

Full
Leased Wire
Dispatches

The Daily Capital Journal

Today's News
Printed Today

THIRTY-SEVENTH YEAR

SALEM, OREGON, TUESDAY, JUNE 9, 1914.

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WORLD RENOWNED OPERATIC SINGER IS GIVEN DIVORCE

Judge Sullivan Grants a Directed Verdict at Request of Madame's Attorney

GREAT DIVA EXPECTS 3 MARRIAGE PROPOSALS

Singer Says She Will Never Marry Again; Rapp Jokes With the Reporters

Chicago, June 9.—Mrs. Ernestine Schumann-Heink, the singer, today won her divorce suit against William Rapp, jr.

Judge Sullivan instructed the jury to return a verdict in her favor. He did so on a motion by Mrs. Schumann-Heink's attorney.

The madam was jubilant. She announced with much glee that, as soon as it became certain she would get a decree, she received three marriage proposals.

Submitted by Wire.

One, she said, was from a Chicagoan, who submitted his request in person; one was telegraphed to her from Los Angeles; one came by wire from New York.

"But I shan't marry again," said the singer. "I'm getting too old. I'm not even going to sing as much in the future as I have in the past. I have enough money and I want to care for my children. I'm so happy—oh, so happy! Now I can devote my life to my children and my music. I feel I can sing much better with this trouble off my mind."

Rapp joked with the reporters. "Mrs. Schumann-Heink was too temperamental for me," he confessed. "I doubt if any man could get along with her. Now, could you boys blame me for seeking another woman's friendship if I found it congenial?"

Mrs. Schumann-Heink was scheduled to leave tonight for New York, whence she will sail for Beirut to take part in the Wagnerian festival.

Rapp also expected to go to New York soon. He did not say, however, whether he would marry Mrs. Dean, whose name was coupled with his in connection with the divorce suit.

The suit's outcome was not a surprise to him.

Judge Grants Directed Verdict.

Chicago, June 9.—Judge Sullivan today sustained a motion by counsel for Mrs. Ernestine Schumann-Heink to direct a verdict in her favor in her di-

MALE DEATH RATE HIGH IN THIS CITY

Males Exceed Females By 10 Among New Arrivals—Slump in Marriage Market Noted for May.

There were 41 births in this county last month and 25 deaths reported to County Physician Van Winkle. Among the new arrivals the males exceeded the females by 10, as there were 27 out of the 44 who will be called "sonny."

Twenty-three of these boys were born in this city, where the birth of eleven females was reported. The mortality rate was much higher among the males in this city last month than among the females, there being 13 deaths among the former and five among the latter. The marriage market suffered a slump, however, as there were but 17 licenses issued last month, less than half the usual number. The opinion is expressed that this shortage will be more than made up in this month of June brides.

There were 19 cases of contagious diseases reported in the county, only one of which resulted fatally, however. The cases of contagious diseases are widely scattered and in no instance is anything like an epidemic reported.

The full report follows:

Births.

Salem—Males, 23; females, 11. Hubbard—Females, 3. Woodburn—Females 1. Mt. Angel—Males, 1. Silverton—Males, 2; females, 1. Mill City—Males, 1; females, 1. Stayton—Males, 1.

Deaths.

Salem—Age 70, senility; 72, heart disease; 49, tuberculosis; 35, heart disease; 72, stomach trouble; 56, neyhritis; 81, senility; 73, apoplexy; 6, cerebro spinal meningitis; 36, general paresis; 81, senility. Females—Age 74, senility; 29, appendicitis; 54, diabetes; 6, heart disease.

Silverton—Male—Age 54, appendicitis.

Mill City—Male—Age 74, stomach trouble.

Woodburn—Female—Age 88, heart trouble; female, 45, uraemia.

Pratum—Female, heart disease.

Fairfield—Male, age, 77, senility.

Jefferson—Female, stillborn, 1.

"Contagious diseases—Smallpox, 1; typhoid fever, 2; scarlet fever, 5; meningitis, 1; erysipelas, 1.

