

# The Daily Capital Journal

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## HUMPHREY BROTHERS HANG JUNE 14 SAYS THE LAW--WHAT DOES WEST SAY

### THE CRIME WAS ATROCIOUS THEIR GUILT CONFESSED-- WILL LAW OR GOVERNOR RULE?

Judge Hamilton, in sentencing the Humphreys this morning at Corvallis, said: "It was one of the most atrocious and heinous crimes ever committed in the state"--The evidence showed the fiends assaulted the woman before murdering her, and again violating the poor, dead, unresisting body--Will they be made "honor" men?

[UNITED PRESS LEASED WIRE.]

Corvallis, Or., May 3.—George and Charles Humphrey, brothers convicted of the brutal murder of Mrs. Eliza Griffith at her lonely cabin near Philomath last June, today were sentenced by Judge Hamilton to be hanged at the state penitentiary June 14.

Before sentence was pronounced, Attorney Jeffrey, for the defense, made a motion for a new trial. It was promptly denied.

George Humphrey, the elder brother, and considered the more vicious of the two murderers, was ordered to stand up and receive his sentence.

After denouncing him for committing "one of the most atrocious and heinous crimes ever committed in the state of Oregon," Judge Hamilton asked the prisoner, who stood trembling with bowed head, if he had anything to say in his behalf. In a tone as low as he could manage, save to those within a few feet of him, Humphrey replied "No." The court then pronounced the death sentence. Charles Humphrey then received the same sentence. Like his brother, he had nothing to say in extenuation of his crime and made no plea for mercy.

**Think They Will Escape Death.**  
The prisoners displayed little emotion.

The courtroom was crowded when the brothers were sentenced.

The Humphrey brothers have been told they will not be hanged and they believe it. Governor West is well known to be opposed to hanging and the murderers have been told in all probability they will be working on the state's roads in a few weeks,

rather than be confined in a death cell.

The people of Oregon at the general election in November, through the initiative will decide if they want to abolish capital punishment and it is considered probable that the Humphreys will be reprieved until after the election at any rate.

Attorneys for the murderers announced they would appeal the case to the supreme court.

**Their Terrible Crimes.**

The crime for which the brothers were sentenced to death was one of the most foul known. They went at night to the home of Mrs. Griffith, of whom they were neighbors, believing she had a considerable sum of money in her home. As the woman was taking down her hair, the men leaped on her from behind and overpowering her, strangled her with a rope. Before and after death, they in turn attacked her. After the second assault they took her body and carried it to a mill pond, a third of a mile from her home. They threw the body in the pond.

The next day the woman could not be found, and neighbors formed searching parties. Several days after the tragedy her body was found floating in the pond.

George Humphrey's face bore marks of fresh scratches and this and other suspicious circumstances led to his arrest together with his brother. Both later confessed to the crime.

Charles also confessed that he and his brother murdered William King, their step-father; George Selby and George Darmose. Most of their victims were choked to death.

## PROCEEDINGS REGULAR SAYS SUPREME COURT

The mandate of the supreme court in the North Salem sewer case, in which Dr. E. P. Rogers, et al., were plaintiffs and the city of Salem defendants, has reached the county clerk's office. The mandate recites, among other things, that all of the proceedings taken by the city preparatory to laying and constructing the sewer were regular, and that no error was committed by the city in levying the assessments, both as to the original and deficit assessments. This reversed the decision of the lower court, which held that the deficit assessment, which was about 25 per cent of the total sum levied, was levied prematurely. A case is now pending in the supreme court of almost identical character, in which the assessments for the construction of the South Salem sewer are involved. No decision has so far been reached in the case, but it is safe to assume that the decision will be identical with the one already handed down. A decision is, however, expected the return of the court season after the return of the court from Pendleton, to which place it goes to open court next Monday.

The mandate in the North Salem case modifies the decision so far as it affects certain properties near the fair grounds, which have ample facilities for drainage provided by the state sewer, with which they have the right to connect. Those affected are E. F. Rogers, Caroline and Nettie G. Morton, H. V. Doe and M. McDonald, Cecelia Knapp, Linda E. Cotterman and W. W. Walker. The assessment as to those above named is ordered canceled.

## ARE STILL TRYING TO REACH A COMPROMISE

[UNITED PRESS LEASED WIRE.]

