the fire department to be called out, and only its prompt work averted a big blaze.

The porter, in cleaning out the establishment yesterday afternoon, had placed the mat near the stove. When he left he was under the impression that the fire had been extinguished in the stove, but it had not, and along about 10 o'clock the mat seems to have come in contact with it and caught on fire.

When the firemen reached the scene the saloon was completely enveloped in smoke, but they soon had the flames extinguished, and but little damage was done.

The Strike Situation.
San Francisco, Oct. 16.—"What the company is doing is the best evidence of how it is getting along. Everything is O. K., and we have no statement to make public," is the way the strike situation was sized up here today by F. G. Atherton, head of the bureau of economics of the Southern Pacific here.

MEYER COHEN SAYS THERE ARE OTHERS

Tacoma, Oct. 16.—Awaiting transfer of his case to the supreme court before offering bail, Meyer Cohen, member of the Tacoma carnival and "Burning of Rome" festivals' committee, who was arrested Friday night at Portland for embezzlement of \$991 of funds from the Moose lodge, promised revelations in court. "They will find that other officers in the lodge are to blame also," says Cohen.

Rodgers Still Flying.

Vinitia, Okla., Oct. 16.—Aviator C. P. Rogers left here today at 7:30 a. m. and arrived at Muskogee at 9:15. He expects to resume his flight again today.

Declares Holy War.
Constantinople, Oct. 16.—Sheik Helmissi, a noted Arab leader in Tripoli, has declared a holy war against the Italians, according to advice received here today. These advisers say 3000 Arabs are marching against the Italian forces.

The Harlan Funeral.

Washington, Oct. 16.—The United States supreme court convened today with the chair of the late Justice Harlan heavily draped in black. Out of respect to the memory of the late justice, the court adjourned immediately.
The funeral of Justice Harlan will be held tomorrow, the supreme court justices acting as honorary pall bearers. There will be a brief ceremony at the Harlan residence, public services at the Presbyterian church and private interment at Rock cemetery.

THE DEATH LIST MAY BE HEAVY

OWING TO WIRES BEING DOWN ALL COMMUNICATION WITH SECTION OF SICILY SHAKEN BY EARTHQUAKE IS CUT OFF.

Rome, Oct. 16.—Communication with the earthquake section of Sicily is crippled today, and accurate estimates of the dead, as a result of yesterday's disturbance, have not been received. It is feared the list will be heavy.
Houses were demolished at Macchi, Santa Veneria, Guardia and Roudineja. Many bodies have been recovered.

The Banker Skipped.

San Francisco, Oct. 16.—S. Foster Kelly, the Seattle banker who fled here in company with Mrs. Ivy May Henry several months ago, abandoning his family, failed to appear before Police Judge Shortall today when the case in which he is defendant on a charge of aiding the evasion of a court order was called. A bench warrant was issued for Kelly's arrest, and his bail of \$100 was ordered forfeited.

The German Beat It.

Tacoma, Oct. 16.—Though the legislature passed a law recently that aliens could not carry firearms without a state hunting license, Frank Richmond, an unnaturalized German, beat his case today in Justice Graham's court, by showing that German treaties with the United States provided for the same treatment for subjects of the kaiser as for Americans under the laws of this country.

Lost Big Suit.

Tacoma, Oct. 16.—Through conflicting testimony, Mrs. Ida L. Warren today lost the \$50,000 suit she started against the Northern Pacific railroad for the death of her husband two years ago.

FOREMEN REFUSED TO STRIKE

Sacramento, Cal., Oct. 16.—Thus far none of the Southern Pacific shop foremen, numbering about 100, who were called upon by the strike committee Saturday afternoon to join the striking craftsmen, have responded. There is no more neutral ground, and all foremen who remain at work after today will be regarded as strike-breakers by the union men.

Harlan's Successor.

Washington, Oct. 16.—Politicians here today agree that President Taft probably will choose a progressive to succeed the late Justice John M. Harlan on the United States supreme bench.

One report is that Louis D. Brandeis, of Boston, will be selected. Many, however, believe that President Taft's personal dislike of Brandeis, because of the latter's connection with the Ballinger case, would prevent his appointment.

The strongest tip is that the honor will be given to Solicitor General F. W. Lehmann, of St. Louis. His friends think he was definitely promised the place when he entered the government service.

CHINESE PRESIDENT IN FRISCO

Dr. Sun Yat Sen, Provisional President of China, Will Soon Move With His Cabinet to Seat of War in China.

