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DAKEN'S IS FIRST SHOT IN RIOTING

Hop Inspector Tells of His Fruitless Appeals to Deputy Sheriff.

FIRED RIGHT INTO CROWD OF PICKERS

Then Followed More Shots and Finally Durst and Others Fled.

Marysville, Cal., Jan. 23.—"Daken fired the first shot—not into the air—straight into the crowd."

It was John Morris, a hop inspector at the Durst ranch, who was speaking as a witness for the defense at today's forenoon session of the Wheatland hopfield riot murder trial of Richard Ford, Harry Bagan, Herman Suhr and William Beck.

That Deputy Sheriff Henry Daken fired the first shot in the Wheatland riot last August was questioned by no one at any stage of the proceedings. Daken said so himself. His version and those of the prosecution's witnesses were, however, that he fired into the air in the hope of frightening the throng into scattering.

Morris' story was different. His account was that it was not the air, but the crowd, into which the deputy shot.

A tall, bearded man, he towered above the jury, swaying from side to side, as he told dramatically, in crisp monosyllables of the hopfield tragedy.

"I say the posse drive up," he went on. "They got out and approached the crowd. The sheriff and some men plunged in. Daken and two other deputies were left standing beside my tent."

"Daken, trembling, pointed his gun directly at the crowd."

"For God's sake," I said, "don't shoot into a background of innocent women and children."

"He thrust his head forward like a snake. Deputy Armstrong, with him, was alert and composed."

"Suddenly Daken fired pointblank into the crowd."

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Claims Estate of Late Lord

James Smith, of Boston, Is Said to Be Son, Although Strathcona Recognized Only Daughter.

[UNITED PRESS LEASED WIRE.] New York, Jan. 23.—A legal fight over the \$50,000,000 estate of the late Lord Strathcona was expected here today. It was not denied that Attorney John Sterling was making an investigation for James Smith, of Boston, the supposed claimant. Whether Smith claims to be Lord Strathcona's son could not be definitely learned. The records show that Lord Strathcona was the father of but one child, a daughter. She is the wife of R. J. Bliss Howard.

Will Make No Statement. Boston, Jan. 23.—Efforts to learn here today just what claim James Smith had, if any, on the estate of Lord Strathcona, failed completely. "My husband will make no statements at this time," Mrs. Smith told newspaper men. "The time may come when he will have a statement to make. He is ill now and unable to see anyone."

LINER BULGARIA ASKS AID AND REPORTED TO BE ON FIRE

[UNITED PRESS LEASED WIRE.] New York, Jan. 23.—The liner Bulgarian Princess signaled for help today. Reports said she was on fire off Sandy Hook. The maritime exchange here, however, denied there was any fire, explaining that the vessel carried a cargo of sulphur, which smoked when it became wet.

THREE MEN ARE DEPORTED.

[UNITED PRESS LEASED WIRE.] Walla Walla, Wash., Jan. 23.—Hans C. Anderson, of Norway; Pulina Torres, of Germany, and Albert Frook, of Chile, were taken to Tacoma tonight and will ship on the Dirigo and go to South American ports. The men are sailors and got into trouble at Seattle, being sent to prison. They were ordered deported by the Board of Pardons at its last session.

DOUST TO PLAY.

[UNITED PRESS LEASED WIRE.] Melbourne, Australia, Jan. 23.—Stanley N. Doust has been chosen to play for Australia in the contest for the Dwight F. Davis lawn tennis cup. Norman E. Brookes, A. W. Dunlop and Anthony F. Wilding had already agreed to compete.

Council Chamber Used by Court as Result of Crush

With the county court chambers congested with counters and desks which have been placed therein preparatory to the collecting of taxes by County Treasurer Moore, the circuit court rooms blocked with cases set for today, Judges Kelly and Galoway are practically crowded out of doors for want of some suitable quarters in which to hold their respective litigations.

