

THE BEST NEWSPAPER

The Daily Capital Journal

THE LARGEST CIRCULATION

SEVENTY-SIXTH YEAR.

SALEM, OREGON, SATURDAY, AUGUST 9, 1913.

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

IMPRESSION FROM FINGER HANDS USELESS

Smeared to Furnish Clue Murderer of Three Japanese Here.

WIFE'S HOME BROKEN INTO DURING NIGHT

Smuggled Evidence Was Taken from Basement and Carried Somewhere.

Complaint charging murder in the first degree was filed in Justice Webster's court this afternoon against Koda, F. Nakamura and O. Sura, by Deputy District Attorney James Heltzel, and hearing will probably be held this afternoon or next day morning. The defendants are accused in the complaint of having been directly implicated in the murder of Koda, another man and former's baby boy last Sunday evening.

After making a thorough investigation with a powerful glass and all the necessary to bring out the lines and impressions of the prints which were found on the steps of the stair-way that bore the finger marks of some person found in the murder of the three Japanese Thursday, Tom R. Wilson, who has charge of the Bertillon department at the Oregon penitentiary, failed to discover any tangible marks on which to work intelligently. Close examination shows that the person hurriedly grasped the railing while running around the corner part of the building leading to the door, but owing to the fact that the impressions are in the form of a smudge it is impossible for the finger print expert to discern one single outline of any of the marks.

Was Fine Glow. Wilson stated, after making the prints that had the marks on the piece of clothing come out so that a fair degree of them could have been photographed; there would be no doubt but that the murderers of the three Japanese were some one who was directly involved could have been found, as Wilson never lies and there are no fingerprints exactly alike in the world.

Finger prints are those from a chubby hand. The tips of the middle and three fingers showing on the prints are spatulated and under a microscope appear to be those of a stock man. While the hands of the other men being held at the station are small, the former's would compare far more favorably with the impressions examined by Wilson than would those of the two men. Koda's hands are said to be heavily built, stocky and to be portly, his hands are very short and rather heavy and are spatulated to a certain extent.

Find Other Finger Marks. However, the police have been unable to find any other fingerprints and they do, the ever-reliable Bertillon department cannot be used in this case. Mr. Wilson told the jury this morning that if he succeeded in obtaining a mere trace of the thumb or fingers of any person who were about the scene of the murder prior to its happening, excellent clue could be had. Police Chief is working hard in endeavoring to locate someone Mr. Wilson to work upon, but he said that all efforts along this line were in view of the fact that people have been around the scene where the crime took place and he would be doubtful if ever an impression could be obtained.

Takes Over San Francisco Call

New Company Organized to Run Morning Newspaper, and Capital Stock Is \$300,000.

[UNITED PRESS LEASED WIRE.] Sacramento, Cal., Aug. 9.—Articles of incorporation were filed with Secretary of State Jordan today by the Call Publishing Company, which was organized to take over the holdings of the San Francisco Call, a newspaper. There are five directors, as follows: John D. Spreckles, W. D. K. Gibson and Edwin Schwab, of San Francisco; F. W. Kellogg, of Altadena, and A. I. Whittle, of Mill Valley. The capital is given at \$300,000. Kellogg is a relative of E. W. Scripps, the well-known publisher, and has been interested in newspaper work and publication in the Middle West.

SAYS EVERYONE SHOULD AID WHO CAN DO SO

Assistant District Attorney Charges Police With Being Dilatory in Handling Japanese Case

Charging the police with being dilatory in their pursuit of evidence in connection with the triple murder here last Thursday, James Heltzel, who was appointed deputy district attorney recently in the place of Walter Keyes, who is now on his vacation, stated today that every citizen in the city who can lend assistance to clearing up the terrible tragedy should do so at once. Prosecutor Heltzel declares that the police officers are not taking the interest in the work that they should, and the evidence being collected by them is very weak.

