

Full
Leased
Dispatches

The Daily Capital Journal

Today's News
Printed Today

THIRTY-SEVENTH YEAR

SALEM, OREGON, WEDNESDAY, NOV. 11, 1914

PRICE TWO CENTS

ON TRAINS AND NEWS
STANDS—FIVE CENTS

NIKRENT IS FIRST BUT OLDFIELD WINS ON ELAPSED TIME

The Cactus Derby, Owing to Muddy Roads, Is Severe Test of Machines

RIVER GOT OLDFIELD OTHERS CROSSED

Missouri Mule Vindicated, for His Work Instead of Ma- chine Won Race

Phoenix, Ariz., Nov. 11.—Barney Oldfield won the annual Los Angeles to Phoenix automobile race, driving his Stutz car No. 5 into the state fair grounds here at 3:56 o'clock through a driving rain.

Louis Nikrent, in Paige No. 8, was first to arrive at Phoenix, but Oldfield's early lead gave him the advantage on elapsed time. Nikrent arrived at 3:40 mountain time.

Prescott, Ariz., Nov. 11.—Though Barney Oldfield "checked out" of the Prescott control station at 10 o'clock (mountain time) and was followed at two-minute intervals by the other ten Los Angeles-Phoenix racers, it was much later when the big cars actually left Prescott on the last leg of their desert journey.

Practically every car had to be extensively repaired after leaving the checking station. This work was done in a pouring rain. Thousands of persons, however, saw the machines plow through the muddy streets and bend southeast.

But 134 miles of the 671 of the course remained to be covered, but much of that distance was over steep grades and bad roads. It was expected that the winner would roll into the Arizona state fair grounds at Phoenix about noon.

An error of an hour's time, due to the checkers' failure to allow for the change to mountain time at Seligman, was found when the unofficial elapsed time was checked by the timers. The official time from Los Angeles to Prescott of the eleven survivors who continued in the race today is as follows:

Oldfield, Stutz No. 5—17 hours, 8 minutes.
Davis, Simplex No. 4—17 hours, 52 minutes.
Nikrent, Paige No. 8—18 hours.
Baudet, Paige No. 1—19 hours, 12 minutes.
Durnat, Chevrolet No. 2—19 hours, 18 minutes.
Bramlett, Cadillac No. 19—20 hours, 46 minutes.
Ellis, Buick No. 15—21 hours, 14 minutes.
Burns, Stutz No. 17—21 hours, 32 minutes.
Kinsaid, Kinsaid Special No. 10—23 hours, 45 minutes.
Dubois, Cole No. 21—24 hours, 15 minutes.
Wing, Metz No. 9—26 hours, 24 minutes.

Oldfield Leads at Skull Valley.

Skull Valley, Ariz., Nov. 11.—Oldfield, Nikrent and Durant passed Skull Valley in order at one-minute intervals, Oldfield's arrival being caught at 11:05 o'clock (mountain time). Skull Valley is 23 miles east of Prescott.

Congress Junction, Ariz., Nov. 11.

One minute ahead of the speeding Chevrolet, Barney Oldfield, in Stutz No. 5, passed Congress Junction at 12:45 o'clock this afternoon.

Durant in Lead.

Wickenburg, Ariz., Nov. 11.—Durnat, in Chevrolet No. 2, led the Phoenix racers through Wickenburg at 1:21 p. m. Oldfield followed one minute later, and Nikrent a few seconds behind. Wickenburg is 54 miles from Phoenix.

HELPED CAPTURE BOOTH.

TEST CASE MADE IN SHORT WEIGHT LAW

Agent of Union Meat Company of Portland Is First To Be Convicted

In the conviction of E. J. Nedd, an agent of the Union Meat company of Portland, of violation of the act of the legislature of 1913 for selling four pieces of wrapped bacon to the Fouts Grocery company of Medford under weights which included the paper and canvas wrapper, in the circuit court of Jackson county yesterday, State Deputy Sealer of Weights and Measures Fred G. Buchtel has fired the first gun and won his first battle with the big packing concerns of the country in the enforcement of the net-weight statute and he naturally feels gratified with the results.

