

Full  
Leased Wire  
Dispatches

# The Daily Capital Journal

Today's News  
Printed Today

THIRTY-SEVENTH YEAR

SALEM, OREGON, TUESDAY, DECEMBER 22, 1914

PRICE TWO CENTS

ON TRAINS AND NEWS  
STANDS—FIVE CENTS

## BERLIN REPORTS NO CHANGES AT FRONT; ALLIES CLAIM GAINS

Admit Allies Captured Some  
Trenches, but the Germans  
Got Others

## ATTACKS ARE FIERCE BUT EASILY REPULSED

French Claim Gains Along  
Practically Whole Front,  
200 Miles

Berlin, by wireless to London, Dec. 22.—British and French attempts to recover positions about Festubert, announced the German war office today, referring to the western war zone, have been repulsed.

"About Richebourg they were successful. In the Albert region and northeast of Compeigne the allies were repulsed, losing heavily. We captured a few trenches in the west of the Argonne and about Verdun were repulsed."

Of the eastern campaign the statement said: "In Poland our troops have captured several crossings over branches of the Dnieper and Dniester rivers. On the right bank of the Piltva river the battle is still in progress."

**The French Story.**  
Paris, Dec. 22.—French progress along practically the entire 200-mile fighting front in the western war zone, from the North sea into Lorraine, was claimed today for the allies in the French war office report posted here.

"Between the sea and the River Lys," said the statement, "the action was confined largely to enfilading Monday. Between the Lys and the Aisne repeated attacks by the Germans were repulsed. We gained several points in the Argonne, Mametz and Liban regions. In the Aisne district and at Rheims enfilading continued today. In the Champagne region and in the Argonne we advanced by bayonet charges."

"Between the Argonne and the Meuse the French made marked progress. German trenches were taken despite the barbed wire entanglements which defended them."

## VIVIANI SAYS FIGHT MUST BE TO FINISH

French Premier Sees No End  
to War Until Europe Is  
Fully Liberated

Paris, Dec. 22.—This communication is not such as a government usually makes in outlining its policies for the first time," said Premier Viviani, in his address today at the opening of the chamber of deputies' war session.

"At the present hour," he continued, "there is but one policy—to fight without mercy until Europe is fully liberated by a fully victorious peace."

For the war, the premier placed the responsibility entirely upon Germany. The assembling of the lawmakers was a dramatic event. Many of them had just returned from the fighting front, to which they expected to go back as soon as possible. The seats of three of the deputies and of one senator were empty, their former occupants having fallen on the field of battle.

It was expected the session would be short, an adjournment being looked for about Thursday, after the passage of the necessary government bills. These included a vote of a six months' additional credit, the suspension of several elections and the modification of naturalization laws to meet the situation resulting from the struggle as relating to Germans now in France.

## PRICE FIRST CLASS BUT WORK IS POOR

Officials Say Work of Experts  
Is Poorly Done—Charges  
Too Great

After putting in a bill for \$1523.11 for exporting the books of the county officers, the representatives of the Portland firm in the employ of the state auditor's department appeared before Judge Bushy this morning to find out why the county court had refused to pay the bill. This bill was sent in without the O. K. of the state department and as it was greatly in excess of former years it was refused by the county court. For the year 1914 it cost the county a total of \$430 to have the books exported by local accountants and \$135 of this sum was for work on old warrant lists of several years back making a total of less than \$300 for exporting the county books and as a result Judge Bushy could not see why it should cost five times as much to have Portland accountants do the same work.

The bill for \$1,523.11 was itemized as follows:

Auditors' time	\$1,320.00
R. R. fares	26.20
Hotel meals	151.05
Typewriting report	25.86
Total	\$1,523.11

Their reported "shortage" in county treasurers' accounts also carries the note "We did not verify the cash in the till on this date" and Mr. Moore says he will not admit any shortage as long as he has the cash in the till to make a balance. Their report also carries numerous reports of errors but in no instance does the report state where the excess amount should be credited. In one instance their report shows that the fees collected by the county clerk were \$2.50 and \$5 was turned over to the county treasurer. They report an error of \$2.50 but do not state where the money belongs and many other instances of exactly the same kind are shown.

The Portland firm also itemized all of the outstanding warrants for the year 1914 and all of the warrants paid and cancelled. This is entirely unnecessary according to County Clerk Gehlman as it is all shown on his books and the total amounts are all that are considered and the work of itemizing the amounts only takes more time for which the county is asked to pay \$10 per day. Several pages of this work is found and then it is shown that in 27,000 warrants paid not a single cent's discrepancy was found between the amount ordered by the county court and the amount paid by the county clerk.