"This is a most serious affair, and the police and other people should do their utmost to clear it up," said Prosecutor Heltzel. A man by the name of Spencer, who told Fire Chief Savage that he knew something of the case prior to the time the murder was committed, was not subpoenaed yesterday, according to Mr. Heltzel, and several other valuable witnesses for the state failed to make their appearance. In fact, says Prosecutor Heltzel, the police have shown themselves to be very dilatory in gathering evidence and information which would lead to a finding out the guilty party or parties, and they should take more interest and push the case to the limit.

VESSEL IS WRECKED.

[UNITED PRESS LEASED WIRE.] San Francisco, Aug. 9.—Swinging on the rocks off Pigeon Point, when her mooring chain broke as the vessel was attempting a landing, the steamer Point Arena, owned by the W. A. Beadle company, is slowly pounding to pieces and probably will be a total loss. The crew of 18 men, including the captain, were all saved, being taken off in lifeboats. The crew had a terrific struggle making their way through the heavy surf to the shore.

FLYNN BADLY BEATEN.

[UNITED PRESS LEASED WIRE.] New York, Aug. 9.—Fireman Jim Flynn is in bad with New York fight fans today, following his defeat at the hands of Gunboat Smith in the fifth round of their scheduled 10-round fight. Flynn was terribly punished, and was saved from a complete knockout by the referee.

SAY FEDERATION ROUTED.

[UNITED PRESS LEASED WIRE.] Calumet, Mich., Aug. 9.—Complete route of the Western Federation of Miners was claimed here today by officials of the Calumet & Hecla Mining Company, whose 15,000 employees are out on strike in the copper district. They claim that 3000 men now are at work in their mines and that 1000 others have applied for employment. Officials of the miners' organization denied the allegations.

BOY IS KILLED.

[UNITED PRESS LEASED WIRE.] Santa Monica, Aug. 9.—The first serious accident of the auto races today occurred while the big cars were getting under way, when a boy of 14 years of age, hurrying up a side street to the course, was struck and instantly killed by an automobile driven by Leslie Thomas, of Los Angeles. The boy wore a leather wrist band bearing the name "Buster Breen, Los Angeles."

EARL COOPER TAKES LEAD OVER OLDFIELD IN TERRIFIC CONTEST

Pair Races for Many Miles Less Than One Hundred Feet Apart.

APPERSON THIRD MAN

Two Cars Are Destroyed in Early Part of Race, But No One in Them Sustains Injury.

[UNITED PRESS LEASED WIRE.] Santa Monica, Cal., Aug. 9.—After a terrific speed duel, during which neither driver would give an inch, Earl Cooper, driving a Stutz, achieved a temporary victory over Barney Oldfield, driving a Mercer, in the Santa Monica annual road race today, and wrested from the veteran the lead he lost three elaps earlier when forced to the repair pits by a bursted tire. For many heart-breaking laps Cooper and Oldfield raced less than 100 feet apart, each car being forced to the limit, the chronometers in the judges' stand registering 100 miles and hour. Near the end of the 19th lap Cooper shot his car into the lead. He held his terrific pace for four laps more, Oldfield doggedly hanging on. Cooper's time for the 23 laps, or 193.24 miles, was 2 hours, 34 minutes, 12 seconds. Franke Goode, in an Apperson, had held to his third place position, although Teddy Tetzlaff, coming up from the track, where he had had been since the third lap, challenged him as the cars shot into the 24th circuit. Two cars were destroyed in the early part of the race. Frank Dietert's National caught fire in the 11th lap and burned to the track. A minute later Hanshue's Apperson burst into flames, and was consumed. None of the drivers or mechanics were hurt. The race is expected to finish at about 3 p. m.

RED SPIDER REPORTED TO BE DAMAGING HOP FIELDS

[UNITED PRESS LEASED WIRE.] Independence, Or., Aug. 9.—Many reports have come in today from the hop yards to the effect that the red spider is appearing in large quantities. While this will not affect the quality of the hops, it looks as if it will decrease the quantity. It has appeared so strong in some yards that the growers are cutting out some of their orders for hop cloth and sulphur. The hot weather of the past two weeks has destroyed about all the lice. The burrs are forming in good shape now, but every day the estimates of the experienced hop men of this territory are getting lower, and it looks as if there would be a smaller crop than usual this year.