Nedd is to be sentenced by Judge Callahan today and if the conviction stands the test of appeal to the supreme court, which will be made, Mr. Buchtel will have laid the foundation for the working of a great reform in the method of selling wrapped or packed commodities to the retailer and a tremendous saving to the consumer. He also figures, and rightly too, that the saving which such a reform alone will bring about in a year's time to the consumers of cured meats in the wrapper, with the weight of the wrapper deducted, will more than pay for the entire cost of maintaining his department.

Section 17, Chapter 327, of the session laws of 1913 provides that it shall be unlawful in the selling of any commodity by weight or measure to include the weight or measure of anything other than the weight or measure of such commodity so sold. Mr. Nedd was arrested for selling four pieces of wrapped bacon to the Fouts Grocery company on March 24, last. The bacon in the wrappers weighed 38 pounds but when the wrappers were removed the bacon showed a net weight of but 36 pounds 2 ounces, showing that the dealer paid for one pound seven ounces of paper and canvas covering. On November 7 he was tried before a jury in the circuit court and was found guilty, and he is to be sentenced today, when an appeal will be taken to the supreme court to test the constitutionality of the act.

Mr. Buchtel noticed in a news item of recent date that the city of New York will follow the example set by Oregon in connection with the net-weight act in which it was stated that the legal authorities of New York City were agitating the same question and will ask the attorney general of the state if there is any law under which prosecutions can be brought against meat packing companies which include the weight of the wrappers in the selling of their prepared products. Hence Oregon has become the pioneer in still another reform movement for the benefit of the consumer, which promises to become nation-wide.

GERMANS CLAIM GAINS ON WESTERN FRONT

Berlin, via The Hague, Nov. 11.—Three distinct German gains in the western theatre of war and the repulse of all the counter attacks directed by the allies against the Kaiser's lines were claimed tonight in a war office statement issued here.

WILL OPEN MONDAY.

Chicago, Nov. 11.—The disinfecting of the Chicago stockyards on account of the foot and mouth disease will be completed tonight, but the yards will not be reopened until Monday, when the quarantine expires.

struggled through the mud, and soon was after the leaders. Oldfield resumed the chase in fourth position, but apparently confident that his big margin of elapsed time would win for him, even if he failed to overtake his rivals.

Bramlett in Lead.

Peoria, Ariz., Nov. 11.—Bramlett, in Cadillac No. 19, led the Phoenix racers through Peoria, passing here at 3:10 o'clock. Peoria is 12 miles north of Phoenix.

A Ten-Minute Lead.

Glendale, Ariz., Nov. 11.—Bramlett passed Glendale, nine miles north of Phoenix, at 3:19. Nikrent, in Paige No. 8, passed at 3:29.

CONVENTION TURNS CARRANZA'S OFFER DOWN, HE MUST QUIT

After All Night's Session Carranza's Offer Is Unanimously Rejected

VILLA IS APPOINTED COMMANDER IN CHIEF

First Battle Expected at Quer- atero, Unless Carranza Weakens

El Paso, Texas, Nov. 11.—The Aguas Calientes peace convention after an all night session unanimously rejected today Provisional President Carranza's conditional offer to resign, according to advices received here at noon. The decision means that the convention will take immediate steps to oust Carranza unless he recedes from his stand.

After the convention had reached its decision, General Villa immediately transferred his command of the division of the north to General Jose Ysabel Robles, recently named secretary of war by the peace convention. Robles in turn appointed Villa commander-in-chief of all the forces controlled by the convention and ordered military operations against Carranza to proceed.

General Martiniano Servin, at the head of 10,000 Villistas, was preparing this afternoon to invest San Luis Potosi and another Villista division was reported near Leon. The first battle between the two factions was expected to take place at Queratero, where General Pablo Gonzalez is reported to have 40,000 Carranza troops under his command.

Fighting Yesterday.

Washington, Nov. 11.—Heavy fighting at Naco, Sonora, Mexico, throughout yesterday afternoon was reported by Colonel Hatfield in dispatches received today at the war department. Three guns opened a shrapnel fire from the east and two from the southwest. The firing continued until dark. General Mayorena, commanding the Villista troops, informed Colonel Hatfield that his move was a defensive one and not an attack on the Carranza forces.

