

THE BEST NEWSPAPER

The Daily Capital Journal

THE LARGEST CIRCULATION

THIRTY-SIXTH YEAR.

SALEM, OREGON, TUESDAY, JULY 8, 1913.

PRICE, TWO CENTS. ON TRAINS AND NEWS STANDS, FIVE CENTS.

REST OF JUDGMENT IN BRISTOW CASE IS SOUGHT BY ATTORNEY

Claim is Made That There is Flaw in Proceedings in Larceny Case.

HE MAY GET TEN YEARS

Bristow Said to Have Three Prison Terms and May Not Get an Indeterminate Term.

The jury in the case of State vs. Frank Bristow, brought in a verdict of guilty of larceny last evening, but his attorney, Guy Smith, this afternoon filed a motion for an order of arrest on the grounds that there were not sufficient facts included in the indictment to constitute a cause of action.

This is a parallel case to that of Orrin A. Young, who is now serving a term in the penitentiary for the same offense. Bristow was indicted on the charge of larceny from an office, the maximum penalty for which is from one to seven years in the penitentiary. The jury, however, brought in a verdict in which the defendant is charged with grand larceny, which charge carries with it a penalty from one to ten years in the penitentiary.

It is reported that Bristow has served three terms in penal institutions, and on this reason Judge Kelly will be unable to grant him the benefit of the indeterminate sentence and is now confined to give the defendant the maximum, which is ten years straight.

The petition for the arrest of judgment will be taken up some time this evening by Judge Kelly.

Testimony in Case. The first witness to be called was Daniel Webster, the local justice of the peace who conducted Bristow's preliminary hearing. Judge Webster testified that the defendant, upon appearing in justice court, asked to be permitted to plead guilty to the charge of petty larceny, but was refused. Judge Webster was asked by Attorney Smith, counsel for Bristow, whether or not he had not asked to be advised as to whether he would be permitted to plead guilty to a less serious charge than was contained in the complaint filed against him. The justice could not remember.

Day Officer Welch, who arrested Bristow, was called to the stand. Officer Welch related how he followed the defendant from the Stevens building to 14th and Oak streets where he arrested him and took possession of several articles which the defendant had on his person. Attorney Smith offered many objections during Officer Welch's testimony, but further than this he made no special effort to cross examine or contest the testimony.

Mrs. J. W. Harritt, the victim of the robbery, took the stand and identified the articles which the officers took from Bristow, but she was not asked whether the state's representative, Clifton Baker, or Attorney Smith to testify to anything further.

NEARLY \$2,000,000 PAID OUT IN 6 MONTHS

State Treasurer Kay today issued his annual statement showing disbursements of all funds for the six months ending June 30, to be \$1,976,294.44, and balance on hand to be \$1,128,128.13. The balance on hand at the beginning of the period was \$1,457,487.75. The receipts totaled \$1,754,177.75. The disbursements from the general fund totaled \$1,408,695.27, and the balance on hand June 30, was \$533,605.19. The balance January 1 was \$1,072,612. The receipts totaled \$869,687.43.

FATHER DECLINES TO AID BOY WHO IS JAILED

Portland, Or., July 8.—I've done all I could for the boy, but he has gone opposite to everything I advised. Now he can take his medicine and lie in jail while he lives.

This was the message sent from McMinnville, Or., by the father of 16-year-old Clifton Van Orsdal, who faced Grand Jurors Commissioner A. M. Cannon on a charge of rifling lock boxes in McMinnville postoffice. Young Van Orsdal was remanded to jail under \$500 bonds to await the action of the federal grand jury which convenes in October.

Fall from Rocky Ledge Kills Boy

Clifton Baker Slips on Mossy Height and Body is Crushed on Rocks 150 Feet Below.

Everett, Wash., July 8.—Clifton Baker, aged 21 years, of Index, is dead here today, as the result of falling 150 feet from a rocky ledge above Lake Isabel, where he was spending a week-end vacation with a party of friends. Baker fell while trying to find a way down the ledge. He slipped on the wet moss, catapulted over the edge of the bluff and landed on the rocks far below. Miss Hazel Doolittle, who was with him, clambered down the same bluff, and remained with the body until men came to carry it out.