DISCUSS FEDERAL RESERVE BOARD GOVERNOR

Washington, June 9.—Discussion of the federal reserve board occupied the day, was having difficulty in seeing today. President Wilson, it is said, is not in favor of the board. Mortality lecturing a governor for the board. The members so far selected are: Paul Warburg of New York, W. P. Harding of Birmingham, Adolph Miller of San Francisco, and E. C. Simmons of St. Louis.

Engineer O. Laugaard, who has charge of the Tumalo reclamation project, arrived in the city today, and is attending a meeting of the desert land board this afternoon.

Divorce suit against William Rapp, jr. The jury was directed accordingly.

JUDGE PASSES ON GUILT OF PARTY—LEVIES FINE

No Evidence Except Complaining Witnesses' Own Statement Brought Out in Police Court Case.

WAY CONDUCTS EXAMINATION OF PRIVATE PROSECUTOR

Veracity of Plaintiff and Defendant Chief Point at Issue in Alleged Illegal Selling of Liquor.

R. Way was arrested last night by Officers Fisher and Woolery for the alleged offense of selling liquor to one George Sheets, who is said to be a leading Marion county farmer. Sheets was found staggering about the streets last night by J. H. Scott. He told Scott that he had been drugged and that he could identify a man in the Shafer & Keeton pool hall who sold him some whiskey for a dollar. Scott accompanied Sheets to the pool hall, where the latter pointed out a man whom he said sold the booze to him. Scott then called up the officers and they were arrested.

Could Not Identify Positively.

This morning, Way pleaded not guilty to the charge, which was selling liquor without a license, and his hearing commenced. Sheets, the sole witness to the actual transaction, testified that Way sold him a pint of booze for \$1. He went ahead and identified the pint bottle in which there was a half pint of liquor and told the court, under oath, that that was the same bottle sold to him. But, upon being cross-examined by the defendant, Way acting as his own counsel, Sheets was not positive that Way was the man who sold him the liquor. "Are you positive that I am the man from whom you bought whiskey?" asked Way.

"Well, I can't swear that you are the man, but I believe you are," responded Sheets.

"You are under oath now, and I want you to say whether or not I am the man that sold you or gave you any whiskey?" demanded Way.

"I believe you're the man," asserted Sheets, but would not say further that the defendant was actually the person who sold him the liquor.

Way started to ask Sheets another question and, instead of the court prompting him as to the process of cross-examination, the city attorney interfered and told Way he had no right to ask the question just propounded. Way then said he was through.

Councilman Testifies.

Councilman Cummings then took the stand and told how he had seen Way brought to the station, and how he saw other things none of which had any bearing on the case.

Scott, the man who found Sheets on the street, testified that he accompanied the prosecuting witness to the pool room and that Sheets there pointed out Way as the man who sold him the booze.

(Continued on page 3.)

GENERALS VILLA AND CARRANZA CLASH

OVER MEXICAN R. R. RECONSTRUCTION

BRYAN IS HOPEFUL FOR A SPEEDY SOLUTION OF THE PROBLEM OF PEACE OR WAR

HUERTA CABINET TO FLEE SITUATION MOST HOPEFUL PLANNING TO LEAVE CAPITAL.

Robbers Prepared to Wreck Whatever Railway Dictator Attempts to Get Away On—Danger of Treachery.

By William G. Shepherd.

Vera Cruz, Mex., June 9.—That President Huerta, War Minister Blanquet and the other remaining members of the badly disorganized Mexico City cabinet were considering coming to Vera Cruz for the winter of the American-Mexican negotiations, was learned here today.

That is to say, business connected with the mediation negotiations was given as the ostensible purpose of the trip. It was known that, in point of actual fact, Huerta has realized for some time that his family was not safe in the capital but could devise no means of getting it out.

So far as the family was concerned, it was thought here that the mediation excuse might serve. Whether it would avail Huerta himself was considered more doubtful. The dictator was understood to have definite information that the rebels were prepared to wreck whatever railroad he undertook to leave by.

Attempt Worth Risk.

Nevertheless the general view was that the attempt would be worth the risk, since if the dictator should still be in Mexico City when it falls into the rebels' hands, it was deemed certain that he would not stand a single chance for his life, and that the rebels would take it soon as agreed on all hands to be a foregone conclusion.

There was, of course, the possibility that Huerta might get out of the capital secretly, but it was felt that there was also great danger of treachery on the part of some of his attendants.