Situation Dangerous.

Washington, Nov. 11.—The crisis in the breach between Provisional President Carranza of Mexico and the Aguas Calientes peace convention was expected today by government officials here. It was hoped that a conflict would be avoided, but the situation was admittedly dangerous.

State department officials were awaiting confirmation of a report that Carranza had agreed to American demands in connection with the evacuation of Vera Cruz. Even if Carranza completely complied with these demands, it was not believed a date for the departure of the American troops would be fixed until conditions in Mexico became settled.

COMMISSIONER TALKS OF THE BLUE SKY LAW

Two fundamental principles as a basis upon which to build a model "blue sky" law to make it more effective and far-reaching in its effects, were offered by Commissioner of Corporations and Finance, Ralph A. Watson in his first report to the legislature embracing recommendations for amendments to the present law, and these are: "The plain requirement that all men, in the promotion, incorporation and financing of corporations or other companies, should deal openly, fairly, honestly, without concealment, reservation or deceit, with the investing public; and, the promise, equally plain and unequivocal, that he who offended against the requirement, or evaded it, would suffer the penalties that the law set up."

In other words, the principal criticism which Mr. Watson has to make of the law as it now stands upon the statutes is that it throws the burden of proof of fraud or virtue, as the case may be, upon the state and that, when the element of fraud or intent to defraud has been established, there should be stringent and severe penalties provided which would operate as a discouragement against infraction of the provisions of the law by others. Furthermore, Mr. Watson recommends, as additional needs for amendment, that these amendments should go to capitalization control, the control of the sale of what is known as "promotional stock," and, in the organization of mining corporations, to the acquisition of title to property claimed as a primary step in the promotion of the company.

Mr. Watson's report to the governor covers numerous printed pages, too voluminous to digest in a brief summary and it will be treated in a more enlightening detail in a later issue of the Journal.

TURKS AGAINST WAR.

PARLIAMENT OPENS, COLOR IS MISSING

Occasion Unusually Quiet, Of- ficials in Khaki, King Looks Careworn

(By Ed. L. Keen.)
London, Nov. 11.—Parliament opened today. It was not the usual brilliant occasion. There were troops in plenty for the customary state procession but they wore sober khaki instead of the gorgeous dress uniforms which ordinarily lead color to the gatherings of the British lawmakers.

Since Guy Fawkes' day a search of the vaults under parliament house has always been made for explosives before the lords and commons assembled, but for generations past this has been purely perfunctory. In view of the German spy scare, today it was genuine and thorough. Detectives from Scotland Yard assisted the picturesque Yeomen of the guard in conducting it.

In the lobbies of the houses many of the members appeared in khaki uniforms. About 100 members of the house of commons and approximately an equal number of the peers are in active service on the continent, and a number of them were present on furlough.

One Touch of Color.

The cuirassiers Life Guards furnished the only touch of brilliancy to the state procession which preceded the opening of the session. The king and queen rode in the huge gilt coach invariably used on such occasions, but the other carriages were plainer than usual. Most of the generals who ordinarily accompany their majesties on their drive from the palace to parliament house were missing. Those who did appear were in khaki.

The king was attired in a field marshal's uniform. He looked pale and careworn.

The Prince of Wales was one of the guard of honor outside the house of lords, but during the ceremony attending the opening of the session he slipped into the chamber and took a piece near the throne.

War Minister Lord Kitchener rode to the houses behind the king, a member of the general staff explaining that he had "sacrificed his lunch" to do it.

SAYS WAR WILL NOT BE LONG AS PREDICTED

London, Nov. 11.—"I doubt if the war will last as long as people originally predicted," Premier Asquith told the house of commons tonight.

He based his skepticism on the ground that the Germans' first plan for a quick drive to Paris, before the Russians could get into action, had been frustrated, leaving the advantage at present with the allies.

A wealthy New York woman wants to buy all the guns that a Wilmington fireworks factory can turn out in two years. Probably the lady has a good deal of cat trouble in her back yard.