New York, May 3.—In an attempt to avoid a general strike in the anthracite coal fields, which has become imminent as a result of their refusal to accept the compromise agreement drawn up by a sub-committee, the miners' committee is expected today to ask the mine operators to modify the compromise proposal. Their arguments probably will be rejected. The miners will then call a general convention to decide whether they will accept or reject the compromise as it now stands.

## NOTES FROM THE CIRCUIT COURT ROOMS

In circuit court today the case of Lowenberg, Goling & Co. against R. B. Fleming for an accounting, was dismissed on stipulation by the attorneys, all matters of difference having been adjusted.

An order was made directing Luteilus L. Woods, plaintiff in a divorce suit against Ethel Veatch Wood, requiring him to pay into court before the 15th of May, the sum of \$50.00 for the maintenance of the defendant during the pendency of the case.

Emma M. Richmond has filed suit for divorce against Perry N. Richmond, alleging desertion since September 25, 1910. The couple were married August 4, 1907. Mrs. Richmond asks to have her maiden name of Volkman restored to her.

D. H. Allen has begun suit against J. R. Mrs. J. R. and W. E. Loughmiller, of Silverton, for immediate possession of one-half interest in certain lands in Silverton, which, he alleges, he has been deprived of by the defendants.

H. J. Mutschler has brought suit against Dr. Harry Beauchamp for \$70.00, which he alleges is due for repairs to an automobile, repairs to a buggy and shoeing horses for the defendant.

## COURT OF APPEALS CONVENES AT 'FRISCO

San Francisco, May 3.—The May session of the United States circuit court of appeals for the ninth circuit will convene here next Monday morning. Circuit Judges W. B. Gilbert, of Portland; Erskine M. Ross, of Los Angeles; William M. Morrow, of San Francisco, and William H. Hunt, of Washington, D. C., members of the commerce court who has been temporarily assigned here, will constitute the court.

The jurisdiction of the ninth circuit court of appeals, already the most extensive in the United States, was further increased to include Arizona when that state was admitted.

## Weather Forecast.

Salem and vicinity: Fair to night and Saturday. Northerly winds.

## Archbishop Arrives.

Hoboken, N. J., May 3.—Archbishop Giovanni Bonzano, papal delegate to the United States, arrived here today on the liner Koenig Albert. He was welcomed by Cardinal Farley, Archbishop Pradergast, Judge Victor Dowling and other prominent members of the clergy and laity of the church.

Archbishop Bonzano will remain for a few days as a guest at the home of Cardinal Farley. The delegate declared that Cardinal Falconio is enthusiastic over the future of the Roman Catholic church in the United States.

## THOSE IN STEERAGE NOT TOLD

[UNITED PRESS LEASED WIRE.]

New York, May 3.—That the steerage passengers aboard the Titanic knew nothing of the accident which had befallen the vessel until a torrent of water started rushing into their quarters, was the testimony given to Senator William Alden Smith, chairman of the Titanic investigation committee, here today, by Daniel Buckley, aged 21 years, of County Cork, Ireland, a steerage passenger. One of the stewards, he said, warned the passengers in the steerage that they had better hurry to the upper decks unless they wanted to drown. Buckley said:

"I rushed upstairs, but found no life preservers and started back down, but found that the water had reached up to the third step, leading from the steerage quarters, and was coming up fast. I saw a steward trying to lock a gate which would bar us from the first and second class decks. A man tried to stop the steward but was knocked down. Then we all rushed and broke down the gate."

"I went on deck and saw five boats launched from the starboard side. A sixth boat was ready and some men got in it as there were only a few women about. They were ordered out by an officer. A woman whom I afterwards learned was Mrs. John Jacob Astor threw a shawl over me and I stayed in the bottom of the boat."

## W. R. FOOTE TELLS WHY HE KILLED CHARLES WILCOX

Marshfield, Ore., May 3.—W. R. Foote, the aged rancher charged with murder, yesterday took the witness stand in his own behalf in the circuit court of Coquille, and told the story of why he killed Charles Wilcox. The defense made by the attorneys was that Foote's physical condition was such that any excitement put him in a mental condition such that he could not control his actions.

Foote is the father of a large family. He told of learning that Wilcox had wronged his oldest daughter, and sought to wrong another daughter. Foote was so wrought up and excited, he says, that he was unable to control himself when he killed Wilcox. The daughters also testified.