THIRTEEN OPINIONS FILED BY HIGH COURT

The supreme court handed down thirteen opinions this morning, as follows: Yuen Sney, plaintiff and respondent vs. A. Foshman, defendant and appellant. Appeal from Multnomah county. Affirmed.

Old Mill Ditch & Irrigation Co., appellant vs. Barbara E. Estel, from Jackson county. Suit to quiet title; judgment modified.

Same plaintiff, appellant vs. William Breeding, suit to quiet title. Judgment modified.

Elers Music House, appellant vs. M. Reine, appeal from Multnomah county; suit on accounting, reversed.

E. A. Durkin, appellant, vs. Eugene S. Ward, from Lincoln county, suit to quiet title; reversed.

Chas. Clough, appellant, vs. V. J. Dawson, Multnomah; motion to dismiss appeal, denied.

Ernest M. Miller, appellant, vs. Daisy E. Miller, Multnomah; divorce, petition for rehearing, denied.

Linn and Lane Tumber Co., appellants, vs. county of Linn, and sheriff thereof, from Linn, to restrain sheriff from collecting special road tax; lower court held tax legal and property levied; reversed.

Elizabeth Kelly, respondent, vs. Lewis Investment Co., appellant, to recover damages for personal injuries, affirmed.

Charles Clough and wife, respondents, vs. V. J. Dawson, wife and others, appellants; Multnomah. Motion to dismiss appeal; denied.

I. D. Lane, respondent, vs. G. K. Wentworth, defendant and appellant, H. C. Mahon, defendant. Motion to dismiss appeal, overruled.

Ary Ingerman, respondent, vs. Chapman Timber Co., appellant; Multnomah, reversed.

Chas. G. Benson, plaintiff and respondent, vs. C. C. Morton, defendant and appellant; Multnomah; reversed and remanded.

State of Oregon, plaintiff and respondent, vs. John B. Goddard, defendant and appellant; Multnomah; motion to dismiss appeal, overruled.

GOOD ENOUGH BID IF EXPENSES ARE NOT HIGH

Farrison & Son, of Chicago, presented the only bid for the Salem bonds at the meeting of the city council last night. The bid was \$376,511 for \$376,500 of bonds, a little over par. It was provided in the bid, however, that the city should pay the expenses of preparing the bonds and for legal advice necessary. The bill was referred to the committee on accounts and current expenses, the mayor and city attorney.

The principal objection to the bid is that it is indefinite as to the amount to be asked by the firm for expenses. The charge practically amounts to a commission for acting as fiscal agent.

Morris Bros., of Portland, asked to be permitted to act as fiscal agent, in case the bonds are not sold to any bidder at this time.

ATTACKS SENATOR'S RELATIVE

Washington, July 8.—Several negroes were arrested today on suspicion of having committed a daring assault yesterday upon Mrs. May Jorgensen, sister-in-law to United States Senator Miles Poindexter, of Washington. Mrs. Jorgensen is completely unharmed, and as yet has been unable to identify the prisoners. Mrs. Jorgensen was walking near Senator Poindexter's home, in a fashionable section of the city, when she was seized roughly by a negro.

WAR DECLARED AT THE DALLES AND GOVERNOR SENDS IN AMMUNITION

West Sides With Mayor in Fight and Will Have Special Agents.

REDHOT TELEGRAM SENT

Council Rapped for Sliding With "Cohorts of Booze and Prostitution" in West's Misrule.

The Dalles is having a genuine war between the newly-elected mayor, Dr. J. E. Anderson, and the city council. It is a follow-up of the recent misrule war there, when Governor West took a hand and cleaned out the redlight district. There seems to be a wide difference of opinion as to how the city should be managed, and the council locking horns with the mayor refuses to approve or confirm the mayor's appointments of the police force. According to the charter of The Dalles, the council must confirm the mayor's appointments, but it refuses to do so. The mayor has therefore ordered his newly-appointed policemen to assume their duties and the old policemen to surrender their stars. This the old policemen refuse to do, and the mayor has ordered the new officers to arrest the old officers for carrying concealed weapons. The old officers declare they will remain on duty until their successors are confirmed by the council, and so there is a genuine condition of war.

