

THE BEST NEWSPAPER

The Daily Capital Journal

THE LARGEST CIRCULATION

THIRTY-SIXTH YEAR.

SALEM, OREGON, FRIDAY, NOVEMBER 7, 1913.

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

ARBITRATION OF CAR STRIKE IS NOW PROBABLE

COMPANY IS SAID TO BE GIVING IN

Begins to Realize Public Opinion Is Hopelessly Against It in Fight.

REJECT TRACTION OFFER AS UNFAIR

Strikers Turn Down Company's Plan and Make Counter Proposal to It.

[UNITED PRESS LEASED WIRE.] Indianapolis, Ind., Nov. 7.—Indications early this afternoon were that the local traction company would accept its striking employees' proposition to submit their differences to the immediate arbitration of the state public service commission.

The strikers had rejected an offer by the company on the ground that it would amount to surrendering their constitutional rights. They then made the arbitration proposition as a counter proposal. The company had rejected previous arbitration offers, but today its officers had begun to realize that public opinion was hopelessly against them.

Even the militiamen here were sympathizing openly with the strikers, and a general walkout of all union laborers in the city was threatened.

QUITS CHAIR OF LATIN AND GREEK TO BOOST PHYSICAL CULTURE

San Francisco, Nov. 7.—In an effort to arouse interest in pedestrianism as a healthful form of recreation, Professor Austin Reed, of Oakland, who gave up the chair of Latin and Greek in St. Ignace college, to take up physical culture, and Dan O'Leary, the veteran pedestrian, will walk to San Diego on a wager of \$500. Other walkers desirous of joining may do so by paying \$100 to cover expenses. It is planned to make the start some time next month. O'Leary recently walked here from Portland.

MINOR PARTIES FALL OFF

Boston, Nov. 7.—The Socialist, Prohibition and Socialist-Labor candidates fared poorly in the state election Tuesday. The total vote for the three candidates for governor, with a few towns

War on Delinquent Corporations Will Go on Vigorously

Senator Claude McCulloch has been retained by the corporation department to prosecute certain actions now pending in Multnomah county, as well as those in contemplation. Hon. Walter H. Evans, at his suggestion, has agreed to deputize Senator McCulloch, in order that he may bring the actions in compliance with the statutes.

The corporation department is checking up those foreign corporations operating in the state without having complied with the law. Every one so found will be prosecuted as fast as the complaints can be prepared, and the cases pushed.

WILSON ENGAGED IN FIRST GREAT FIGHT OF ADMINISTRATION

Not Certain President Can Force Action Without Making Concessions.

CAUCUS MAY NOT HEED

Possible Executive Will Be Thwarted in Effort to Push Through Currency Bill.

[UNITED PRESS LEASED WIRE.] Washington, Nov. 7.—President Wilson was engaged this afternoon in the first great fight of his administration, over the currency bill. It was not certain, either, that he can force action in a Democratic caucus on the Glass-Owen measure, the administration bill, without making concessions. The senate banking and currency committee, now considering the bill, is controlled by a combination of four Republicans and three Democrats, and the changes they have proposed in the original measure have aroused the president's ire. The Democrats who have combined with the Republicans to thwart certain provisions of the currency bill, are Senators Reed, of Missouri; Hitchcock, of Nebraska, and O'Gorman, of New York.

President Wilson discussed the currency situation today with his cabinet. Later in the day it was announced that he planned conferences with Senators Lane, Lewis, Owen, Hoke Smith, Overman, Hughes, James, and, possibly, the three Democratic Recalcitrants on the senate currency committee.

Senate leaders have informed the president that there were nearly as many currency plans in the senate as there were members, especially on the majority side. Most of the minority members, he was told, believe that the Aldrich plan is good enough.

President Wilson and his advisers were expected to decide late today whether they can get the desired action in caucus. The president believes he can, and also insists that he believes that the Democrats eventually will accept his views. If not, he declared, he would put the entire currency matter up to the people of the country.