In the single item of 204 sacks of cement at \$2 per sack or \$408.00 to which is added the cost of the sacks which were subtracted when the sacks were returned leaving the original amount to be paid, these experts find an error of \$63.50. All in all the county clerk considers it a poor job and says that a better one could have been done by local accountants and at considerably less cost.

## CITY MAY REGULATE SPEED OF VEHICLES

In a majority opinion of the supreme court it is held that, under the most recent amendment to section 2 of article XI of the state constitution, which provides that corporations may be formed under general laws of the legislative assembly but shall not be created by special act of the legislature and that the legislative assembly shall not amend, enact or repeal any charter or act of incorporation for any municipality, city or town, the city of Portland has jurisdiction over the regulation of conveyances and the right to regulate the speed of automobiles within its limits.

In a minority opinion, in which Justices Burnett and McBride dissent from the majority, it is contended that the motor vehicle law, which also prescribes a speed limit for motor vehicles to govern throughout the state, was clearly within the authority of the legislature to enact as a general law with paramount authority over any local legislation whether of charter or of ordinance.

The question came up in the case of Peter Kallish vs. P. C. Knapp, an appeal from Multnomah county, involving the constitutionality of the motor vehicle regulation ordinance of the city of Portland, and in reversing the decision of Judge McGinn upon a petition for rehearing, Justice McNary, in the majority opinion, upholds a previous opinion given by the supreme court in the same case, in which it was held that "section 2 of article XI of the constitution withheld the legislative power from amending or repealing the charter of any city, or the ordinance enacted pursuant thereto in respect to these matters peculiar to municipal regulation, the reserving that power to the sovereignty through the initiative and referendum provision of the fundamental law."

The auto belonging to William Walton, of 1977 Center street, was stolen from the street near Pitt's garage on State street last night and taken to Dallas for a joy ride. This morning it was standing out in the street in front of the Salem Iron Works with the robes piled over the engine, and

## VAN TIRPITZ TELLS WHAT HE THINKS OF ENGLAND'S COURSE

Says England's Supremacy at  
Sea was Founded on Piracy,  
on Land, on Robbery

## FRANCE DECLARED WAR ON GERMANY 30 TIMES

"England Is Impartial—It Will  
Cut the Throat of Any Who  
Get In Its Way."

By Karl H. Von Wiegand.  
(Copyrighted in Great Britain.)  
Grand General Headquarters of the Kaiser, Dec. 22.—[Delayed for official use by the official staff.]—"The United States raised no voice of protest against the closing of the North sea by Great Britain to neutral shipping. What will the United States say if Germany declares a submarine war on all the enemy's merchant ships?"

Grand Admiral Von Tirpitz, German minister of marine and regarded as the strongest man in the Kaiser's government possibly next to the imperial chancellor, whose marvellous genius as an organizer is largely responsible for the fatherland's fleet, poured sharply at me as he leaned forward and put this question to me at the first interview he ever granted to an American correspondent.

**To Bottle Up England.**  
"Why not?" he continued. "Great Britain wants to starve us. We can play the same game. We can bottle England up by torpedoing every British or allied ship which nears any English harbor, thereby cutting off the island's large food supplies."

Then the admiral slowly repeated his first question.

"What would the United States say?" he asked again. "Would not such action be only meeting out to Great Britain what Great Britain is doing to us?"

After several days at the German crown prince's headquarters and in the Argonne, I motored to the Kaiser's field capital in France, where all the ministries and departments of the German government are now located.

For once, departing from his rigid rule not to talk to newspaper men, Admiral Von Tirpitz received me in the private house where he was staying, the home of a French banker who fled before the German advance, and on the door of which was a card inscribed:

"Marine department."  
Mentally and physically the admiral is magnificent.

He has a mind of the steel trap order, is a marvellous organizer and has more Bismarckian force and iron than any other official I have met.

**Causes of the War.**  
He plunged immediately into an analysis, according to his views, of the causes which led to the war, tracing the growth of the sea and world power, or developed by Great Britain, until, as he put it, the "domineering arrogance of the British culminated in the present conflict, which they engineered in."

(Continued on Page Five.)

