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# The Daily Capital Journal

Today's News  
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PRICE TWO CENTS ON TRAINS AND NEWS STANDS — FIVE CENTS

## BRITISH PROGRESS AND HOLD TERRIFIC DRIVE OF GERMANS

### Tentons Are Forced To Evacuate Two Villages On Bank of Yser

## ALLIED AVIATORS RUN RIOT IN MID-AIR

### Italian Government Said To Demand Territorial Concessions

(BY ED L. KEEN.)  
London, April 27.—With their lines reinforced and consolidated, artillery, brought into action with every available gun mounted, the French, British and Belgian forces in Flanders are now set only holding their own against the terrific drive of the Germans, but have actually assumed the offensive and taken lost ground.  
This was indicated by the official statements issued today from the war offices in Paris and Berlin and London as well as by a communication from the Belgian headquarters by public by the press bureau here today.

### Germans Evacuate Villages.

The Germans have been forced to evacuate two villages on the west bank of the Yser canal, taken during their sudden dash against the allied lines. The French have re-occupied Hottot, a report from the British field headquarters, announced. The Belgian statement reported the recapture of Lizebe by King Albert's troops, and this was confirmed in the official statement from Berlin admitting that village had been evacuated. The British continue to make progress in the region of St. Julien while aviators are running riot in bombarding various German railroad junctions and stations such as Langewiesbeck, Torsing, Thiel and Boulers.

While the greatest interest is centered in the fighting about Ypres, the belief that the Austro-Italian situation may again be approaching a crisis was revived tonight by reports from Rome. A statement of new demands as to territorial concessions from Austria framed by the Italian government is said to have been forwarded to Vienna by the German and Austrian ambassadors. The nature of the demands is kept secret, but Italy is said to have demanded an immediate reply.

At the same time, the Italian ambassadors to Paris, Vienna, London and Berlin are said to have been summoned home by the government for a conference.

### Attacks Are Repulsed.

London, April 27.—The allies are checking the German drive to the north of Ypres, an official report from Field Marshal French to the war office reported today. The French forces, the British commander, had re-occupied Hottot, and there is every confidence that the attacks upon Ypres have been repulsed.

British movements south of St. Julien are progressing slowly. Yesterday afternoon the British took the offensive.

(Continued on Page Five.)

## Kitchener's Army Not at Front; Situation Not Clearly Understood

By J. W. T. Mason.  
New York, April 27.—With the allies continuing to hold in check the German drive across Ypres canal, it is probable today that the attack on Ypres itself has passed its maximum intensity, and is decreasing in violence. The engagement is demonstrating itself to be of local significance only. Although the action has no major significance, the Germans gained 20 square miles, by far the largest gain made in any single engagement in the war since the first battles in Flanders.  
It is becoming apparent that the original German attack was a surprise, followed by a second surprise drive. There were, in fact, two distinct efforts on the part of the Germans to break the allied lines. The first was a stretch drive north of Ypres from Langemark to the western bank of the Ypres canal. The German successes threw the allies into confusion.  
While moving along the canal, the Germans developed an entirely new drive from the rear of their line to the attack toward Ypres itself. This attack carried the Germans within three miles of Ypres. They caught the British unawares. The British war office declared that troops to the rear of Ypres opposed attacks "in an unexpected situation."  
It is supposed that the Germans are able to surprise General French's command as demonstrated by the recent successful attention in London. This is the first time that General French has been charged with the

## ROOSEVELT CHAFES AND FIDGETS WHILE LETTERS ARE READ

### Missives Show Close Relation Between Colonel and Boss Platt

## DEMAND FOR SEATS IS MATERIALLY LESS

### No Startling Disclosures Are Made Today In Big Libel Suit

By Bond P. Geddes.  
Syracuse, N. Y., April 27.—While Colonel Roosevelt chafed and fidgeted in the witness chair, letter after letter was read in court today tending to show the close political relations that formerly existed between the former president, the late Senator Platt and William Barnes, Jr., the latter two republican "bosses" of New York state.  
Today's sessions of Barnes' suit for \$50,000 damages for libel was given over largely to the reading of letters. Counsel for Barnes produced fifty from Platt to Roosevelt showing their close relations during the closing months of the colonel's administration as governor and also while he was vice-president and president.

"You are not an easy boss," the colonel jocularly wrote to Platt on one occasion.  
No startling political disclosures were made as a result of the reading of the correspondence, but Roosevelt was obviously nervous and nettled as he was kept upon the stand in idleness during the hours taken up by the presentation of the letters.  
Dozens of letters exchanged between Barnes and Roosevelt between the years 1904 and 1908 were read, showing the cordial relations and political harmony existing between the two.

### Autobiography Incompetent.

When the autobiography of Roosevelt was offered in evidence, it was held to be incompetent by Justice Andrews.  
One letter from Platt to Roosevelt which was read referred to "our friends the New York Central" desiring tax exemption legislation. To this the colonel replied he was "exceedingly sorry" if it was to be a hardship on the railroad, but that he could not prevent the taxation plans from being carried through.

Before resuming the stand today, Colonel Roosevelt spent considerable time studying a copy of the late Senator Platt's autobiography. The demand for seats in the courtroom had materially diminished today. Barnes did not occupy his usual place with his attorneys, having returned to Albany.