Never before in the history of Marion county has the court house been so much in need of room. This state of affairs has been brought about by the great increase in civil cases, the fact that the county court room is utilized for tax collection, and its being impossible for the judges to hold more than one court at a time in the regular court chambers.

Grave Matter. The present congestion of the court house is not only hampering the work of the courts, but is adding additional expense for the litigants. The case of the state against Becker, a criminal procedure, was set for 10 o'clock this morning, but owing to a civil case being argued, it was impossible to go ahead. The jurors and witnesses in the criminal case are patiently waiting, but, their being no other place in which to conduct the trial, Judge Kelly is powerless to act.

To make matters worse, Judge Galoway was scheduled to hear the case of Kennedy vs. Kennedy, a sensational divorce suit, in which there have been 13 witnesses called, this afternoon, with no place in which to hold court. He formerly used the county court room, but that place has been taken up and the state case occupying the circuit court chamber, the judge of department No. 2 has no place to go unless it be in some other building.

Council Chamber Used. After more searching, County Judge Bshery finally decided upon the city council chambers as being the most favorable place for Judge Galloway to hold forth, and the Kennedy case was opened in the city hall at 1 o'clock this afternoon.

Judge Galloway and former Circuit Judge Burnett issued an order on the Yamhill county court several years ago requiring that official to provide adequate quarters in which to hold court, and the order brought forth immediate results. It is not known whether or not the council chambers will be used permanently during the remainder of this session of court, but it is impossible for Judge Galloway to conduct his court unless some other arrangement can be made.

PASSENGERS ON TRAIN ROBBED OF \$200 CASH AND VALUABLE JEWELRY

Four Bandits Board Michigan Central Flyer as Ordinary Travelers.

SUDDENLY DRAW GUNS

Everyone in Pullman Robbed and Engineer Forced to Stop and Let Robbers Off Train.

[UNITED PRESS LEASED WIRE.] Jackson, Mich., Jan. 23.—Four bandits went through the Michigan Central's Detroit-Chicago flyer with drawn revolvers at 3:30 today, and robbed the passengers of \$200 cash and several thousand dollars' worth of jewelry. They then forced the engineer to stop, jumped off and fled. Posses were scouring the country for them today. The bandits, who were unmasked, boarded the train and took seats like ordinary passengers, but when the conductor called for their tickets they suddenly pulled revolvers and ordered him to put up his hands. Every passenger in the Pullman was robbed.

RIOTERS ARE ARRESTED FOLLOWING DEMONSTRATION

[UNITED PRESS LEASED WIRE.] Trinidad, Colo., Jan. 23.—Twenty persons, including eight women, were arrested and at least five are known to be suffering from slight injuries as a result of serious rioting in the streets here yesterday afternoon when the militia, under the personal direction of General Chase, dispersed a mob of strikers and sympathizers which attempted to march on the San Rafael hospital, where "Mother" Jones is held under military arrest.

Stones, bottles and bricks were hurled at the soldiers by angry women, precipitated the outbreak, when ordered to turn back. Several soldiers, including Major Randolph, were assaulted. The mob was not dispersed until cavalry with drawn sabres charged the crowd several times. One soldier sustained a broken rib when his horse fell. One rioter was cut by a sabre.

The riot followed a parade of wives and children of the striking coal miners which had been carefully planned by the union leaders. General Chase granted permission for the parade, with the understanding that no effort would be made to march to the hospital. Only one shot was fired during the demonstration, and that was a soldier's rifle was discharged when it fell from his hands. Large details of soldiers were policing the streets last night. All saloons are closed.

YE GUENG PLEADS GUILTY AND WEST MAY PARDON HIM

[UNITED PRESS LEASED WIRE.] Portland, Or., Jan. 23.—Ye Gueng, under indictment with Lem Woon for the murder of a fellow countryman seven years ago, pleaded guilty to manslaughter yesterday before Circuit Judge Gatens and was sentenced to from one to 15 years in the penitentiary. No commitment will be made out pending an appeal to Governor West for a pardon. Ye is out on \$5000 bail.