## WATER COMPANY IS ON THE CARPET

Railroad Commission Inquiring  
Into Cause of Water  
Shortage Last Week

Cited to appear and show cause why the rates of the railroad commission, regulating the standards of quality, pressure, etc., of public service corporations, have been violated which resulted in the recent shortage of the water supply in this city, the officers and employees of the Salem Water company are having a hearing before the railroad commission this afternoon in defense of their position and to show cause why a suit for penalty should not be brought for alleged specific failure to observe rule 28 of the orders of the commission, which prescribes that:

"Every water utility shall always maintain sufficient pressure at the end of its service to supply adequately each customer connected, except customers who have specifically agreed to permit interruptions of service."

The commission is also inquiring into the alleged violation of rule 11, which requires utilities to inform its customers as to the conditions under which efficient service may be served from the system, and the commission points out its reason for making this inquiry as being "that many patrons have reported to the commission that when they have made inquiry of the company as to reasons, etc., for the interruption of the service, they were told by their employees to take their troubles to the railroad commission."

Those appearing for the water company at the hearing this afternoon are Manager Paul Wallace and Superintendent Charles A. Parks, while City Attorney R. K. Page was cited to appear on behalf of the interests of the city. The penalty prescribed by statute for violation of the rules and regulations of the commission, applying to all public service corporations, ranges from \$100 to \$10,000, depending upon the degree of the offense and culpability of the corporation officials or employees.

## PUT UP DESPERATE FIGHT WITH BURGLAR

Father Killed and Son Wounded—Daughters Take Part in the Fight

Los Angeles, Cal., Dec. 22.—W. M. Alexander, a millionaire attorney, who recently came to Los Angeles from Dallas, Texas, was shot and instantly killed early today by a burglar who had entered his home in the fashionable Wilshire district.

W. M. Alexander, Jr., his son, received two bullet wounds when he attacked his father's murderer. His sisters, the Misses Penelope and Anna Alexander, joined in the fight, the former wounding a silver-haired burglar and the latter unharmed.

The burglar escaped, but that he was injured was certified by blood stains on the walls of the halls where the fight with his victims' children took place, and on the pavements over which he fled.

The burglar evidently was surprised at work by Alexander, who grappled with him. The younger Alexander was wounded by the sounds of the foot-falls in the dark hall, and fired the only cartridge in his weapon.

Aiming at the flash, the burglar fired twice, and both his shots struck home. Young Alexander fell, but dragged himself to his feet and charged the invader.

As the man struggled through the hall, Miss Penelope ran from the room to her brother's aid. She beheld the burglar's head effectively with her heavy brush and screamed for help.

Miss Anna next flung herself into the fray, fighting furiously with her bare hands. The battle raged through a hall and down a flight of stairs, where Alexander, weakened by his wounds, again fell, and the burglar broke away from the two determined women and fled.

Physicians at daylight pronounced the younger Alexander's wounds to be dangerous. Both of his sisters, bruised and suffering from the reaction of the struggle and the shock of their father's death, were under medical care.

## OREGON IS FIRST IN STANDING TIMBER; VALUE 9 BILLION

Is Fourth in Production Only  
Because Markets Are Just  
Now Inaccessible

## HAS \$10,800 WORTH FOR EACH RESIDENT

One Half the Timber of State  
Locked Up In Forest Reserves by Government

"Oregon ranks fourth among the states of the Union as regards production of lumber. It ranks first in amount of standing timber. The industry in Oregon is in its infancy. All that is needed to put the state in first place as regards lumber production is market for lumber."—State Forester, F. A. Elliott.

If, as has been estimated by the highest authorities in the state upon the timber and lumber subject, the present manufactured value of Oregon's timber supply represents \$10,800 per capita for the entire population of the state, it means that all of the real money in the United States would have to pass through the hands of Oregon's citizens more than three times to pay for our present crop, declares State Forester F. A. Elliott, in his biennial report to the governor, in setting forth the great magnitude of Oregon's vast timber wealth and the urgent necessity of more stringent and generous laws providing for its protection and conservation.

In pointing out the tremendous scope of the timber industry of the state, which promises to be Oregon's greatest source of revenue for a great many years, greatest distributor of wealth and only great manufacturing industry, Mr. Elliott urges judicious legislation to protect the state's forests from fire, not only from the commercial standpoint as viewed from the manufacturing and tax-producing angle, but from the scenic value of the state's forests as an attraction to tourists. He calls attention to the vast amounts of public capital that are being expended in nearly every county in the state upon scenic highways, which, without forest-covered mountains and shady drives would be of little value as an attraction to tourists, and, if stringent forest fire laws are not adopted and strictly enforced and a dense pall of smoke from forest fires entirely obliterates the magnificent splendors of the landscape during the most enjoyable months of the year, these scenic highways would be rendered practically worthless.