It has been suggested that the president take the country into his confidence regarding the currency matter. Some of his advisers told him the best way would be to accept an invitation and deliver an address on this subject in some Middle Western city.

missing, and estimating their vote, was: Socialist, 8987; Prohibitionist, 2053; Socialist-Labor, 1924.

The state vote in 1912 was: Socialist, 11,493; Prohibition, 2702; Socialist-Labor, 2212.

None of the parties polled a 3 percent of the total vote necessary to obtain official recognition.

now being checked for delinquent corporations, both domestic and foreign, and these will be sued for all back license fees and reports due, as fast as the necessary data upon which to base the actions can be compiled. The check has revealed that there are some 63 corporations in the "A" list that are delinquent. The other letters have not been checked.

Senator McCulloch will push all Multnomah county cases as vigorously as possible.

As fast as the data can be compiled, the county attorneys of the different counties will be asked to begin actions to enforce the law.

COMMUTES SENTENCE OF MAN SENTENCED TO HANG HERE NEXT WEEK

Governor West Decides Lem Woon Should Go to Prison for Life.

RIVAL TONGS INVOLVED

Testimony of Enemies of Lem Convicted Him, and So West Gives Him Benefit of Doubt.

Governor West this morning commuted the sentence of Lem Woon, the Chinaman sentenced to be hanged Friday, November 14. Lem Woon was convicted about five years ago of killing another Chinaman in Portland. The affair was the culmination of a long dispute, two factions going to war, and Lem Woon was convicted largely on the testimony of that faction opposed to him. It was claimed the murdered man identified him, but this was only the testimony of his enemies. The chin convicted with him, got a new trial, and was finally sent back to China.

Lem Woon's case went to the U. S. supreme court, and he has been in jail more than five years since first arrested for this crime. There is considerable doubt as to his guilt, and the governor gave him the benefit of the doubt.

FAIRGROUNDS OFFICIAL FACES DISMISSAL AND FINE FOR OFFENSE

For violation of that portion of the postal laws forbidding postmasters from being interested in any mail contract, Harry V. Doe, postmaster at Fair Grounds, Ore., a suburb of Salem, faces dismissal from office and a fine up to \$5000.

For two years George Smith has had the contract to carry mail from Salem at \$60 a month, but Inspector Clements obtained information which led him to believe that Mr. Doe carried the mail himself and that Smith, on receiving the check each month, turned it over to Doe.

Mr. Doe came to Portland yesterday and offered himself for arrest subsequent to a secret indictment by the grand jury.

MEXICO IS DISCUSSED AT MEETING OF CABINET

[UNITED PRESS LEASED WIRE.] Washington, Nov. 7.—Mexico was the sole topic of discussion today at the first regular meeting President Wilson has had with his cabinet in three weeks.

Secretary of State Bryan admitted as much after the conference. "You can say," he said, "that the Mexican situation was discussed. No further announcement can be made at present." Asked why the president's emissary, John Lind, left Vera Cruz unexpectedly last night to turn up today in the Mexican city, the secretary turned and walked away without a word. Every phase of the situation in the southern republic was gone into. There were distinct differences of opinion among the cabinet members concerning the wisdom of permitting General Carranza, the rebel leader, to import arms from this country into Mexico.

CITY RECORDER JAILED.

[UNITED PRESS LEASED WIRE.] Marshfield, Ore., Nov. 7.—William J. Leaton, city recorder of the town of East Side, was arrested last night by Sheriff Gage, on two indictments, one charging embezzlement of the town's funds and the other charging gambling.

PHYSICIANS ON ALERT FOR BLOOD-POISONING IN FELIX DIAZ'S CASE

No Symptoms Have Developed so Far, Although Hinted Blade Was Doped

ONE OF ASSAILANTS HIT

Has Wound in Leg, While Two Others in Jail Have No Injury and Two More Are at Large.