Mayor to Have Specials. This morning the matter being called to the attention of the governor, he promptly took a hand to help the mayor out and it looks as though he had the winning cards, and all trumps. This morning he sent the following dispatch to Mayor Anderson and it will be seen that this materially strengthens the mayor's hands, as it gives him a police force whose authority cannot be questioned, and permits him to run the city without any local police if that becomes necessary. The governor's dispatch is as follows:

"Mayor J. E. Anderson, The Dalles, Or. "In view of the fact that certain members of your old police force, by failing in the past to perform the sworn duties of their office, thereby laying themselves open to prosecution under the laws of this state, and the further fact that your council has refused to confirm your new police appointments, undoubtedly for the purpose of further aiding the cohorts of booze and prostitution, please be advised that this office stands ready, not only to name your appointees as special agents, but to render you promptly any and every assistance which you may request in your fight in behalf of the home and fireside and against organized vice and its sympathizers.

OSWALD WEST, "Governor."

STREET CAR RUNS AMUCK IN VANCOUVER

Vancouver, B. C., July 8.—Traveling down Commercial Drive at a speed estimated by witnesses as between 40 and 50 miles per hour, an interurban car on the Burnaby Lake line jumped the track at the corner of Venable street, crashed into a building standing on the north side, demolishing the front, and smashing every glass in the structure. Conductor John C. Phillips on the rear platform and Mrs. D. F. Smith, a passenger, were injured, the former sustaining a broken arm and a wrenched spine, while the latter was badly shaken up and bruised.

Motorman F. J. Allan was arrested on suspicion of having been drunk at the time. An empty whisky bottle was found in the front vestibule.

TRANSIENT PROPERTY TAX COLLECTION MADE

County Assessor West today made the first turn-over to County Treasurer Moore of money collected on transient property. Under the act passed by the last legislature, the county assessor is named as the one to assess and collect taxes on all transient goods or property and today \$70 was turned over. The act also provides that any property which has been assessed in the county can be collected upon, even if the owner thereof is moving out of the county.

According to Assessor West, the books in his office are in a very muddled state, and that it is taking the efforts of all his deputies to correctly ascertain the taxable and non-taxable lands in the various districts. Roads and school districts are confused with city property, and West declares that it will require many months of hard labor to straighten out the tangle.

Salem Man Hurt In Car Collision

Charles Keyes Sustains Fracture of Two Ribs and is Taken to San Francisco Hospital.

San Francisco, July 8.—Charles Keyes, a visitor from Salem, Ore., suffered the fracture of two ribs here today when he was thrown from a hotel bus as the result of a collision between the coach and a street car. He was taken to the Central Emergency hospital.

TWO ARRAIGNED FOR OBSTRUCTING TRACKS

Walter and T. H. Hadley and E. C. McLoughlin, who were indicted on the charge of placing an obstruction on a railroad track belonging to the Silver Falls Lumber company, were arraigned before Judge Kelly this afternoon. Upon the recommendation of Deputy District Attorney Keyes, the court allowed the defendant until next Friday at 1 o'clock in which to plead.

This is a case wherein the litigants are accused of falling trees on a logging railroad owned by the Silver Falls Lumber company. At the time Sheriff Eech made the arrest of the three timbermen, there was much feeling between the different loggers and timber owners in and around Silverton.

Charles R. Briggs, who was indicted on the charge of violating a criminal statute, was arraigned before the court. Represented by his attorney, Guy Smith, Briggs pleaded not guilty and his trial will be set at a later date.

WHY?

Councilman Gideon Stolz has ignored the Capital Journal's expose last evening of the method of improving a portion of Mission street, and the odd circumstances surrounding the proposition. The article has excited widespread comment, and the opinion prevails, especially among the councilmen's old neighbors, that he should offer some explanation. The Capital Journal has given facts, and it is up to Stolz to defend himself. Why does he offer no word of explanation?

