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EIGHT-HOUR DECISION IS NOT BROAD

Supreme Court Merely Finds There Was No Violation on Part of Employes.

WRIT OF HABEAS CORPUS IS ALLOWED

Stated None of Employes Worked More Than 8 Hours Except in Emergency.

The supreme court this morning handed down fourteen opinions one of them being the case of Oswald West and others constituting the State Board of Control, it coming upon a writ of habeas corpus, the governor and others asking to be released from custody, they having been arrested on the complaint of Labor Commissioner Hoff, on a charge of violating the eight hour law in working employes at the asylum for the insane and the Oregon state prison, more than eight hours a day. The writ was allowed and the defendants in the original suit discharged from custody as asked.

The court, however did not decide anything as whether the said employes came under the head of laborers within the meaning of the act, but passed on the facts only. It stated that none of the employes worked more than 8 hours except in cases of emergency, and that therefore the law had not been violated.

The other cases were as follows: M. M. Obenchain vs. Ransome-Crummey Co., appellant; appealed from Klamath; suit to recover for services rendered, affirmed.

State vs. Logan McPherson, appellant; appealed from Crook; assault with intent to commit statutory offense, affirmed.

Johu F. Holmboe vs. C. S. Howard, appellant; appealed from Multnomah; action to recover for personal injury, affirmed.

G. Zanello & Son, appellants vs. Portland Central Heating Co., et al; appealed from Multnomah; suit to foreclose mechanics lien, reversed.

J. W. Farrell, appellant, vs. R. J. Kirkwood, appealed from Multnomah; suit on promissory note, reversed.

Charles Cooney, appellant vs. L. Y. Keedy; appealed from Multnomah; motion to vacate temporary restraining order, denied.

William Bellis, et al, appellants vs. Northern Brewery Co., appealed from Multnomah; action to recover rent; affirmed.

Southern Oregon Co., appellant vs. George E. Quine, sheriff and tax collector of Douglas; appealed from Douglas; suit to restrain sheriff from selling property for delinquent taxes, affirmed.

Robert Byrd vs. J. Cooper, et al, appellants; appealed from Multnomah; suit to foreclose a laborer's lien, reversed.

State vs. Virgil Oden, appellant; charged with statutory offense; appealed from Jackson; affirmed.

R. A. Graham, appellant vs. Coos Bay Roseburg & Eastern Railroad & Navigation Co., appealed from Coos; suit to collect salary, affirmed.

James Dowd et al, vs. American Surety Co., appellant; appealed from Multnomah; action to condemn land, affirmed.

Ruger Tonseth, appellant vs. H. Larsen, et al; appealed from Multnomah; suit for specific performance of contract, affirmed.

Thomas H. Smith, appellant vs. Mary D. Badum, et al; appealed from Multnomah; action of ejectment, affirmed.

State of Oregon, respondent vs. C. W. Carothers, appellant, appealed from Clackamas, conviction for perjury before grand jury in gambling case, affirmed.

BRYAN'S GRANDDAUGHTER. [UNITED PRESS LEASED WIRE.] Washington, March 3.—Mrs. Grace Hargreaves, daughter of Secretary of State and Mrs. Bryan, gave birth to a daughter here today.

Witness Tells of Drown's Death

Says Woman Accused of Killing Him Said He First Knocked Her Down and Kicked Her.

[UNITED PRESS LEASED WIRE.] Oakland, Cal., March 3.—There was again a recess today in the trial of Mrs. Millie Drown, charged with murdering her husband, Archer Drown. Testimony will be resumed tomorrow.

Mrs. William Gray was yesterday afternoon's chief witness. She was Mrs. Drown's intimate friend and it was to her that the latter made her first confession after she had attempted to kill Mrs. Marie Miller.

Though called by the prosecution, she was, from the standpoint of the defense's insanity plea, a strong witness rather for Mrs. Drown. Throughout her story the prisoner alternately cried softly and looked at her friend with the imploring eyes of a dumb animal.

First the witness told of receiving a telephone message from the prisoner the day of the murder, telling her she was in the worst trouble that could come to a woman.

"Is your husband in jail?" asked Mrs. Gray.