California Men Who Will Shoot

List of Marksmen Who Will Take Part in National Championship Match at Camp Perry.

[UNITED PRESS LEASED WIRE.] Sacramento, Cal., Aug. 9.—Adjutant General E. A. Forbes announced today the fifteen militia marksmen who will participate in the national championship match at Camp Perry, Ohio. The members and their scores are as follows: Edward C. Crossman, Los Angeles, 899; Victor F. Grace, Los Angeles, 870; Thomas E. Stone, Los Angeles, 862; Sergeant James R. Brown, Pomona, 857; Sergeant Francis Webster, San Diego, 853; Lieutenant B. V. Kopf, Petaluma, 841; Captain H. R. Downing, Chico, 838; Sergeant Winfield M. Riley, Chico, 818; Lieutenant W. W. Rhein, San Diego, 816; Sergeant J. A. O'Rourke, Petaluma, 816; Sergeant F. C. Schulte, San Diego, 812; Captain J. J. Borree, Petaluma, 808; Lieutenant E. Dial, Pomona, 802; Joseph S. Fraga, Alameda, 795; Sergeant J. F. Hill, Woodland, 792.

AUGAS CALIENTES CAPTURED BY REBELS

Losses on Both Sides Are Heavy in Two Days' of Desperate Battling for a Mexican Town.

[UNITED PRESS LEASED WIRE.] Mexico City, Aug. 9.—Dispatches here today say constitutionalist forces have captured Augas Calientes after two days of desperate fighting. Rebel forces under five different leaders combined. The losses on both sides were heavy.

FIRE CAUSES DAMAGE OF \$30,000 IN TOWN

[UNITED PRESS LEASED WIRE.] Bellingham, Wash., Aug. 9.—Five originating in a barn did damage estimated at \$30,000 last night at Ferndale, 14 miles north of this city. A volunteer fire department, reinforced by scores of citizens and visitors at the "Old Settlers' picnic, prevented the flames from spreading to other structures. The principal loss was sustained by Hamilton Bros. Hardware Company, whose stock was completely destroyed. Fearing that the flames might spread and wipe out the entire town, an appeal was made to the Bellingham fire department. One fire truck was ordered out, and made a record run covering the distance in 30 minutes.

SULZER WILL REPLY NEXT WEEK TO GRAVE CHARGE AGAINST HIM

Governor Admits He Expects Frawley Investigating Committee to Act.

FRAWLEY FEELS SURE

Says Impeachment of Executive Is Only Matter of Time, and They Have the Goods on Him.

[UNITED PRESS LEASED WIRE.] New York, Aug. 9.—Governor William Sulzer, of New York, will reply early next week to the charges of malfeasance in office, according to his closest advisers here today. The governor admits that he expects the Frawley investigating committee to institute impeachment proceedings when it finishes its probe now in progress here. Senator Frawley says sufficient evidence already has been introduced on which to base proceedings. "I see no reason," he said today, "for hearing more witnesses. We have the goods on him and his impeachment now is only a matter of time." Sharp editorial comment voiced by New York newspapers today on evidence already adduced, the New York World and the New York Times, two of the leading publications here demanding Sulzer's resignation. IMPORTANT MEASURE ATTACKED [UNITED PRESS LEASED WIRE.] Sacramento, Calif., Aug. 9.—Some of the most important measures passed at the recent session of the legislature were attacked today in a referendum petition filed here against the redlight enactment act, the workmen's compensation measure, the employers' liability act, and the blue sky law. The petitions were filed in the office of the secretary of state. Today was the last day set last January by Secretary of State Jordan for the filing of the petitions. Of more than 2000 bills passed by the legislature more than 1,000 failed to become laws because Governor Johnson vetoed them or refused to sign them.