**Burned-Over Lands.**  
Mr. Elliott also directs attention to the 4,000,000 acres of burned over lands and at least half as much that has been logged over in the state; some susceptible to cultivation, but the bulk not. A large amount of this land is in private ownership but some owners of rough burned over, or cut over land, are considering letting it revert to the state rather than pay further taxes on it. Much of it is coming up in new and rapidly growing crop of timber, and, at some future date, if properly handled, will be a valuable asset.

(Continued on Page Six.)

## UNITED STATES CANNOT INTERFERE

Washington, Dec. 22.—The United States cannot prevent summary execution of the political enemies of the various Mexican factional leaders. It was understood here today that this reply has been made to several influential Mexicans who have appealed to the state department to protect their friends who have been taken in jail. This government, it was said, can protect only Americans and other foreigners.

The state department tried to influence General Carranza and Provisional President Gotierrez to stop the executions. Gotierrez insisted that he had ordered them stopped, but unofficial advice received here indicated that his orders were ignored.

American Agent Stillman has insisted that President Gotierrez' position summary of a Villista soldier and a captain who insulted Mrs. Robert Olling, a prominent American woman of Mexico City. When Mrs. Olling replied the two men they tried to murder her and her brother, Charles Olling. President Gotierrez promised to punish both men.

Anyway, Delia didn't try to work for a dose of hair tonic or a shampoo.

## GAUTENBEIN GETS PLACE ON BENCH

Supreme Court Holds Law  
Creating Sixth Judge Is  
Valid—Other Cases

Holding that the act of the legislative assembly of 1913, creating the sixth judge of the circuit court for Multnomah county, is clearly within the meaning of the constitutional inhibition, which provides that "every act shall embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title, but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title," the supreme court this morning, in an opinion written by Justice McBride, held that portion of the act valid which created the additional judgeship and held that Judge C. U. Gautenbein, who received the majority vote for the office was entitled to receive a certificate of election and commands Governor West to issue the necessary credentials.

This is one of the cases which arose over the controversy regarding the constitutionality of the act which created the office and appointed County Judge Cleston, of Multnomah county, to fill the office created and in which the supreme court held the act unconstitutional insofar as it attempted to merge the business of the probate court with the circuit court and Judge Cleston retired from the circuit judgeship and resumed his former office of county judge. When Judge Gautenbein applied to Governor West for a certificate of election it was refused him on the ground that the entire act was unconstitutional and void and mandamus proceedings were instituted by Judge Gautenbein in the supreme court to compel the issuance of the certificate and in this he was successful.

In an opinion written by Justice Beane of the supreme court the decree of Judge Cavanaugh, of the circuit court for Multnomah county, in which W. H. Chapin, of the firm of Chapin, Herlow Bond and Mortgage company of Portland, was convicted of the crime of larceny by bailment of \$3,500, the property of William and Marion Grace which were turned over to the defendant company for investment, was affirmed, which means that the defendant Chapin will be required to serve a sentence of one to five years in the penitentiary unless some higher power than the supreme court intervenes to prevent.

In the case of the state of Oregon upon the information of L. A. Lidge, circuit attorney for Coos county, vs. E. E. Johnson, et al., respondents, in which the validity of the election creating the corporation of the Port of Bandon was upheld, the supreme court affirmed the decision of Judge John S. Coke, of the circuit court for Coos county in an opinion written by Justice Eakin.

Other opinions handed down by the supreme court this morning were: George M. Hyland, appellant, vs. Oregon Hauling and Paving company, appellant, from Multnomah county, action to recover a commission from defendant, opinion by Ramsey, Circuit Judge Hamilton affirmed.

C. I. Dibert vs. Anton Gleibisch, et al., appellants, appealed from Multnomah county, action for damages for personal injuries, opinion by Moore, Circuit Judge Coke affirmed.

Charles A. Chadwick vs. Oregon-Washington Railroad & Navigation company, appellant, appealed from Multnomah county, action for personal damages, opinion by Justice Burnett, Circuit Judge Davis reversed.

Edward J. Sharkey, et al., appellants, vs. Portland Gas and Coke company, appellant, from Multnomah county, action for damages, opinion by Justice Burnett, Circuit Judge Davis reversed.