The closing speeches will be concluded sometime tomorrow, when the case will go to the jury.

## SCHMITZ MAY DIE BUT NEVER BE TRIED

San Francisco, May 3.—The hearing in regard to the indictments still pending against former Mayor Eugene Schmitz, which has been continued from time to time during the past few months, was again continued today to Wednesday May 8.

## INSTITUTIONS ARE DIVIDED AMONGST THEM

For the purpose of looking more satisfactorily after the needs of the several institutions of the state, informal apportionment has been made among the members of the state boards.

According to the plan, State Treasurer Kay will have charge of the People's Mindful Institute. Secretary of State Olcott will look after the reform school and deaf-mute school. Governor West, under the law has absolute charge of the penitentiary, and all three members of the state board will look after the asylum. The blind school will probably be allotted to Superintendent of Public Instruction Alderman.

## Los Angeles, May 3.—Emma Goldman, prominent in scores of radical movements, addressed several hundred Industrial Work- ers of the World and their friends at L. W. W. headquarters here today. Declaring her open advocacy of "free speech," Miss Goldman endorsed the campaign the organization is waging in San Diego, and intimated that she may visit that city to aid personally in the fight.

The proposed departure for San Diego of 200 recruits, which was scheduled for tonight, was postponed until tomorrow or Monday.

## Killed by an Auto.

San Jose, Cal., May 3.—Eugene Barre, aged 30, executive agent of the Peninsular Railway, who was run over by an electric automobile driven by Mrs. J. H. Pierce, wife of the president of the Pacific Manufacturing company, of Santa Clara, died here this afternoon in a hospital.

It is probable that the relatives of Barre will bring suit. The Pacific Manufacturing company supplied most of the mill work for San Francisco during the reconstruction period following the earthquake and fire of April, 1906. The Pierces are wealthy.

## ANOTHER RAILROAD FOR SALEM

[UNITED PRESS LEASED WIRE.]

Construction Work on the Line to Fir Began Near the Penitentiary This Morning and Will be Rushed.

## TO INCREASE FORCE SOON

Considerable Bridge Timber Already Assembled and Arrangements Being Made for Beginning Grading—Pile Driver Unloaded This Morning

Road is One of a Big Network of Interurban Roads to Connect Up the Valley Towns.

Construction work on the Fir branch of the Southern Pacific railroad began yesterday at a point immediately south of the state penitentiary grounds. Several men were at work at that point unloading a pile driver and bridge material to be used in the construction of the road. The Oregon Pile-driving Co., of which Roy Roy is manager, has the contract for building the bridges on the line, of which there are six between Salem and the place of connection with the Woodburn-Springfield branch of the Southern Pacific, at a point near Pratum. Edward Keith is in charge of the crew now at work, and will rush the construction of the bridges at the greatest possible speed. Within a day or two the crew will be largely increased.

(Continued on page five.)

## Baseball

Tomorrow  
Multnomah Athletic Club of  
Portland  
vs.  
Willamette University  
4 p. m. Willamette Field  
Admission 25c.

## ANOTHER FINE BLOCK FOR SALEM

SHOPLIFTERS CAUGHT AT  
WORK IN COTTAGE GROVE

Cottage Grove, Ore., May 3.—Two shoplifters, women, who, the authorities say, kept a ledger account of every article, were caught here, and it is thought a stop has been put to the reign of petty thievery that has been worrying the merchants of this and nearby cities for a month. The women are well known here. The arrest was made just as they were about to take the train for their homes up the Row river. They had a suitcase full of goods, and acknowledged having more goods at home. Some of it has since been recovered. The names of all articles in the ledger are spelled backwards and includes petticoats, jewelry, baseballs, pipes, plumes, knives, caps, shoes, waists, stockings and medicine. One of the women is married and the other is a daughter of a well-to-do citizen.

As they were not booked on the charge, their names were withheld.

Old Negroes Cremated.

[UNITED PRESS LEASED WIRE.]

San Jose, Cal., May 3.—Mr. and Mrs. Robert Porter, an aged negro couple, were burned to death in their home here early today.