"Worse than that," answered Mrs. Drown with a curious laugh. The two met later at the Kay Route inn and Mrs. Drown told her story disjointedly, saying she was uncertain whether her husband was dead or only wounded.

"My husband was in San Francisco and I was to meet him," testified Mrs. Gray, "and I thought the best thing would be to go to him and tell him all about it, after I found I could not reach Mrs. Drown's relatives by telephone."

Displays Two Pistols. Then the witness described the strange ride on the ferry boat, during which Mrs. Drown displayed two pistols—the one with which she had killed her husband and a smaller one with which she had attempted Mrs. Miller's life.

Mrs. Gray told, too, of her friend's disjointed conversation and how, instead of discussing what she had done, she related over and over again how Mrs. Miller killed a mouse, asking repeatedly: "Don't you think she must be a very vicious woman to do that?"

Her Account of Killing. Finally the witness repeated the story Mrs. Drown told her of her husband's last night alive. He came home from a smoker, according to this account, was taxed by his wife with unfaithfulness, slapped her, knocked her down and then kicked her.

"When he did that," said Mrs. Gray, "she told me she tried to take her life but the pistol was so heavy it slipped and the shot went wild. 'I'm sorry you didn't succeed; I hope you will next time and be damned to you,' were his last words to her."

One without responsibility can always easily tell how to run the government.

Twenty-Five are Dead as Result of Eastern Storm

[UNITED PRESS LEASED WIRE.] New York, March 3.—Greater New York was slowly recovering today from the most destructive storm since the blizzard of 1888. Meagre reports filtering in over disrupted telegraph and telephone wires indicate that at least 25 persons met death. Twelve deaths were caused in and around New York City alone.

The city was still buried under 14 inches of snow. Fourteen thousand men were put to work by Street Cleaning Commissioner Featherstone, but he admitted it probably would require at least ten days to clear away the snow.

Railroads resumed a semblance of normal conditions today, but they were still badly hampered. Only a few telegraph wires were working out of New York, and up-state points were still isolated. One of the big telegraph companies estimated its loss at \$200,000 for New York and adjacent territory.

Railroad service between New York and Philadelphia was resumed this morning after 24 hours of interrupted service. The New York Central and

WIFE SLAYER STRICKEN WITH EPILEPTIC FIT WHILE HE TESTIFIES

Drops Unconscious When Telegram From Murdered Woman to Man Is Read.

ASKED HIM TO MEET HER

Aged Father of Mrs. Ellis Astounded and Leaves Court Room in Tears After Hearing It Read.

[UNITED PRESS LEASED WIRE.] Chicago, March 3.—William C. Ellis, formerly a wealthy Cincinnati harness manufacturer, was stricken with an epileptic fit here today while testifying in his own defense at his trial for wife murder. The witness dropped unconscious from the stand when an attorney introduced a copy of a telegram the murdered woman is alleged to have sent to Fred Caldwell, at Brantford, Canada. It asked Caldwell to meet her in Chicago.

Ellis was revived, but broke down after reading the telegram over again. "I knew it was true," he moaned. "How could they do it? I am fighting now for my babies, so they will not be fatherless as well as motherless."

The defense rested after introducing the Caldwell telegram. Robert Hoses, the aged father of the murdered woman, and Mrs. Hoses were astonished by the contents of the message, and left the court room in tears.

Just before resting their case, defense attorneys charged that wealthy Cincinnati had conspired to hang Ellis in order to save his wife's name.

WHITE SLAYER IS ARRAIGNED.

[UNITED PRESS LEASED WIRE.] San Francisco, March 3.—Frank F. Corbett and Joseph W. Schwartz, arrested here with Mollie Lynch and Anna Thorpe, alleged to have been brought from Jacksonville, Fla., to San Francisco for immoral purposes, were arraigned here today before United States Commissioner Kroll. Edward H. Damon, said to be a wealthy New York politician, is under arrest at San Luis Obispo on a similar charge. He is expected to resist efforts to bring him from the Southern California district to San Francisco.

WESTON NOMINATED.

[UNITED PRESS LEASED WIRE.] Washington, March 3.—President Wilson sent to the senate today the nomination of Edward Minor Watson, of Honolulu to be associate justice of the supreme court of Hawaii.

SEVEN PERSONS DROWNED.