TIES UP HIS NAGS AND WALKS 50 MILES

Goldenale, Wash., July 8.—William Mather is under arrest here today as an insane person, following his arrival at home after a 50-mile walk. Mather, who lives on the Little Klickitat, three miles from here, went to Toppenish last week, and on the way home unhitched his horses, and, tying one to the fence and the other to the rear of the wagon, he traveled the rest of the way on foot.

AGED WOMAN HEADS PARADE

Erie, Pa., July 8.—Mrs. Eliza Warner, aged 103 years, rode in an automobile today at the head of 12,000 children celebrating Commodore Oliver Hazard Perry's victory. Mrs. Warner is the only living person who saw Perry enter Erie 100 years ago to superintend the construction of his fleet.

NINE LIVING GRANDPARENTS

Seattle, Wash., July 8.—When Miss Dorota Park, of this city, celebrated her second birthday here Monday, she received presents from nine living grandmothers. All of her many grandmothers, grandpas and great-grandparents live in Washington but two, Mr. and Mrs. William Page, of Dubuque, Iowa.

The Weather

The Dickey Bird says: Oregon: Fair tonight and Wednesday; north to east winds.

TURKEY DECIDES TO REOCCUPY TERRITORY TAKEN BY ENEMIES

New Complication is Result of War Between Greece and Bulgaria.

IT MEANS BIG FIGHT

Turkey Will Invade Territory and is Preparing to Move Immediately, It is Announced.

Constantinople, July 8.—The porte this afternoon decided to re-occupy the territory the allies took from Turkey as a result of the London peace treaty.

This means that Turkey will fight and invade this territory. The porte is preparing to move immediately.

BOY IS MISSING AND JUDGE DISMISSES CASE

Stealing a march, as it were, on Samuel H. Schooley, E. S. Lipp, who was the defendant in a habeas corpus proceedings in the county court yesterday wherein Schooley, as petitioner for the writ, sought to force the defendant to appear in court with one Russell Schooley and show cause for detaining him at his farm north of Salem, was allowed an order dismissing the case by County Judge Bashey on the grounds that the lad in question is not in the state at the present time.

The petitioner, Schooley, alleged that Lipp invited his 9-year-old boy to the latter's farm to spend a short time and then forcibly detained the youngster from returning home, and in the petition filed in the county court it was asked that a writ of habeas corpus be issued compelling Lipp to appear and show cause for the detention of the child.

In the meantime, however, Lipp had shipped the boy to Portland and thence to Seattle where his mother met him and where he is now living. In view of the fact the lad is out of the state, Judge Bashey dismissed the case.

FLECK OF HOT ASHES CAUSES HOTEL SCENE

Oakland, Cal., July 8.—The fleck of hot ash from a burning cigarette, held in the hand of Miss Eloise Stevenson, of Wichita, Kan., caused a mild sensation today in the tea room of a fashionable hotel here.

The ash lighted between the shoe and sock of C. L. Horton, member of a well known family of Portland, Or.

The burning ashes sent Horton hopping across the floor of the room, howling in pain. When Horton limped back to his table, Miss Stevenson was indignant because of the attention he had attracted.

CHAUTAUQUA COMES TO CLOSE TONIGHT

This is the final day of the Chautauqua. This morning at 9 o'clock with the Seton Indians had a grand powwow around the totem pole. This was followed by Indian story telling by Miss Alexander. Miss Alexander secured quite a hit with the young folk of the town with her many stories.

The main feature of the day was centered in the lecture by Dr. Gordon Ware who spoke on "Who's Got the Button?" Dr. Ware bears an international reputation and carried great weight with his audience. His afternoon lecture was "Hunting in Packs."

Tonight at 7:30 the long looked for appearance of Benjamin Chapin, the masterpiece of the Chautauqua and lyceum platform, will take place with his perfect imitation or characterization of "Abraham Lincoln."

The Chautauqua has been a great success in every way. The programs have been interesting and instructive and already plans are being discussed for a Chautauqua next year.

DIRECTS SURGEONS IN REMOVING APPENDIX

Spokane, Wash., July 8.—Dr. John R. Sinks, of this city, who watched his brother surgeons and gave them directions while they removed his appendix, is reported well on the way to recovery today.