## REGENTS OF COLLEGES TO TALK IT OVER

Definite announcement is made that a three-story building will be built on the vacant lot just south of the Grand theatre building. The property is owned by the Odd Fellows, and the building to be constructed there will be occupied entirely by George Bros. The entire lower floor will be used as a restaurant, grill and lunch counter, which will be up-to-date in every respect. The two upper floors will be used for rooming house purposes. There will be one large room conveniently situated on the second floor for a parlor or reception room, with about 40 other rooms, each of which is to be supplied with hot and cold water, as well as to be well lighted and ventilated. The entire building is to be heated by steam. The building will be 42x100, two stories and full basement, and will cost about \$15,000 to build, exclusive of the furnishings. It is stated that the reason for building is the fact that the taxes are so high that the property must be made to produce an income.

May 9 will probably be fixed as the date for holding in the city a joint session between the boards of regents of the Oregon University and the Oregon Agriculture College.

This session was suggested by the governor for the purpose of bringing the governing bodies of the two institutions together and bring about a discussion of their needs and an adjustment of their differences.

The board of regents at the Oregon University will hold a meeting May 8, and the joint session will probably be held on the day after.

Seaside is to have a \$10,000 amusement park.

## FLOODS THREATEN NEW ORLEANS WHOLE CITY AT WORK ON THE LEVEES

## BATON ROUGE IS IN DANGER 4,000 SQUARE MILES FLOODED 200,000 ARE LEFT HOMELESS

New Orleans, La., May 3.—Thousands of male residents of New Orleans this afternoon are fighting desperately in an effort to save the city from the flood water of the Mississippi river. Although many are engaged in strengthening the dykes with sandbags and others repairing breaks as rapidly as reported, the water late this afternoon is lapping over the levee at the foot of Esplanade avenue, in the heart of the fashionable residence district, and also at Canal street the city's chief business thoroughfare. It is believed, however, that the flood fighters will have the situation under control before night.

Reports from Baton Rouge, the state's capital, say the situation there is desperate. The water is pouring in torrents over the levee at such a rate as to threaten the city with destruction. Already more than 4000 square miles of land is under water, and in the surrounding territory more than 200,000 homeless persons are fleeing to higher ground.

The convict farm at Angola, a few miles from Baton Rouge, is under 10 feet of water, despite the game but hopeless fight the convicts made against the flood. About 1500 convicts at the institution, could easily have escaped in the confusion last night, but none tried.

Another Levee Breaks.

Bayou Sara, La., May 3.—The levee here broke at noon and water pouring through a 100-foot gap is rapidly spreading in all directions. Already most of the streets of the city are inundated. All male residents are fighting desperately to prevent further breaks.

## A LESSON IN BUILDING GOOD ROADS

[UNITED PRESS LEASED WIRE.]

Mr. J. A. Looney, of Route 9, Salem, Oregon, has just returned from a three-months' trip in the south. Mr. Looney was one of the main movers in the fight for good roads in road district No. —, north of Salem, where he lives. The people down that way have always had one of the roughest roads in the country and at the last road meeting which they held in January, they decided to vote a tax which would build them the best road in the county. This was accomplished by a three-mill special tax and the three-mill regular tax, making a six-mill road tax. With this tax a five-six-inch macadamized road, 14 feet wide, has been built a distance of about two miles. Great credit should be given to every resident of this district for their enterprise, and especially to their road supervisor, Mr. F. O. Johnson. He has built a stretch of road that would be a credit to any engineer and will do more to enhance property values along the Chemawa road leading north from the fairgrounds, than almost anything else.

This shows in a striking manner how good roads can be built by the people directly interested, without a bond issue or any other kind of indebtedness. Mr. Looney says he is more than pleased with the way their money has been expended, and that he believes everybody else in the district is satisfied. Mr. Looney says it is now up to Salem to fix the fair grounds road from the city limits south to Capitol street, one of the worst pieces of road in the country.

## TO ESTABLISH A CREMATORY AT THE ASYLUM

When the next legislature convenes there will probably be submitted to it a bill providing for the establishment of a crematory at the asylum, as the present asylum graveyard is rapidly filling up with the dead from that institution, and it will only be a matter of time if the practice of burying the dead is continued until additional ground will be needed.

There now reposes in the graveyard about 1500 inmates and this list is being added at the rate of about 150 a year. This means that the cemetery will soon be full, and that additional ground must be had. As the land is valuable, and a crematory is, in many ways, better, the legislature will be asked to provide one.