Authentic reports were in circulation to the effect that War Minister Blanquet would come to Vera Cruz first, accompanied by the Brazilian minister in Mexico City, to confer with General Funston concerning his chief's reception.

A rumor was even current that Blanquet had already reached the American lines, but it wholly lacked confirmation.

FOUR DIE WHEN AUTO PLUNGES OVER BANK

Goldfield, Nev., June 9.—Four prominent residents of Goldfield met death in an automobile accident early today while returning to this city from a Knights of Pythias lodge meeting at Tonopah. The dead:

- Dr. E. A. Wheeler, one of Nevada's most prominent physicians.
- Daniel Falvey.
- Cyrus Rice.
- Herman Kruger.

The accident occurred when Dr. Wheeler, who was driving the car, turned out to avoid another machine, skirted the edge of an embankment too closely and plunged over.

PAINTER FALLS 4 STORIES TO PAVEMENT AND LIVES

Los Angeles, June 9.—After falling four stories to the asphalt pavement, Ernest Wayman, a painter, is alive today and probably will be able to leave the hospital tomorrow. A scaffolding upon which he was at work with J. S. Green broke and he was somersaulted to the street. Not a bone was broken. Green clung to a rope and was rescued.

SHORTSTOP WITHOUT A JOB.

Tacoma, Wash., June 9.—C. E. Bloomer, last Tiger shortstop, is without a job today. Bloomer asked Manager McGuinnity for his release and obtained it. He says he is going back to his home at Booneville, Miss., to join his wife and baby. Bloomer admits his playing has fallen off of late and attributes the fact to homesickness.

Quarrels with Dance Hall Girl; Suicides

San Francisco, June 9.—Harry Prescott, aged 34, calmly stood before a mirror in his room here today and severed the arteries of his wrists with a razor. Leslie Saxton, his room mate, awoke as Prescott was sinking to the floor. Prescott died a few minutes after his arrival at a hospital.

Prescott told friends here that he formerly lived in Australia, but letters found in his pocket indicated that he was a son of the president of the First National Bank of Philadelphia. Saxton told the police that Prescott quarreled yesterday with a girl in a dance hall. This was the only motive he could furnish for the suicide.

The Salem school board met in special session at the high school last night and considered the applications now on file for positions as teachers in the grade school. Outside of these matters there was nothing taken up of any importance.

CARRANZA'S REPLY IS ON WAY.

Washington Administration Does Not Plan to Interfere With Landing of Arms Carried by the Antilla.

Washington, June 9.—"All I care to say is that the situation is most hopeful," responded Secretary of State Bryan today to the newspaper correspondents' questions concerning Mexican developments.

The announcement followed a conference between President Wilson, Secretary Bryan and John Lind. That the secretary did not think he was exaggerating was evident from his expression and manner. His tone could not have been more optimistic.

Envoys Expected to Be Named.

Despite his declaration that he would not go beyond the original dozen words of his reply to the interrogators, he admitted that he expected General Carranza to name envoys to the Niagara Falls conference and was confident the mediators would receive them on Carranza's terms, which provided for participation in the peace negotiations but not for an armistice while the negotiations were pending.

The secretary stated, too, that no orders had been issued relative to the Ward liner Antilla, which, flying the Cuban flag, is on its way from New York to Tampico with a cargo of arms.

From other sources it was learned that the Washington administration does not plan to interfere with the landing of the arms, considering that they are no longer a danger, Carranza having been included practically in the mediation negotiations.

The matter was discussed by the cabinet this forenoon.

Secretary of War Garrison reported that sickness was increasing among the soldiers at Vera Cruz, but other members of the cabinet expressed the hope that the troops would soon be withdrawn.

In official circles ignorance was professed of reports that President Huerta was planning to take refuge within the American lines, but it was admitted that, should he do so, he would be protected.

REPLY ON WAY.

Niagara Falls, Ont., June 9.—Frederick Lehmann, one of the American envoys at the A. B. C. peace negotiations in progress here, received word today that General Carranza's reply to the mediators' invitation to the Mexican rebels to send representatives to the conference was on the road to Niagara Falls.

It was expected to reach here tomorrow.