BEJWELED ANNA HELD SAILS

[UNITED PRESS LEASED WIRE.] London, Aug. 9.—With her eyes misbehaving as badly as ever, Anna Held, who has been appearing here in London music halls wearing a pair of diamond studded stockings, sailed today for New York. The actress didn't wear either a split skirt nor a transparent gown when she tripped toward the steamer, so the ship news reporters had to ask her if she wore the diamond stockings. "There's no safer place to carry them than I know of," she replied, smiling.

Former Coxeey Man Lobbying

Member of Famous Army Seeks Changes in Administration's Proposed Currency Measure.

[UNITED PRESS LEASED WIRE.] Washington, Aug. 9.—Carl Browne, a former Californian and second in command of General Coxeey's army on its famous tramp to Washington in 1894, appeared at the Capitol today to urge amendments to the administration's proposed currency bill. He seeks support of the bill introduced by Senator Miles Poindexter of Washington, organizing an "industrial army" of unemployed to construct all reclamation works and river improvements. Browne lived in California 19 years.

WAR SYNDICATE IS REPORTED IN SENATE

Asserted That Certain Interests and Newspapers Are Working to Secure Clash With Mexico.

[UNITED PRESS LEASED WIRE.] Washington, Aug. 9.—That there is a strong anti-Huerta lobby at work in Washington, trying to get war, was charged in the senate today by Senator Smith, who also intimated that the present Mexican situation was a result. Democrats in the senate generally protested against Smith's statement, and Senator James demanded proof. Smith promised it would be forthcoming. He said: "I say that the Maderista junta, which infested El Paso in the late revolution, and who made and unmade generals and governors, are now here influencing public opinion, and as in the case of the last administration, have the ear of the state department, and aided largely in securing the dismissal of Ambassador Wilson."

"Will you appear before the lobby committee and make this charge?" said Senator Overman. "No, I won't," said Smith. "I will make my report to the senate. The lobby committee has no right to order me to appear before it." Smith continued that he did not know whether the junta had ever tried to influence congress, adding: "But it's significant that Hopkins got \$50,000 from the Maderista treasury chest for his services."

Smith Tells of Lobbying. Senator Swanson then broke into the discussion with: "The senator (Smith) is a member of the foreign committee. I am surprised that he makes a charge on the floor of the senate which he did not make in the foreign committee. The secretary of state attended the foreign committee meetings and could have been questioned."

"I did not say the secretary of state," said Smith. "I said the state department. The constitutionalist lobby also tried to influence me when they were working on the border eight months ago. I am in possession of information which I intend to give the senate, perhaps on Monday."

No Time to Play Politics. "This is too grave a crisis," said Senator Crawford, "in which to play politics. I have no doubt that the president and the state department, which is presided over by a man who has been great for a generation and is loved by millions, have been advised by a master of international law and are lending the best of their great abilities in a solution of the problem. They are entitled to our support and sympathy, and I deplore the evidences of attempts to hamper and embarrass them, thereby adding to their already heavy burden. They are entitled to our support and sympathy."

The foreign relation committee of the senate has had direct charge of this great problem. Let it be settled there in patriotic amity and without politics playing any part. The result of its actions may be passed on to our children and our children's children. It may be the opening of Pandora's box to see what we will find."

Senator John Sharp Williams praised the stand taken by Senator Crawford. Syndicated War Attempt. "I want to say to the senate and the American people," said Senator Williams, in a voice of warning, "that in my deliberate opinion there is an organized war attempt against the American people."

SITUATION IN MEXICO VERY GRAVE

Conference of President, Bryan and Senate Foreign Committee Tonight.

WILSON IS WORRIED CONCERNING CASE

Huerta Warned No Assault on Lind Will Be Tolerated by Government.

[UNITED PRESS LEASED WIRE.] Washington, Aug. 9.—The conference of the president, Secretary Bryan and the senate foreign committee tonight is regarded here as an official acknowledgement of the gravity of the Mexican situation. The Republicans will be taken into the administration's confidence to learn the reasons why John Lind has been sent to Mexico City, and will be given full details of the steps arranged by the president and Bryan. They also will be told that the president opposes intervention. President Wilson today is plainly greatly troubled. He thinks that Huerta misconceives America's plans and intends to disclose everything to the senate committee, believing that as a result he will have the united support of both Democrats and Republicans as to future moves in the Mexican affair. He expects that the meeting tonight will remove all embarrassment and misunderstandings.