[UNITED PRESS LEASED WIRE.] Havana, Nov. 7.—Following last night's attack on him in the Boulevard Malecon, General Felix Diaz was placed under technical arrest today, charged with shooting Pedro Guerrero, who, according to the account given by Diaz's friends, was one of the latter's assailants. Diaz did not draw the weapon he carried in his own pocket, but was said to have used one handed to him by a follower. Guerrero was more seriously hurt than at first supposed. He was shot through the abdomen and may die. Diaz's injuries were slight.

Havana, Nov. 7.—His physicians today were on the alert for signs of poisoning in the wounds a would-be assassin inflicted last night on General Felix Diaz. Though there were hints that the knife he used was poisoned, no symptoms had developed thus far. The cuts were not deep, and the doctors thought they would heal quickly.

The three men arrested for the attack on Diaz are all Mexicans, and the police took it for granted that the two who escaped are of the same nationality. One of the prisoners, who gave his name as Guerrero Mendez, was suffering severely today from a shot through the leg, fired during the fight between Diaz, his friends and their assailants.

Diaz had walked out with Cecelio Ocon, who had fled with him from Vera Cruz; Luis Malda, manager of the Mexico City street car system, and a party of other friends.

They were sitting chatting, at 10 p. m., on park benches in the Boulevard Malecon, when the quintet of would-be assassins rushed from behind.

The attack was so sudden that Diaz had been stabbed in the neck and through the ear before either he or his companions had time to resist. As they jumped up, one of their assailants fired a pistol almost in Diaz's face, but one of his friends knocked the weapon aside. A few other shots were fired by Diaz's followers, and perhaps one or two more by the attacking party.

Diaz tried to draw a revolver he carried, but could not get it out of his pocket in his hurry, so fought with a rolled umbrella. Those of his friends who were unarmed welded park benches in his defense.

The Diaz forces were getting the best of the fight when the police reached the spot.

The Weather

The Dickey Bird says: Oregon, fair east, local rain west portion to night and Saturday; cooler to night east portion; easterly winds.

THREE ARE KILLED AND THREE FATALLY INJURED IN THIS MINE MISHAP

Several Members of Rescuing Party Are Overcome by Poisonous Fumes.

SECOND PARTY RESCUES

Requires Five Hours' of Heroic Effort to Get Injured and Those Overcome Out of Mine.

[UNITED PRESS LEASED WIRE.] Tacoma, Wash., Nov. 7.—A report reached here today of a gas explosion in the Pennsylvania Coal Company's mine at Divide, near Morton, in which three miners were instantly killed and three other are dying. The accident occurred at 11 o'clock last night. The gas ignited by a defective lamp carried by one of the men. The bodies of the dead and the injured are being sent to Tacoma.

It is not known here how many men were in the mine when the explosion occurred. There is no direct wire communication with Divide, and local officers of the mine company refuse to divulge the names of the dead or injured, or any further details concerning the accident.

Several men composing a rescue party were overcome by the poisonous fumes and were rescued with difficulty by a second party. One of the injured miners crawled on his hands and knees a distance of 1200 feet to the mouth of the shaft to secure aid on behalf of his helpless comrades. It required five hours of heroic effort to rescue the injured, and those overcome by foul gases, and to bring the bodies of the dead to the surface.

OFFICIAL COUNT SHOWS MAJORITY FOR DRYS TO BE 487 VOTES

With the assistance of H. D. Mars, of Gervais, and Justice of the Peace Webster, County Clerk Gehlar completed the canvassing of the votes cast at the last election at 1 o'clock today. The canvass shows that 5081 votes were cast in Salem, and the total vote cast on the wet and dry measure was 2784 dry and 2297 wet, or a majority in favor of prohibition of 487 votes.

The total vote cast in Stayton on the wet and dry measure was 373; 197 dry and 176 wet or a majority in favor of the dry measure of 21 votes.

Following is the vote on the different referendum measures in this county: University appropriations, yes 3905, no 4517; yes 3294, no 4796; sterilization, yes, 3836, no, 4247; county attorneys, yes, 3865, no, 3848; compensation, yes, 5540, no, 2751. In the vote in the Fairfield precinct the vote on the university appropriation bill was 25 against and 1 for. Salem voted 14 in favor of the appropriation by a large majority.