Ye and Lem Woon, now serving a life sentence in the penitentiary, were tried jointly in 1908 and both were convicted of murder in the first degree. Both appealed, the conviction of Ye being reversed and that of Lem Woon affirmed. Judge Cleston sentenced Lem to be hanged. The sentence was commuted by Governor West to life imprisonment.

REPORT OF ATTEMPT TO ASSASSINATE PRINCE DECLARED FALSE

[UNITED PRESS LEASED WIRE.] Berlin, Jan. 23.—Reports that an attempt had been made to assassinate Crown Prince Frederick William resulted today from the efforts of a supposedly mad man to see the prince. As the prince approached his town house an unidentified man came up to his automobile and demanded to see him. A sentry seized the stranger and held him until the police arrived.

Mrs. Anita Mayer is Exonerated?

Salem Woman Who Writes Letters Unfit for Publication Says Grand Jury Cleared Her.

Mrs. Anita Mayer, who was arrested here Tuesday afternoon on a charge of sending obscene matter through the mails, and who was taken to Portland for examination, according to the morning paper, has returned to the city. She claims she was exonerated by the grand jury, and comes back whiter than laundry fresh from Chinatown. If there was any doubt about her guilt or even her intent in writing the letters which caused her arrest, there would be nothing further to say, but, unfortunately for the poor lady, the letters are in evidence, and are beyond all excuse or palliation. They are simply vile, so bad that if printed in The Capital Journal, or any other paper, it would be denied the use of the mails. As a matter of fact it would require asbestos paper and red ink to properly present the letters with all their warmth of coloring and rich, red-bloodedness. She tells those she addressed how they could meet her privately, and lays special stress on her physical charms, which, by the way, she seems to have a much higher opinion of than her face will justify. There can be but one excuse for her acts and that is that she is insane. Taking this charitable view of it we append the woman's statement.

The Lady's Statement.

Editor Capital Journal: In your issue of Wednesday you have an article which places me in an unfair light. You claim that I have been very busy using the mails to establish friendships with many business men of Salem. I did send out several letters the first part of January when I was in desperate circumstances after I had tried every other method of making ends meet.

I wrote a letter on December 23 to "The Exalted Ruler" of the Elks, who, by the way, happens to be Mr. A. H. Huestein, stating that I had several articles for sale, and asking him, as a favor, to take the matter up with some of the members of the lodge of Elks, and help me out. I also sent out at that time 22 appeals to different business men. As I got no replies to these letters, I went on Christmas day up to my father's home in Beaton county, and remained several days.

I took some of my goods with me, but could not sell anything up there. My father let me have \$2, which was all he had. The railroad fare from my father's home to Salem is \$1.25 and I paid 65c express on my goods, and I got back to Salem with 10 cents, Saturday, January 3. I took the 10 cents and bought a can of milk and six buns Saturday evening. Sunday I could not canvass. Monday I walked 30 blocks with no sales. I also went to two places where they wanted help, and they were filled.

Monday night I began and wrote the letters, some stamps having been sent me in a letter. The language in them was not obscene—the meaning was plain. You have stated that a number of replies were found in my possession when I was arrested. That is not true. I received no replies. The letters were ignored by the "real" men.

Mr. Jim Willson and John Bayne are the two men who wished to play to the gallery, and get great acclaim as public purifiers, no matter what effect it might have on the unfortunate victim. If any replies had come after January 5, they would have been ignored by me, for I had sold \$2 worth of goods, and had something to go on.

I went before the grand jury and told them the truth. I gave them references in Montana on Wednesday, and they wired to Montana to investigate, and on Thursday I was called before the grand jury and dismissed.

I was treated in a kind and courteous manner by the United States district

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The Weather. The Dickey Bird says: Oregon, occasional rain in west, and unsettled probably with rain or snow in east portion tonight and Saturday; colder east portion tonight; southerly winds.