Huerta Warned. It was learned on unquestionable authority today that specific instructions were cabled to Lind as a result of Huerta's protest against his coming. For diplomatic reasons the government will not confirm the fact that Charge O'Shaughnessy told Huerta that he must not tolerate any assault on Lind, but that is the case. No ultimatum was delivered, or is any contemplated. Everything was done in a friendly but emphatic way.

The state department asserts that it has not heard from either Lind or O'Shaughnessy for several days, but this is not generally believed. POPE CELEBRATES CORONATION AND GETS MANY MESSAGES [UNITED PRESS LEASED WIRE.] Rome, August 9.—Pope Pius was in receipt today of telegrams of congratulations from practically every king, queen and president in the world on the occasion of the tenth anniversary of his coronation as supreme pontiff of the Catholic church. All of the military corps at the Vatican were in full dress uniforms for the day. The band of the Pontifical Guards serenaded the pope from the courtyard of San Damaso and all the leading prelates of Rome, as well as the ambassadors accredited to the Holy See called personally during the day on Cardinal Merry del Val, secretary of state, to leave their congratulations in person.

The greatest interest attached to the report that the pope would take today to issue his plea for international peace, the most important encyclical of his reign. The pope has been working on the encyclical for many weeks. It contains an urgent plea to the Catholic church everywhere to work for world-wide peace and permanent good will among nations. It was expected to urge the archbishops and bishops to begin tropoganda immediately to spread the gospel of permanent international peace, and to instruct legates to those governments diplomatically related to the Vatican to make formal representations to the sovereigns of those nations urging their participation in the movement for universal peace.

In connection with the anniversary celebration, it was pointed out today by high Vatican officials that Pope Leo XIII was elected to the Holy See at the same age as Pope Pius, and that after celebrating his tenth anniversary he reigned for fifteen years and died at the age of 93. Intimates who saw the pope today declare he has entirely recovered from his illness and looks to be in as good health as he has been in many years.

Pen Pictures Leading Characters in Maury Diggs Slave Trial

THE JUDGE.	THE GIRL.	THE DEFENDANT.
Erect, wide of shoulder, and crowned of feature, giving the impression of tremendous physical reserve, the wide-set eyes advertising deliberative calm. United States District Judge William Cary Van Fleet carries his 61 years as though they were 40.	Miss Marsha Warrington, 20, an assertive, attractive girl of the blonde type, avelte of figure, fashionably dressed and with alluring large blue eyes. She is the daughter of a prominent Sacramento family.	Maury I. Diggs, a dapper, nonchalant blonde of 28, upon whose smooth, florid face, with its prominent, staring eyes, heavy jaw and small mouth is written the clash between the sensualist and the aesthete.
The constant frown between his up-sweeping brows is mitigated by the smile that lurks under his close-cropped mustache, and an inclination to mild jest from the bench when the proceedings grow tense indicates his mental balance.	She is not given to tears, and throughout the trying period before the trial did not once break down, keeping whatever emotion she may have felt, closely masked.	His movements are slow, even to the shift of the bold, blue eyes, unshadowed by the white lashes.
Impatient of technical quibbles, he permits any latitude in questioning witnesses, "which will place the truth before the jury—no attorney should want any more or less."	Defiant even after the arrest of the four in the cottage at Reno, where they are alleged to have lived as husbands and wives.	With the tapering hands of the artist—he is an architect—he constantly crosses the chin and the full cheeks.
He has been on the federal bench six years, and before that justice of the state supreme court for five years.	"What, those two boys?" she flung at Detectives Ryan and Kramer, when they were introduced as the law's minions.	Like a boy seeking courage, he leans close against the shoulder of the stern, silent father, who throughout the trial has never left his side.

The prospect is that the Lord will not allow perfection for some millions of years yet—and none of us will last that long.

(Continued on Page Five.)