FACING THE TURKS WILL NOT WEAKEN THE OTHER ARMIES

Say Czar's Forces Will Crush Germans by Sheer Force of Numbers

GERMANS SAY NO FEAR OF RUSSIAN INVASION

Claim Kaiser Is Reinforcing Army at Expense of That in Belgium

Petrograd, Nov. 11.—Everywhere the Russians continued their advance today against the Germans and Austrians. Strategy aside, military men here predicted that the czar's forces would crush the Teutons by sheer weight of numbers.

The task of dealing with the Turks, prominent officials said, did not involve a relaxation of the pressure against the German and Austrian frontiers.

The official statement was made that the Germans had been defeated at Lyck and driven westward into the East Prussian lake region.

The German Version.

Berlin, via The Hague, Nov. 11.—Fighting in Belgium continued indecisively today, the war office here stated this afternoon. In the Argonne region the situation was reported favorable, from the German standpoint.

Petrograd claims of important Russian successes in the east were brushed aside with the declaration that there was nothing to indicate that a general Slav invasion was imminent.

As Austrians Tell It.

Berlin, via The Hague, Nov. 11.—Fighting along the Austro-Serbian frontier still continues, according to messages received here today from Vienna. The Austrians were said to have captured a number of Serbian entrenchments and to be advancing on Loxitza Krupanj and Ljubovija.

TRYING TO DISCOVER ORIGIN OF FIRE

Norfolk, Va., Nov. 11.—Armed men were guarding the entrances to the British ship Rembrandt, afire at sea for 24 hours, before it docked today at Newport News. As a result of Captain Edwin's suspicion that German spies set fire to the vessel, no one was allowed to leave or enter without first submitting to a rigid examination.

RUSSIANS MOVING AGAINST TURKEY

Berlin, via The Hague, Nov. 11.—Important movements of Russian troops in Bessarabia and eastern Galicia were reported here today in a message received from Czernowitz, Austria.

150,000 FOR WELSH.

Milwaukee, Wis., Nov. 11.—Promoters of the Welsh White ten-round hour here Monday night today announced that the contest drew \$24,000. Welsh, it was believed, received at least \$10,000 for his aid.

BURDETTE STILL LIVES.

TO COMPEL RAILROADS TO CONNECT LINES

Test Case Now Before Rail- road Commission—South- ern Pacific Objects

Before the hearing of the complaint of the Goode-Maye Brick company, of Donald, to require the Southern Pacific and Oregon Electric railroads to make physical connection of their lines at Salem to permit the transfer of cars of freight from one line to the other in transit, had progressed very far, before the railroad commission yesterday afternoon, the scope of the testimony had broadened to such an extent as to embrace shipments of wood pulp and other commodities over these lines and other railroad lines that the commission, upon the request of counsel for the Southern Pacific company, adjourned the hearing until another date, to be fixed later, and ordered that the Portland, Eugene & Eastern railroad be given 10 days notice to make an appearance as a party defendant to the complaint.

World Benefit Wood Pulp Shipments.

The hearing was opened yesterday morning and continued until late in the afternoon. The plaintiff was represented by President H. W. Goode, of the Goode-Maye Brick company, of Donald, and the Southern Pacific company, defendant, appeared by Counsel Ben C. Day. Witnesses subpoenaed on behalf of the Southern Pacific, who were in attendance and gave testimony, were: J. J. Kober and George B. May, of Mt. Angel; L. M. Bitney, of Woodburn; and W. E. Wilson, of Salem, all manufacturers of brick, and the witnesses who appeared upon behalf of the commission were Ed Chambers, B. L. Carothers, E. J. Noble, J. W. Gilmore and P. L. Burkholder, of Dever and Talbot, in Linn county, all dealers in and shippers of wood pulp.

It developed in course of the taking of testimony that Mr. Chambers shipped annually about 14 carloads of wood pulp from Dever, and Mr. Carothers shipped about 55 carloads of the same commodity annually from Talbot to Oregon City, which, in order to reach their destinations under present conditions, had to be moved via Portland and the Portland Railway, Light & Power company line to Oregon City.

Will Connect on Front Street.

It also developed that, in the event a physical connection should be ordered made by the commission, the most feasible and convenient point for the establishment of such connection would be upon Front street, where both the Oregon Electric and the Portland, Eugene & Eastern maintain and operate separate tracks, and, since the Portland, Eugene & Eastern was not mentioned as a defendant in the complaint, the complaint would have to be amended so as to include that line as a defendant or respondent, it was deemed necessary to postpone the hearing until such time as the P. E. & E. could prepare for an appearance. Not less than 10 days notice is required under the law, and the hearing adjourned until a future date could be fixed by the commission.