[UNITED PRESS LEASED WIRE.] Brussels, March 3.—Seven persons were drowned when a vein of water accidentally tapped, flooded the colliery at Braquegnies, near here today.

LOUIS HILL ELECTED PRESIDENT OF GREAT NORTHERN AT SESSION

Succeeds Carl Gray, Who Will Become Head of Western Maryland Road.

FRICITION RUMORS RIFE

Gray Insists, However, Feeling Personally and Otherwise Is Good and New Job Is Better.

[UNITED PRESS LEASED WIRE.] St. Paul, Minn., March 3.—Louis W. Hill was elected president today of the Great Northern railroad, succeeding Carl Gray, resigned to become president of the Western Maryland road.

Hill's election had been scheduled in advance, and the formal ballot occupied but a few minutes. It was the main business, however, of the regular weekly meeting of the Great Northern's board of directors. Hill was at Del Monte, Cal., but was expected back shortly. Besides assuming the presidency, he will retain the chairmanship of the board of directors.

The rumors, almost always current when an important Great Northern official retires, that Gray had resigned his post because of friction with the Hills, were in circulation this time. Gray himself, however, reiterated his previous statement that the relations between himself and the Hills were, both personally and from a business standpoint, of the best.

He had accepted his new position, he explained, solely because he thought it afforded him a broader field, but he did not conceal the fact that he felt some regret at leaving his old one.

Gray will take up his duties as president and chairman of the board of directors of the Western Maryland between March 10 and March 16.

WINLOCK MAN IS FOUND TO BE AFFLICTED WITH LEPROSY

[UNITED PRESS LEASED WIRE.] Astoria, Or., March 3.—Dr. H. Hartman today wired state officials of Washington that Nisto Katanjisto, a Finn, who resides at Winlock, Wash., had visited him yesterday for treatment of a disease with which he had been suffering for many years. The doctor said the man had a well-defined case of leprosy.

The Finn, who is about 57 years old, told the doctor he never had consulted a physician before, though he had been troubled with an ailment that affected his right great toe and his left foot most seriously. After being informed that nothing could be done for him, the Finn went home on a night train. He has a wife and a number of children on a small farm near Winlock.

WORK STARTED ON BIG \$50,000 CANNERY IN SALEM

Dirt has been flying on the Hunt Brothers' cannery site this week, actual preparations for the proposed new cannery having commenced last Friday. A big crew of men and teams are excavating the site and the contractor, A. J. Anderson, states that a building will be on the grounds within a comparatively short time.

The Weather

The Dickey Bird says: Oregon, tonight and Wednesday, rain wet portions, cloudy east portion, probably rain, southerly winds, increasing along the coast.

New Member of Interstate Commission is Noted Lawyer



Henry Clay Hall

Washington, March 3.—Henry Clay Hall, one of the most noted lawyers in the west, who was recently named by President Wilson as a member of the interstate commerce commission, was born in New York City on January 3, 1860. Mr. Hall graduated from Amherst college and the Columbia law school and began the practice of law in 1883. Two years later he went to Paris and remained till 1892, being counsel to the United States legation most of the time he was there. In 1892 he returned to the United States and removed to Colorado Springs, Colo., on account of his health. He became identified with many banks, railways and other corporations in that state.

SUSPECT MURDER PLOT.

[UNITED PRESS LEASED WIRE.] Redding, Cal., March 3.—The police today were investigating the finding of 22 sticks of dynamite, with fuse attached, under the school house at Mantion, near here. Weekly Socialist meetings are held in the building, and Socialists suspected a plot to dynamite the school house while a meeting was in progress.

GLEE CLUB HAS SMALLPOX.

[UNITED PRESS LEASED WIRE.] Pomona, Cal., March 3.—Friends have received word here today that the University of Missouri glee club is quarantined at Albuquerque, N. M., with two of the boys suffering from smallpox.

MARY GARDEN MAY NOT BE ABLE TO TAKE TRIP SOUTH

[UNITED PRESS LEASED WIRE.] New York, March 3.—Mary Garden, the operatic star, was recovering today from an attack of la grippe at the Ritz-Carlton hotel. Her condition was such, however, that it was considered doubtful whether she would be able to start tomorrow with the Chicago Grand Opera company to fill an engagement at Dallas, Texas.