CHINESE HERE ALL REBELS

Treasury Notes on the Chung Hwa Republic Are Being Sold for Fifty Cents on the Dollar, Good for Par If Movement Wins, and the Chinks Are Taking Them as Fast as They Can Get Their Money From the Banks.

San Francisco, Oct. 16.—Eagerly buying the currency of New China, in San Francisco's Chinatown, the Chinese here today are going wild with the enthusiasm over the prospect of a republican form of government in the Flowering Kingdom. From nearly all of the shops and homes not affiliated with the "big business" interests of the Six Companies, flies the new Chinese flag—a red field with a white sun on a field of blue in the upper corner.

Money for the cause of the revolution is coming in almost faster than the present treasury facilities of the new republic, located here, are able to care for it. Treasury notes on the Chung Hwa republic, selling for fifty cents on the dollar, and good if the revolution wins, are being sold as rapidly as the Chinese element can gather their money from the banks. Within the last 24 hours more than \$100,000 was raised in this manner, and it is understood that practically the whole expense of the Chinese uprising was financed through San Francisco.

It is the intention of Dr. Sun Yat Sen, provisional president, to move, with his cabinet, to the seat of war in China within a few days. Dr. Sun has agitated for Chinese freedom for the last 20 years, and the present movement is the culmination of his efforts.
There is a prospect that the local Chinatown will soon lose one-half of its population, so eager are all the residents there to return and fight for freedom in their native land.

Rioting in Peking.

Peking, Oct. 16.—With finances in a disastrous condition in the banks here today, rioting has broken out in all parts of the city, and a general and bloody outbreak is momentarily expected. The day began with a run on the banks, followed by rioting. A large force of special police is guarding the bank officials and clashes between the mob and the police are frequent.

Government bank notes are below par, the best quotation being a discount of 20 per cent.

Members of the national assembly today presented formal demands to the throne, insisting that the Szechuen provincial assembly be immediately summoned, and that the president and vice-president, who are in

(Continued on page five.)

FIGHT OVER JUROR IS BITTER ONE BUT STATE LETS JUROR NELSON GO

Pinchot Goes East.

Seattle, Oct. 16.—Gifford Pinchot and Senator Poindexter will arrive here tomorrow from their inspection tour of Alaska. Arrangements had been made by the State Progressive Republican League for a big mass meeting, at which Pinchot and Poindexter were to speak Tuesday at noon, but this had to be called off, because of the steamer being delayed.
Pinchot will hasten east to attend the progressive convention at Chicago.

GOVERNOR AND JUDGE DISAGREE

JUDGE GATENS HOLDS THE OFFENSE WITH WHICH PRISONER IS CHARGED IS NOT EXTRADITABLE—BUT GOVERNOR HAS LAST SAY.

Leo W. Martin is charged with brutally assaulting his wife, who was about to become a mother, and if guilty should be returned to Denver and punished," said Governor West today in discussing the kidnaping of Martin by Sheriff Rinker, of Denver, at Portland Saturday evening, and their arrest at Newport, Washington, on the charge of kidnaping. The kidnaping was committed after Judge Gatens had held that the crime for which it was sought to punish Martin was not an extraditable one.

"Martin is accused of assaulting his wife to bring about an abortion," continued the governor, "and if the charges are true, Jesse F. Webb, the murderer, and over whom so much ado has been made, is an angel in holiness when compared to Martin."
"Construing the law of Colorado, Judge Gatens held extrajudicially that Judge Gatens held that Martin was guilty of but assault which is not extraditable. The laws of that state, according to his interpretation, declare that an abortion can only be brought about by instruments or drugs. Martin assaulted his wife to bring it about, and therefore, it is held that his case does not come within the purview of the statute, and that he is guilty at the most of no greater crime than an assault."

Quotes Law.
"The statute says," went on the governor:

"A person charged in any state or territory of the United States with treason, felony or other crime, who shall flee from justice and be found in this state must, on demand of the executive authorities of the state or territory from which he fled, be delivered up by the governor of this state to be removed to the state or territory making the demand."

"The only bond that this office has in the matter is to issue the warrant based upon the requisition from the governor of Colorado, as provided by law. The officers, no doubt believing they were acting within the law, have seen fit to take this man out of the state."

"I do not feel that I am called upon now to say what my action in this case will be in the future. The future will take care of itself. I am fully prepared to take a stand in the matter when the time comes for such action."