The Oregon Electric, not being opposed to making the physical connection asked for, did not put in an appearance at the hearing.

STRAIGHT ROADS PUT DOWN TO STAY

Atlanta, Ga., Nov. 11.—Austin Fletcher of Sacramento, Cal., addressed the delegates to the good roads convention here today.

"Straight and wide roads put down to stay, although at additional cost," said Fletcher, "should be planned by every county and state in the United States. Cut through hills and groves, but at all costs keep the roads straight, avoiding turns and crooks. Put in the best bridges and culverts, as their cost of maintenance is much less than the cost of rebuilding."

ASSESSORS TELL TALES OF TROUBLES

Portland, Or., Nov. 11.—While the assessor may be hard hearted in the eyes of the tax payer, he has his troubles, his problems and plenty of grief, as was made very plain at this forenoon's session of the Oregon county assessors' association meeting at the court house.

LOSS HALF A MILLION.

Copenhagen, Nov. 11.—The names of 509,000 German officers and men killed, wounded and missing in August, September and early October were included in the latest casualty list issued in Berlin, it was stated in dispatches received here from the Kaiser's capital today.

BOARD IS TRIMMING ESTIMATES OF THE SUPERINTENDENTS

Asylums for Insane Crowded to Capacity and More Room Is a Necessity

\$125,000 LOPPED OFF IN FIRST DAY'S WORK

No Improvements Will Be Considered Except Those Absolutely Required

That the State board of control, having jurisdiction over all of the nine State institutions and buildings located in and near Salem, the Eastern Oregon hospital at Pendleton, and the soldiers' home at Roseburg, has provided itself with a double-edged axe and is wielding it unmercifully upon the estimates for appropriations for "needed improvements and betterments" of the superintendents of these institutions is evidenced from the fact that over \$125,000 has already been lopped off these estimates in less than a half day's work and the board's work has but just begun.

The board was in session a part of yesterday afternoon when the estimates of appropriations for the ensuing biennium for the needs of three of the state institutions, as submitted by the superintendents of these respective institutions, were gone over thoroughly with the heads of the institutions and all of the recommendations, with the exception of those considered absolutely necessary for the upkeep and well being of same, were unceremoniously lopped off and adjournment was taken until tomorrow morning when the estimates of the superintendents of other institutions will be taken up in turn and put through the same course of sprouts.

Estimates Cut to the "Quick"

In preparing the budget of appropriations to cover the cost of maintenance and needed repairs and improvements of the different state institutions, which will form the foundation for the board's recommendations to the next legislature for appropriations, the board of control is bearing in mind the steady growth of the population and consequent needs of the institutional "charges" and is inclined to make due and generous allowance for these conditions, hence no appropriation asked for will be set off if such cutting off will in anywise have a tendency to cripple the efficiency and good government of the institution or rob the inmates of any comfort to which they are entitled. But the line of demarcation as between "absolute need" and seeming "superfluity" has been very sharply drawn and will be closely adhered to, and all estimates will be cut to the "quick," as it were, before being submitted to the consideration of the legislature. In this respect the board is receiving the hearty co-operation of the superintendents.

Of all the state institutions those which are making the most rapid growth in population are the two insane asylums, the main building at Salem and the branch asylum at Pendleton. Two years ago the Eastern Oregon branch was thrown open and it was thought this would provide ample relief for the main institution here. The relief was only temporary, however, for the Eastern Oregon branch is already full to the point of overflowing as well as the main institution in Salem and

(Continued on Page Five.)

ASSESSORS TELL TALES OF TROUBLES

FIGHT BREAKS EVEN.

Paris, Nov. 11.—Between Neuport and the River Lys fighting continued today with unabated violence, announced the communication received here this afternoon from the Bordeaux war office. "Alternate gains and losses" were reported. The allies, it was stated, had re-occupied Lombard-zyde, but the Germans held Dixmude.

The key to success is seldom used as a night key.