Miss Garden was stricken with la grippe in Philadelphia two weeks ago when she appeared in "La Tosca." Her part required her to appear in scanty clothing, and she caught cold.

Rail Commissions Make Valuations too Low, is Charge

[UNITED PRESS LEASED WIRE.] San Francisco, March 3.—Beyond admitting that yesterday's attack by Jared How, the railroad lawyer, on the recognized method of physically valuing the country's transportation systems raised a clean-cut issue between every railroad and every state or national railroad commission in the United States, members of California's railroad board are not prepared today to comment on the arguments How submitted to them in connection with the valuation of the Southern Pacific's line between Mojave and Owens.

May Reach Federal Court.

The state board's decision was awaited, however, with deep interest, and it was the general belief that the case would find its way ultimately to the federal supreme court.

How contended that in making physical valuations for the purpose of fixing rates all commissions use the same methods and that their invariable result is to make the valuations too low, for these reasons. The companies are not allowed to figure full fares and freight rates for employes and material used in initial construction. In figuring depreciation commissions take into account only actual wear and tear. Should Figure Full Fares. According to How, full fares for workmen and full rates for material should be calculated in estimating construction cost, for the reason that the builders can transport neither men nor material until the road has been built, and must pay full rates for some other means of transporting them. In figuring depreciation he maintained that the commissions should take into account the sums spent to keep the roads in repair. The Southern Pacific case under consideration was recognized to be only a test. If How should carry his point, experts said, every railroad in the country would benefit by it and the difference it would make to them, it was estimated, would run high into the millions of dollars.

ACTION OF MATRON IS APPROVED

Refusal to Admit Lena Howell Proper Course Says Board of Control.

COMMITMENT FAULTY AND SCHOOL CROWDED

Ringo Says He Had Been Assured by Governor Girl Would Be Admitted.

Lena Howell is doing the Noah's dove act just now, having no place to rest the sole of her feet, or either of them. She was arrested some two or three weeks ago, and since that time has been in the city jail. An effort was made Monday to have the girl committed to the Girls' Industrial school, and in this attempt the girl was taken before Justice of the Peace Webster, who made out a commitment for her, and she was taken to the school.

The story is somewhat mixed from this on. As near as could go learned Constable Cooper took the girl to the school, and left her on the porch there, shoving the commitment papers under the door.

Not getting admitted a woman residing near the school, saw her on the porch crying, and took her into her house, where she still is.

Secretary Goodin, of the board of control, says the board some time ago notified all county judges that the school was filled, and that no more girls could be received until some arrangements had been made for caring for them, and all but Marion county acted on his advice.

Commitment Illegal.

It also appears that commitments to the school can only be made by the county judges, and that the girl could not have been taken in on a commitment made out as this was by Justice Webster.

Attorney Ringo says he had arranged with Governor West to have the girl admitted, and that if the governor was here this would have been done. The board of control met this morning and endorsed the action of Attorney Ringo in refusing to accept the girl, and it is now up to the county attorney, Mr. Ringo, who, it is understood, will bring mandamus proceedings to compel the matron to receive the girl.

Secretary Goodin expressed keen regret that the school was unable to provide for the unfortunate girl, and for all others who should be in the school and looked after by the state, but, with present facilities, it is impossible to take care of more than are now in the school. It is also stated that Attorney Ringo offered to take one of the girls now in the school into his own home, in order to make room for the Howell girl, but no action has been taken on this proposition.

Miss Howell's Story.

"I don't want to go to the training school now that the officers of the place have treated me as they have," said Lena Howell this afternoon when interviewed by a Journal representative over the phone. "I was taken before Judge Webster and was told very little of what was going to be done. I was then escorted to the girls' training school. Constable Cooper left me on the steps of the institution and when the matron of the school came to the door she said she would not receive me as an inmate. I then asked her to let me use the telephone as I wanted to call up Mrs. Lynch and get her to come after me as I had no money to go any place with. Mrs. Hopkins, the matron, told me that there were several other telephones around in the neighborhood and that I could use them instead of the school phone and then she slammed the door in my face and locked it."

Scores School Authorities.

If what Mrs. Pickett, the woman who took the girl in after she was turned away from the school, said is true, the matron of the training school wasted

(Continued on page 5.)