Local anesthetic was used and the only expression of pain by the patient was when he asked one of the nurses not to bear so heavy on his left shin. After the operation he said that he was confident that in the near future local anesthetic could be used in all abdominal operations.

Seven Children Born in 4 Years

Arrival of Triplets Once and Twins Twice Makes Great Northern Section Man Proud.

Everett, Wash., July 8.—Julius Steffanson, section hand on the Great Northern railroad at Silvana, Wash., came here today to spread the good news that he was the father of triplets. "But that isn't the best of it," said Julius. "We have had seven children come to us in four years, twin twice and triplets once. I feel kind of proud of it so please put it in the paper," he said to a local newspaper man.

DRASTIC ANTI-SPEED ORDINANCE IS READ

Turner Would Curb Speeders by Giving Jail Sentence Without Option of Fine Payment.

An ordinance providing for penalties for speeding was introduced by Councilman Turner last night at the council meeting. Physicians are exempted but must carry a red cross on the motor vehicle. A penalty of not less than five days nor more than 30 days is provided.

Turner wanted it placed on final passage. It was finally voted to refer it to the ordinance committee.

An ordinance closing the deal for the Meredith property on Seventeenth St. was passed.

Matron Loses Her Job. An ordinance abolishing the office of police matron was passed, 9 to 5. Ayes, Brown, Constable, Hatch, Siegmund, Skaffe, Southwick, Stoltz, Turner and Waring. Nays, Cummings, Jones, Min-ton, Rigdon and Macy.

Mayor Steeves will veto it. It will require 10 votes to pass it over his veto.

A proposition calling for a change of grade on North Liberty street was favorably reported.

An ordinance calling for a change of grade on Front street as asked by the Oregon Electric Railway Company was favorably reported.

The street committee reported favorably on the payment of an estimate on North High street to the Montague-O'Reilly company. A similar report was made regarding Summer street work. Stolz explained that the payments were not final.

Final payment on 23rd street improvement to W. D. Pugh was recommended.

Sidewalk Discussion. Stolz argued in favor of making a citizen, E. O. Moll rebuild a sidewalk which had been improperly constructed. He asserted it was dangerous.

Constable wanted to find out who was responsible for the location of the walk as it stands.

Moll claimed that Homer Smith, former owner, had been ordered by the city to put the walk down to the grade as it now appears.

Cummings told of owning a lot next to Moll's. He wanted to build a sidewalk but disliked to have the grade not jibe.

Jones said it had been taken up with the council and city attorney and he believed the owner should be compelled to fix the walk.

The matter was referred to the street committee.

More Time Asked. The fire and water committee asked for more time to consider the Fairmount cistern matter.

An unfavorable report was made on the petition of the Salem Flouring Mills for a modification of plans for Division street improvement.

A report was made in regard to the grades of the Oregon & California railroad that the track was off grade all along from Marion street to the fair grounds. The committee is without power to make the company get down to grade except at Market and D street crossings it was stated. It was recommended that a compromise calling for an 18-inch lowering of the tracks be made.

Rigdon thought it unwise to send to the railroad company the compromise proposition. Hatch said the water would be up to the rails if the track were lowered to grade.

Macy roared the S. P. and said it had treated Salem people like a "cur dog" and the Hill line came here. Stolz thought it should go back to the committee. He thought the railroad company should have a chance to get its trains in and out of the city. The report was re-referred with instructions to eliminate the compromise proposition.

A special committee consisting of Skaffe reported on a fill on 15th street and recommended that it be done as originally planned.

The city engineer reported something over \$8000 in a progress estimate on Marion street. Stolz as chairman of the street committee, endorsed it. He expects to have it done.

(Continued on page 5.)

IMPERSONATED SOLONS IN ORDER TO UNCOVER ALLEGED CONSPIRACY

Lobbyist Lamar Explains Why He Pretended to Be Congressman.

TO GET THEM IN OPEN

Says That They Fell Into Trap and He Got What He Wanted From Them in His Conversation.

Washington, July 8.—Lobbyist Lamar was a witness before the senate investigating committee today.