Jacob Schmeemann vs. Pacific Coast Casualty company, appellant, appealed from Multnomah county, involving garnishment proceedings, opinion by Justice Ramsey, judgment of Circuit Judge McGinn modified.

L. M. Francis vs. W. C. Thienes, appellant dismissed per curiam.

C. L. Burton vs. Lithic Manufacturing company, appellant, appealed from Multnomah county, action to recover salary, opinion by Justice Beane, judgment of Circuit Judge Cavanaugh modified.

Christine Salene, appellant, vs. F. W. Isherwood, appellant, from Columbia county, suit to quiet title, opinion by Justice McNary, Circuit Judge Eakin affirmed.

G. C. Miller, of this city, has arranged to go into business at Jefferson. He will carry a line of bicycles, motorcycles and electric supplies, along with sporting goods and fishing tackle, and will also carry on a plumbing and tinning business. He has the agency for the Ford and will carry auto supplies. Mr. Miller has many friends here who bespeak for him a kindly welcome by the Jeffersonians.

New York, Dec. 22.—Harry K. Thaw will be back in Matteawan again by January 21, if not before. William Travers Jerome, former district attorney for this county, announced here today. He also declared that he intended to see that Thaw is kept there permanently.

## THINKS INTERVIEW CONVEYS WARNING OF WHAT IS TO COME

German Leader Intimates  
France and Russia Are  
Not to be Feared

## ENGLAND ALONE IS RESPONSIBLE FOR WAR

Reading Between Lines Critic  
Says It Shows Germany's  
Desperation

(By J. W. T. Mason, former London Correspondent for United Press.)  
New York, Dec. 22.—The most significant indication of the attitude of Germany's war leaders which has yet come from the front, was contained today in Karl H. Von Wiegand's interview with Admiral Von Tirpitz.

As a frank declaration of the belief that war was forced upon the Kaiser, the admiral's statement is even more important than the same correspondent's recent interview with the German crown prince.

In every essential the marine minister's utterances constitute a warning, born almost of desperation, to the British.

The German leaders apparently hold that neither France nor Russia is an enemy to be feared, but that England is the backbone of the anti-German coalition.

Von Tirpitz expresses the fear that the English may insist on fighting the war to a finish. His words suggest the view that such an outcome would be more beneficial to them than to any of the belligerent powers.

To compel England to abandon its desire for a finish fight apparently is the chief object of German strategy.

The admiral speaks of Germany's ability to continue the struggle as long as the British desire, but his remarks seem snatched by a spirit of desperation.

**Must Terrorize England.**  
He hints strongly that if England persists in fighting for an overwhelming decision, Germany will have to protect itself regardless of means, simply in accordance with the first law of nature.

The English must be terrorized into reasonableness, is Von Tirpitz' real message to the world.

He defines how this can be done. He wants to know what Americans would say if German submarines were ordered to torpedo the British merchant marine.

It has been recognized as a rule of modern warfare that unarmed ships cannot be sunk unless all souls on board are rescued.

Von Tirpitz' proposition, however, is to engage in submarine raids against these trading vessels, torpedoing them as if they were warships and sending all souls to the bottom with them.

(Continued on Page Two.)

## CONGRESS DEBATES PROHIBITION PROHIBITION

Vote to be Taken Tonight,  
General Opinion Is Amend-  
ment Will Be Beaten

Washington, Dec. 22.—The defeat of the House prohibition resolution in the house seemed certain this afternoon.

The debate was opened by Representative Henry, chairman of the rules committee, who announced his intention of voting against the resolution. Party lines were ignored during the debate.

Several speakers pointed out that the resolution would not prevent the manufacture of liquor for personal use but would merely prevent its sale. They argued that, in such circumstances, the measure merely would open the liquor business to a wider scope.

Representative Hobson spoke in defense of his bill.

"Let no member of this house imagine," he said, "that this is a temporary wave. The liquor trust owns five million slaves and collects \$2,500,000,000 yearly."

Hobson asserted the liquor trust "gripped the government's throat" through control of political parties and politicians.

Many aged women were in the galleries. They brought lunches, evidently intending to remain until the vote was counted. Speaker Clark was forced to warn the galleries repeatedly for breaking into applause.

### The Weather

THAT FIRE  
FEELS GOOD

Oregon. Generally fair tonight and Wednesday; rising temperature; easterly winds.