"I have the highest regard for Judge Gatens. He and I are personal friends of long standing and any difference of opinion which may exist between us at the present time, is not between Gatens and West, but between the judge and the governor."
"It seems to me that if the governor, having been presented with requisition papers, issues a warrant

(Continued on page 8.)

WITHDRAWS OBJECTIONS TO CHALLENGE, AND SAVES THE JUDGE PASSING ON IT

The Judge's Ruling on This Point Would Have Shown Him Either Fair or Unfair—Darrow Pointed Out That Prosecution Would Not Take Juror Who Said He Believed Building Was Blown Up by Gas—The State's Attorney Finally Weakened and Permitted Juror Nelson to Be Rejected—The Only Safe and Sane Thing It Could Do.

[UNITED PRESS LEASED WIRE.]

Hall of Records, Los Angeles, Oct. 16.—"It would be better that this defendant had been taken from the Los Angeles county jail and lynched than that he should be brought into this court and given a farcical trial and convicted and ordered hanged by a prejudiced jury," declared Attorney Joseph Scott in Judge Bordwell's court here today. In bitter and vehement terms he denounced the action of the district attorney in endeavoring to retain venemans Nelson on the James B. McNamara jury.
"There might be some grim satisfaction in trying this man with a jury of 12 Nelsons," he continued, "but I cannot conceive of the frame of mind of an attorney who wants such a result. This man would have no opportunity of proving his innocence with such a jury. He would be convicted and his life ordered forfeited before a single scintilla of evidence had been presented."
"With 12 men of the caliber of Nelson in the jury box the element of justice would be frustrated and the law and order of this community given a blow from which it would hardly ever recover. James B. McNamara would have no chance for his life with such a jury."
"But I have too much confidence in the integrity of this court to believe that any such attempt as this on the part of a district attorney to get such a jury will be permitted to be carried out."
Horton leaped to his feet, white with rage.
"I object—"
"Sit down, immediately, Mr. Horton," ordered Judge Bordwell. Then addressing Attorney Scott, Bordwell said:

"I think, Mr. Scott, that it is going a trifle too far to impute, unfair methods to the prosecution at this time. Both sides will have the widest latitude in presenting their opinions and to that end the court will rule."

Assistant District Attorney Ford then closed the argument for the state, reiterating that it was the contention of the prosecution that McNamara was entitled not "to a safe

jury, but to an impartial one." Nelson, he said, had agreed that he could give McNamara a fair deal and that certainly qualified him to serve under the code. He and Horton then cited numerous court decisions which, they said, upheld their contention.

Darrow then closed the defense's side, taking up Assistant District Attorney Horton's contention that the defense may prove an alibi and therefore Nelson was compliant.

"We may try this and we may not," he said, "but there will be other things in connection with this case. To prove the corpus delicti here, it must be shown that a crime was committed and we have a perfect right to show that none was. We may show that it was a gas explosion, and then we don't need any alibi. Now what will the state say when we reach a talesman who believes that the Times building was blown up by a gas explosion? I don't think they will argue to permit that venemans to qualify. So let us be fair here. This defendant demands an unprejudiced jury; we ask this court to give him one. Give him his constitutional rights and we'll be satisfied."
Judge Bordwell then announced that he would reserve decision until 2 o'clock when he will ask Nelson some questions and then probably announce his decision.

Los Angeles 16.—The prosecution has withdrawn objection to the challenge of Nelson.

A Fractional Husband.

Tacoma, Oct. 16.—Believing that they have married the same man, Jeanette Hughes, of Tacoma, and Florence McMurray, of Vancouver, Wash., compared notes, and worked together for the arrest of Wm. H. Cameron, a cook, who was captured today as a result.

The police believe he had other wives in the country.
When the loafer takes a vacation he doesn't know what to do with it.
Expert advice is known by its price

Fall Days Are Treacherous

Take no chances with this sort of weather. Don't let a quick drop in temperature catch you unprepared. The all wool fabrics in our new BISHOP'S READY TAILORED SUITS and OVERCOATS are especially designed for comfort in the cold days. And in fit, variety and price they leave nothing to be desired. They're ready for inspection. Prices \$10.00 to \$35.00. Don't forget that we handle the "JUST WRIGHT" SHOES—every style a new one. Prices \$4.00, \$4.50 and \$5.00. Salem Woolen Mill Store. Phone 166 and we will call for your cleaning and pressing.