In opening his statement, Lamar said he was satisfied to leave his fate in the hands of Chairman Overman and Senators Nelson and Cummins. "As far as Senators Reed and Walsh are concerned," he started to say, but was interrupted by Senator Overman, who quickly quashed any attempt to stir up feeling among the members of the committee.

"Hold on!" Overman ordered. "We will have none of this. If you want to make a statement we will hear it, but we will not permit any personalities." Lamar then reiterated that he had planned the impersonation of Congressman Borden, of New York, and Palmer, of Pennsylvania, in order to uncover what he called a conspiracy against his friend, Edward Lauterbach.

To Bring Them Into Open. "It was a Wall street plan," Lamar continued, "designed to bring Lewis Cass Ledyard and his associates out into the open. They have ruined many men before now, and I wanted to get them. It was a game of duplicity on their part, as well as mine. I wanted to give them a dead open and shut case, so they would have to come into the open, so I used Lauterbach's name. I wanted to give them prepared evidence that Lauterbach had lied. They fell into the trap. It was an open game, and I got what I wanted."

"I felt certain that Ledyard knew it was Lamar who was talking and not Palmer. My ear had become so attuned that I could hear him putting branch telephone lines on. I called for Ledyard and offered him the entire national government in partnership with Morgan & Co., except the president. I knew my man, and I knew his nature. Then I went to Lauterbach and sent him to Ledyard because I knew Ledyard would think he had Lauterbach in a lie."

Told Wife and Another. Lamar was subjected to a rigid cross examination by Senators Walsh and Reed, Walsh in particular baiting the witness fiercely. Lamar admitted that his original testimony did not allude directly to Senator Stone, of Missouri, or Speaker Clark in connection with Lauterbach's visit to Ledyard. He said he had told his wife and Lauterbach about his impersonations before appearing before the committee.

Sensor Reed got Lamar to discuss public questions. The witness said it was wrong for any congressman to be influenced "by anything outside his duty."

"Entertaining these views, however," Senator Reed demanded, "you did not hesitate to make it appear that Senator Stone and Speaker Clark, whom you did not know, were willing to enter into a damnable and outrageous deal with Morgan & Co., did you not?"

Makes Evasive Defense. Lamar admitted that this was so, but made an elaborate defense of his action, saying that his impersonations were only a part of the "usual Wall street game." He insisted that he was actuated by the highest public motives, and that the plan was two-fold—to reinstaute Lauterbach as Morgan's attorney, and to force a general reform of Wall street methods. Lamar insisted emphatically that for nine years he had devoted his private fortune to remedy the wrongs inflicted by Wall street.

"I wanted to bring the Standard Oil Co. the American Tobacco Co. and the steel trust into the open," Lamar declared. "I did not plan to injure any public men, but I wanted to produce an explosion, and I make no defense for what I did. It is with the deepest and most infinite regret that I now realize that some public men have been temporarily besmirched, and I humbly apologize for it."

BUD ANDERSON IS IN DANGEROUS CONDITION

Santa Monica, Cal., July 8.—Suffering from an inflamed kidney, complicated with intestinal trouble, Bud Anderson, the Medford, Ore., boxer, was taken to a hospital here today. Dr. Byron Palmer, who is attending him, declared his condition, while not necessarily critical, is dangerous. He admits that the condition may be due to his fight on July 4th with Leach Cross.

(UNITED PRESS LEARNED WIRE.)

Santa Monica, Cal., July 8.—Suffering from an inflamed kidney, complicated with intestinal trouble, Bud Anderson, the Medford, Ore., boxer, was taken to a hospital here today. Dr. Byron Palmer, who is attending him, declared his condition, while not necessarily critical, is dangerous. He admits that the condition may be due to his fight on July 4th with Leach Cross.

(UNITED PRESS LEARNED WIRE.)

Santa Monica, Cal., July 8.—Suffering from an inflamed kidney, complicated with intestinal trouble, Bud Anderson, the Medford, Ore., boxer, was taken to a hospital here today. Dr. Byron Palmer, who is attending him, declared his condition, while not necessarily critical, is dangerous. He admits that the condition may be due to his fight on July 4th with Leach Cross.