PORTLAND MUST SHOW GOVERNOR IT CANNOT HANDLE UNEMPLOYED

Governor Will Not Act Until Convinced City's Efforts Are Exhausted.

IS NO WORK AT TUMALO

All That Can Be Done at This Season Is Being Performed by Settlers on This Project.

A dispatch from Portland last night says the city council would ask Governor West today to take steps towards relieving the conditions of the unemployed. Up to noon today the governor had received no word from Portland concerning the matter, and stated that until he heard from the council he had nothing to say other than that the matter was in the hands of the council, and it was up to that body to act. "Before I can do anything," said the governor, "the council in Portland must show me that it is unable to cope with the situation. Until it does I can do nothing, but when it does I will assume the responsibility, and act as the conditions require."

No Help Needed.

Continuing, and speaking of the statement that there was lots of work at the Tumalo project, made by an irresponsible agitator in addressing a crowd of the unemployed at Portland yesterday, he said: "There is no work at Tumalo now other than that being done by the settlers, who are stranded on the ground, and so are given employment first of all. If there will there be employment for some time for the reason that most of the work to be done now is cement work, and under present weather conditions it would be criminal foolishness to undertake it. So soon as weather conditions will permit the force will be increased and as many put at work as possible."

Should Finish All of Them.

This brought up the Tumalo project and the governor stated that if properly managed "every project in the reclamation line in the state could be finished with the money now appropriated for the Tumalo project, and the money returned to the treasury before the time the legislature expected it to be returned from the Tumalo project."

TYPOS' PLAN DEFEATED.

[UNITED PRESS LEASED WIRE.] Astoria, Or., Jan. 23.—After one of the biggest fights in the present convention of the State Federation of Labor in session here, a resolution introduced Tuesday by the Typographical Union providing for the amending of the constitution of the federation so that officers for the ensuing year could be elected on the floor of the convention was defeated yesterday by a vote of 49 to 25.

MAY CONCLUDE CASE OF MRS. WILSON SOME TIME TODAY

[UNITED PRESS LEASED WIRE.] Los Angeles, Cal., Jan. 23.—The hearing of Mrs. Woodrow Wilson's suit to establish title to 80 acres of land in the Coachella valley was expected to be resumed late today before Federal Registrar Buren. The taking of evidence, it was believed, would be concluded tonight or tomorrow, when a decision was expected. Mrs. Wilson, through an attorney, claims prior rights to the land, upon which homestead and desert claims in the names of other persons are registered.

Gangster Says He Will "Get" Cop

Fein Sentenced For Attack On Police Sergeant and Crowd of His Friends Are Driven From Building.

[UNITED PRESS LEASED WIRE.] New York, Jan. 23.—Just before Justice Malone entered his chambers today a dozen detectives drove a crowd of gangsters and gunmen from the corridors of the criminal courts building. This was the day set for passing sentence upon "Dopey Beny" Fein for his attack upon Police Sergeant Sheridan, of which he was recently convicted. Following his conviction and as he was being led away to prison, Fein threatened to "get" Sheridan. When court opened Justice Malone sentenced Fein to five years imprisonment in Sing Sing, the maximum penalty for second degree assault.

"I am the victim of a frameup," Fein declared just before he was sentenced. "I am innocent but I am game, and will take my medicine like a man."

GOETHALS IS OFFERED BIG JOB IN NEW YORK BY MAYOR

[UNITED PRESS LEASED WIRE.] New York, Jan. 23.—Mayor Mitchell announced this afternoon that he intended to appoint Colonel George W. Goethals, chief engineer of the Panama canal, police commissioner of New York in succession to Rhineland Waldo who was removed from office by former Acting Mayor Adolph Kline on the last day of his term. "From the beginning of my term," said Mayor Mitchell, "I have tried to get Colonel Goethals. I had not intended to say anything about it until Monday, when I proposed to issue a statement."

"When George W. Perkins went to Panama he carried a message to Colonel Goethals from me with a view to getting him to accept the appointment. I expect to see Mr. Perkins tomorrow night. All I can say now is that the result was most satisfactory."