It had been planned to make public the correspondence between the mediators and General Carranza but today it was announced that the mediators thought best to withhold it. This decision followed a conversation between Lehmann and Brazilian Ambassador Da Gama of the mediation board.

It was known today that the Mexican pacification plan submitted by the American envoys to the mediators Monday contemplated the establishment of a provisional Mexican government consisting of a president and four cabinet members to share the responsibility of office equally.

In this group substantial representation was accorded to the constitutionalists. It was even suggested that the foreign ministry be given to General Carranza, which would permit him to run for president later.

DRAFTING OF PROTOCOL MAY BEGIN WEDNESDAY

Bryan Says "Differences" Between American and Mexican Propositions Are "Not Insurmountable."

By John Edwin Nevin.

Washington, June 9.—General Carranza's reply to the "A. B. C." mediators' invitation to him to send representatives to the American-Mexican negotiations was expected here today to go to Niagara Falls before night. Members of the constitutionalists' Washington junta admitted that it consisted of an acceptance of the request to join in the conference "on Carranza's own terms."

At Niagara Falls everything was ready for the drafting of a protocol. It was believed the actual work of drafting it would begin tomorrow. According to Secretary of State Bryan the differences between the American and Mexican propositions were "not insurmountable."

Assuming that the Washington and Mexico City envoys agreed it was said an international peace and internal pacification agreement could be put through even without the rebels' endorsement.

Neutral Government Is Plan.

It was known that the plan was to set up a neutral government in Mexico City to manage Mexico's affairs until a regular national election can be held. Immediately following President Huerta's retirement, it was said, the United States and all South and Central American would recognize this provisional government and that money would be loaned to it to meet pressing obligations.

Both in Washington official and diplomatic circles it was thought this would make the new administration strong enough to enforce domestic peace even against Carranza's opposition.

That there would be opposition from him, however, was considered unlikely, adequate representation of the constitutionalists in the provisional government being assured.

President Wilson and his cabinet expected to discuss today the cause of the Ward liner Antilla, now on its way from New York to Tampico with war munitions for the rebels. It was thought possible arrangements would be made for bringing the ship back without unloading.

General Carranza, it was known, plans to issue an appeal to all Mexicans, outlining his plans relative to taxation and land distribution.

BASEBALL TODAY.

National.	R. H. E.
St. Louis	5 6 0
New York	2 8 4
Salles and Wingo; Demaree and McLean. (10 innings).	
American.	R. H. E.
Pittsburg	1 5 0
Philadelphia	3 9 3
Conzelmann and Gibson; Mayer and Killifer.	
British.	R. H. E.
Cincinnati	2 5 6
Boston	3 5 0
Davensport and Clarke; Hess and Gowdy.	
American.	R. H. E.
Chicago	1 4 1
Brooklyn	2 5 1
Zabel and Bressahan; Pfeiffer and McCarthy.	

OFFICERS RAID HEADQUARTERS

Authorities Declare Suffragettes Will Be Raided as Often as They Reopen—May Plan Secret Campaigns.

London, June 9.—Police today raided the suffragettes' temporary headquarters in Tottenham street, arrested several women they found there, seized a quantity of records and retained possession of the offices.

It was after their regular headquarters had been closed by the authorities that the suffragettes found refuge in Tottenham street. At the home office it was announced that, as often as they were reopened, they would be raided. The women replied that offices would be reopened as often as they were raided. It was generally believed, however, that they would try to plan a campaign secretly in future.

The unprecedented activity the militants have shown recently has driven officialdom almost frantic.

ROOSEVELT ENTERTAINED BY SPANISH ROYALTY

Madrid, June 9.—King Alfonso and Queen Victoria today entertained Colonel Theodore Roosevelt at their summer palace at La Granja, forty miles from Madrid. His stay at the palace lasted about four hours.

Colonel Roosevelt, accompanied by Ambassador Willard and the staff of the American embassy, left Madrid early in the morning by automobile for the royal residence. They arrived in time for luncheon.

COQUILLE GOES DRY.

Coquille, Ore., June 9.—Saloon licenses which expire in Coquille after July 1 will not be renewed. This decision was reached at a tumultuous session of the city council last night. A petition signed by 450 voters asked that saloons be abolished. This is more than two-thirds of the total registration.