In the event this is done the bodies will be exhumed and cremated. Should it not, then they will probably be exhumed, and a graveyard started at the asylum farm.

## WILL MAKE SLOW TRIP TO CALIFORNIA

Harry Lewis, for the past four months a resident of Salem coming here from the East, left yesterday for San Diego, Cal., by train. Ever since his arrival here he has been greatly pleased with Salem, which he regrettably leaves, but not with intention of remaining away. His trip to the south will be made leisurely, and with the intention of returning about a year from now. He has had a wagon equipped with cover and fitted out with every convenience possible to carry on such a trip having a cooking outfit, bedding and the necessary provisions. He has also provided fishing and hunting licenses, as well as all the needed outfit therefor, and says that he will see all the sights to be seen, and will make the trip alone.

## "JENNIE FAIR" IS OUT OF DANGER

New York, May 3.—Mrs. William K. Vanderbilt Jr., who was Virginia Fair, of San Francisco, was today officially reported to be out of danger, following an operation for appendicitis.

Mrs. Vanderbilt was stricken on Monday night, and the operation was performed on Wednesday. Today Dr. Flint and Russell, her physicians, issued a bulletin declaring that all danger is past.

## More Levees Break.

New Orleans, May 3.—Eight persons met death this afternoon at Nacoguesha, 20 miles above Baton Rouge when the levee there broke, sweeping everything before it. Sugar plantations covering hundreds of acres are inundated and the loss from this source will run into the thousands. The property damage at Point Coupe, West Baton Rouge, Iberville and other parishes to the south, where several thousand persons are homeless, is also heavy.

## TACOMA SOLID FOR ROOSEVELT

[UNITED PRESS LEASED WIRE.]

Tacoma, Wash., May 3.—Complete returns from all precincts in Tacoma show that the people favored Roosevelt over Taft nearly four to one. Roosevelt men say they have nominated delegates to the county convention in practically every precinct and expect to win out over the reactionaries. Old time ring caucus methods were vainly attempted by Taft men.

## Election Expenses.

Statements of expenses in the primary election held on April 19, 1912, were filed in the clerk's office today as follows: A. F. Shimer, candidate for constable of Silverton district on the Republican ticket, nothing; Ira Hamilton, candidate for sheriff on the Republican ticket, \$348.60; B. F. West, candidate for assessor on the Republican ticket, \$91.70.

The law requires that a statement of expenses must be filed within 15 days after the election, which makes tomorrow the last day on which statements can be filed.

## DOPE FIEND WOULD HOLD UP THE BANK

Tacoma, Wash., May 3.—An attempted robbery of the National Bank of Commerce here today at 10:30 today by Tom O'Malley, unarmed and a dope fiend, according to the police, threw Pacific avenue into an uproar.

O'Malley walked up to Paying Teller A. M. Fraser, stuck his hand into his pocket threateningly and said: "You know what I want."

Before Fraser could reply, Mike Morris, contractor stepped up, unfolding a wad of fists. O'Malley, diverted, made a grab for it, and Morris started after him. The dope fiend fled. In a minute 100 men were in the pursuit. H. F. Alexander, a local steamship man, grabbed him, and, with the help of three other men, overpowered him.

It was discovered that O'Malley was unarmed. He carried a stick of wood to his pocket to frighten the bank men.

"I guess I tried to hold up the bank," said O'Malley at the police station. "I needed a drink and didn't have any money, and could not get any."

## WANTS THE WATERS OF THE METOLUIS RIVER

An application was submitted today by C. W. Allen for the appropriation of the waters of the Metoluis river, which rises at the foot of Black Butte, an extinct volcano standing 3,500 feet in height.

In the plans forwarded to the engineer, Allen indicates that he will convey the water in a canal seven miles long. Two and one-half miles will be a tunnel through a divide. It is proposed to irrigate 50,000 acres of land with the water.

## ENGLAND STARTS INQUIRY INTO TITANIC DISASTER

London, May 3.—When the British court of inquiry resumed today its investigation into the Titanic disaster, Lord Mersey, who is presiding, granted the demand of the Seafarers union for representation at the hearing. Attorney General Isaacs then formally opened the case, presenting all the known facts to the court.

The first witness today was Archie Jewell, lookout on the Titanic, who testified that he saw no icebergs up to 10 o'clock Sunday night, at which time he was relieved.