Washington Astounded.

Washington, Jan. 23.—The report that Colonel George W. Goethals, chief engineer of the Panama canal, soon would be appointed police commissioner of New York City and would accept, astounded Washington officials today. The report was not generally believed. "I can scarcely credit the report," said Secretary of War Garrison. "I know that Colonel Goethals recently declined a proposition to become manager of a big business concern at Dayton, Ohio. I think the report of his appointment to be police commissioner of New York will prove unfounded."

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STATE NOT TO ALLOW TYPOS' PAY

Temporary Injunction Issued by Court Restraining Harris and Olcott.

UNION AGREEMENT ASSAILED IN CASE

Contended That It Is Contrary to Constitution and Unfair to Workers.

A temporary order was issued by Judge Kelly this morning against Secretary of State Olcott and R. A. Harris, state printer, restraining them from drawing any more warrants with which to pay salaries of men employed in the state printing plant; until litigation involving the state printer's act of October 6, 1913, when he entered into a contract with the Allied Printing Trades council to use the union label on all printing done by the state and not to employ non-union printers or pressmen is disposed of.

The restraining order was asked in a complaint filed in the Marion county circuit court today by W. C. Francis, R. R. Bussard, Jr., and James Archer against the Allied Printing Trades council, of Salem; Capital Typographical Union, 210, Salem; Printing Pressmen and Assistants' Union, 247, Salem; R. A. Harris, state printer; Governor West, State Treasurer Kay and Secretary of State Olcott, as members of the state printing board.

Alleges Unfairness.

The plaintiffs in the case aver in their complaint that R. A. Harris, as state printer, has imposed a burden upon the taxpayers of the state by entering into an agreement with the Printing Trades council to employ none but union men at the state printing plant for the reason the action constitutes an unreasonable restriction of competition among the printers.

The plaintiffs claim that as to R. R. Bussard, Jr., and James Archer, they are wholly competent and all round printers, but are not members of the Typographical union and are consequently deprived of the privileges of working in the state printing plant. The complainants aver that State Printer

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Governor and His General Rapped as Result of Attack

[UNITED PRESS LEASED WIRE.] Trinidad, Colo., Jan. 23.—Four women and one man were suffering from sabre wounds today, eight women and 10 men were under arrest, and the most intense bitterness prevailed in labor circles here as a result of the militia's action yesterday afternoon in charging cavalry into a crowd believed by the soldiers to be on its way to San Rafael hospital to rescue "Mother" Jones.

At a woman's organization, formed today, resolutions were adopted denouncing Governor Ammons for keeping soldiers in the coal strike zone, and a protest was telegraphed to President Wilson against "Mother" Jones' detention.

General John Chase kept the saloons closed and the streets strongly patrolled by troops. Trouble started with a gathering of women, mostly the wives, daughters or sisters of striking miners, many of them accompanied by children, to discuss the strike situation.

Say Meeting Was Authorized. According to the women, the meeting had been authorized by General Chase himself, on condition that no move was made in the direction of the hospital. Chase's version was that at its conclusion the women did, however, fall in line and start for the hospital. The women denied it. Under Chase in person, a cavalry detachment barred the procession's progress near the postoffice, and the general called on it to disperse. Men, mostly strikers, who were thick in the street, came to the women's aid a this. Stones began to fly. When the confusion was at its height, Chase's horse reared and threw him. The crowd laughed. At this, according to the strikers' account, the general evidently lost his temper and ordered his men to charge. Call Wounds Accidental. The troopers made three dashes with drawn sabres. Chase denied that the weapons were used, saying those who were hurt came in accidental contact with the weapons. Five suffered cuts, at any rate. The charge was quickly effective. The women scattered shrieking in every direction, many narrowly escaping being trampled. The soldiers continued to ride up and down until the street was cleared. The 18 prisoners were held incommunicado today. It was understood a military court would try them.