Cattle, Woman's Gossip, Pickles, and Frosted Cake Figure in a Case Decided by Supreme Court

Nine opinions were handed down by the supreme court this morning, none of especial importance generally, but one of which presents some unique features.

It is a case appealed from Grant county and naturally arose over cattle. There was also a woman in the case, a picnic and cucumber pickles and cake as well as search warrants and gossip.

David G. Smith brought suit for damages against Wm. W. McDuffee, who was justice of the peace at the time the foundation of the suit was laid, Andrew Edling, a special constable, or supposedly such, and Wm. Von Behren a stockman and cattle owner. The action was brought to recover damages for the alleged illegal entry upon certain property of plaintiff's and the unauthorized searching of plaintiff's dwelling house and other buildings. It seems that on May 15, 1912, a son and a step daughter of plaintiff attended a picnic, public in character, to which they took as a luncheon sandwiches containing, according to the solemn allegations of the complaint, bacon and eggs, and they also had cucumber pickles and a frosted cake. At the picnic these edibles were placed on the table with dainties provided by others, and a woman feasting on the good things got hold of a piece of cold beef. This she supposed, wrongfully it seems, had been furnished by the stepdaughter, aforesaid, and after the affair she reported to Von Behren that she had been given this meat by the girl. Thereupon Von Behren did the search and at going before Justice of the Peace McDuffee signed and swore to the following document:

Complaint Is Filed.

"Criminal Information."

"I, Wm. Von Behren, being first duly sworn depose and say: First, that I have missed cattle on the public range branded J. J. on the right side. Second, that D. G. Smith has now beef in his family's possession; and third, that I, Wm. Von Behren, believe his animal or animal has been butchered and the beef, hide, etc., may be found on the premises of D. G. Smith; that I believe the same to be true, so help me God."

Based on this a supposed search warrant was issued and placed in the hands of Andrew Edling who was asked to serve it.

He went to Smith's house, Smith being away from home, and told Mrs. Smith he had a search warrant and wanted to search the house. She as any honest person would tell him to go ahead and search. He did and found nothing he was looking for.

Smith then brought suit against the bunch. The case was dismissed as to McDuffee and a verdict for defendants returned as to the others. Smith then brought suit against the bunch. The case was dismissed as to McDuffee and a verdict for defendants returned as to the others. Smith appeals.

The supreme court ignoring the cucumber pickles, the frosted cake and the idle gossip of a busybody of a woman, went through the balance of the showing and found that the affidavit for the search warrant was defective, the search warrant was of no account, the special officer was not properly appointed, and the whole proceedings a farce. Von Behren did not even swear he had lost any cattle, or that he owned any. His affidavit accused Smith of butchering his own cattle if it accused

him of anything, and that in fact about all that was any evidence of being butchered was the English language. On top of this however it held that there was no ground for action for damages for the reason that Mrs. Smith had invited Edling to make the search. About all of the transaction of which the public is left in doubt is as to the connection, if any, between that cold beef at the picnic and the cattle branded J. J. on the starboard side of which Von Behren had missed on the range.

Other Cases.

The other cases are as follows: Van Walters et al., appellants vs. E. J. Cooper; appealed from Washington; suit to restrain the prosecution of an action at law, affirmed.

David G. Smith, appellant vs. William W. McDuffee, et al., appealed from Grant; action for damages for an illegal entry on real property, affirmed.

W. S. Fields et al., appellants vs. R. J. Crowley et al.; appealed from Grant; action to collect rents, reversed.

George Smith vs. D. C. Burns, appellant; appealed from Multnomah; action for damages for personal injuries, modified.

George W. Riggle, appellant vs. L. C. Lens; appealed from Multnomah; action for damages for the death of plaintiff's son, affirmed.

State vs. Lester Goff, appellant, charged with larceny of cattle; appealed from Grant; affirmed.

E. W. Oliver, appellant vs. Grande Ronde Grain Company et al.; appealed from Union; suit to foreclose a lien on grain, affirmed.

Louis Bergedin et al., appellants vs. Matt Mosgrove; appealed from Umatilla; suit for an accounting, affirmed.

The Weather

Generally fair tonight and Wednesday; warmer Wednesday except near the coast; westerly winds.