MINING MAN REPORTED KILLED AND ROBBED BY MEXICANS

[UNITED PRESS LEASED WIRE.] Washington, Nov. 7.—An investigation was started today into the report that Assistant Superintendent Weiniger, of the Penoles Mining company's property at Mapimi, Durango, was robbed and murdered by Mexican rebels recently.

INSANITY PLEA IS GIVEN FOR HOMER YATES

Attorney for Slayer of Mrs. Myrtle Hayes Calls Witnesses to Tell of Queer Actions of Accused—Steger Says Yates Is Incapable of Transacting Business—Husband of Dead Woman Testifies Yates Had Grudge Against Him for the Reason He Told Yates to Keep Away From Mrs. Hayes.

An attempt is being made today by counsel for Homer Yates, the Fruitland man, now being tried on the charge of murder in the first degree, for killing Myrtle Hayes, to prove the defendant insane and incapable of knowing right from wrong at the time of the killing, which occurred at the Yates home, near the town of Fruitland on September 21.

Mr. Hayes, the murdered woman's husband, was on the stand this morning, and he testified to the whole occurrence, as stated before in The Capital Journal. He said that he did not know what kind of a welcome he was to receive when he returned to the Yates home from Eastern Oregon, and that he was in the act of kissing his daughter at the gate, when Yates pulled out a revolver and shot Mrs. Hayes three times.

Had Grudge Against Hayes. The witness also testified that Homer Yates' mother and the defendant himself had a grudge against him, for the

reason he told Yates to remain away from Mrs. Hayes, and stop following her around from place to place.

Attorney Holmes, who is representing the defendant, called witnesses to the stand to testify as to the condition of the defendant's mind.

Charles Steger, an old acquaintance of the Yates family, testified that Homer Yates was incapable of transacting business, and that he believed that the defendant did not know right from wrong, for that reason. This testimony was stricken out, on motion of the state.

Hearsay Evidence. Ralph Swartz was then called and testimony of about the same nature was given and partly refused by the court on the grounds that the witness spoke from hearsay, instead of keeping within the bounds of his own personal knowledge.

The Hayes children and other relatives were called to the stand, but they only testified to what had transpired at the time of the shooting.

taking a look at the two prisoners, declared they were not the two who held him up.

HIS WORK OF YEARS IN DANGER OF BEING LOST

[UNITED PRESS LEASED WIRE.] Baker, Ore., Nov. 7.—Herbert Chandler took a homestead on the Upper Burnt river a few years ago, built house, barns and other farm buildings on it, fenced the entire tract, and today has it all under cultivation and yielding good returns.

A few days ago, however, John Ellino found that Mr. Chandler had improved, not the 160 acres on which he had filed, but the adjoining 160 acres. Ellino thereupon filed on the improved place, and Chandler was forced to sue. Testimony in the case was taken today before W. L. Patterson, United States commissioner.

People who talk the most disseminate the least wisdom.

Money Interests Slow to Finance Railroad Project

[UNITED PRESS LEASED WIRE.] San Francisco, Nov. 7.—That the Western Pacific railway intends to open negotiations for the purchase of the Oakland, Antioch and Eastern, the new electric line from Oakland to Sacramento, and its subsidiary, the Nevada County narrow gauge, if certain New York financiers will furnish the money for the deal, was the admission here today by Benjamin F. Bush, president of the Gould line.

Just now there is a certain hesitation among investors and financial men," Bush said. "I am not a pessimist, and do not want to make any depressing statements, but we all know that with the Balkan war, the Mexican situation, the tariff reductions and the pending currency bill to contend with, the men who ordinarily finance railroad projects are hesitant. It might be said that they have tightened up a bit.

As for the Oakland, Antioch and Eastern, I admit that it would be a good line for the Western Pacific to have. We could build on to it and make it an important adjunct. But the purchase time is something I cannot discuss now."