Attorney Barnum opened the cross-examination of Roosevelt by again taking up the question of his opposition to accepting the vice-presidency on the ticket with William McKinley. The colonel refused to answer some of the questions put to him categorically.  
"But you enjoyed being governor, didn't you?" asked Barnum.  
"Thoroughly," was the reply.  
"And largely because of Platt's kindness?"  
"Yes."

responsibility for the loss of a battle. The London Times reveals the amazing fact that Chancellor Lloyd George created the wrong impression when he indicated that there were 750,000 British troops at the front. The Times declares that this is not so, and says that England is thick with troops not yet sent across the channel.  
If Lloyd George's announcement was made to fool the Germans, it is inexplicable how the censor came to pass the Times contradiction. The whole affair is evinced with stage circumstances which suggest that the war office had not yet abandoned the belief that it is good strategy to keep the citizens of a democracy ignorant of military matters during a war.  
The probable key to the seeming confusion may be the liability of the British government to supply the field forces with ammunition. Lord Kitchener must have a very good reason for holding trained troops in England, which the Times has not discovered. This reason is scarcely other than that the ammunition is not ready, although the troops are.

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### ENGLISH AVIATOR KILLED

London, April 27.—Aviator Medlicott and his mechanic, Hughes, were instantly killed today when their seaplane collapsed while flying at Galshook.

## BLOOD TEST REVEALS WOMAN NOT A NEGRO

### Lived Life As Negress Though Showed No Signs Of Colored Blood

San Francisco, April 27.—A scientific blood test having shown that Margaret Buckner, 25, is not a negress, she has today filed application for an annulment of her marriage to William N. Lytle, a colored dentist of Oakland.  
Ever since she can remember, Mrs. Buckner has been under the impression that she was an orphan she declared today. She married Lytle while still believing herself part negro.  
A child was born. Then the woman began to suspect that she was really white. The blood test showed her there was not a drop of colored blood in her veins. So the annulment proceedings were launched in the superior court here. Dr. Lytle said today that he would not contest the suit.  
"I do not know my name," said Mrs. Buckner. "My earliest recollections are of life in a convent. Then I remember living with an old negro 'mammy'. Her name was Buckner—'Mammy' Buckner, and that is the name I took."  
Associated With Negroes.  
"All my life I was associated with colored people. 'Mammy' told me that I was colored myself, and I believed it. After a while Dr. Lytle called me a light negro. 'Mammy' told me he would make a good husband. I was 18 years old then. We were married.  
"Often I stood in front of the mirror and tried to see some mark of the negro in myself, but there was none. After living with Dr. Lytle for a while, I went into vaudeville. People did not know that I was supposed to be colored. I was invited out to parties.  
Blood Test Reveals Truth.  
"Finally I confided the secret to a few close friends. They laughed at me, and said it was impossible. So I began to get suspicious. I consulted my attorney, Mr. Choyneck. Then came the blood test—and the truth."  
Mrs. Buckner's annulment suit was filed by Attorney Herbert Choyneck. He said today that he did not believe Lytle would contest the action. In her suit the actress asks \$25 a month for the support of the child, which is seven years old.

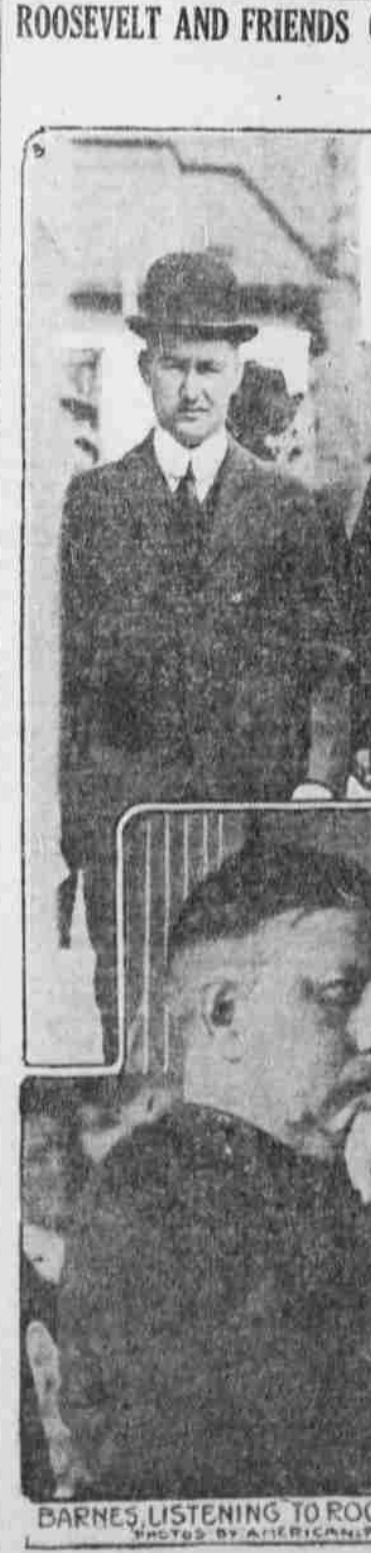
As a rule, times are not so hard as a man tells his wife they are when she asks for money.

### American Advertising Must Pay Canadian War Tax

San Francisco, April 27.—Official notice was received by Postmaster Charles W. Fay here today that American advertising matter sent into Canada will hereafter be subject to a war tax.  
Pamphlets, cards, posters and other advertising matter stamps at the rate of fifteen cents for every pound, under the new provision to the postal law which has been amended to cover the stamp tax. It is assumed this action was taken partly as a means of raising additional revenue, and also to protect as much as possible Canadian firms whose business has been affected by the war. American factories, automobile firms and other industries have flooded Canada with advertising matter during the past few years.

## ROOSEVELT AND FRIENDS ON WAY TO COURT HOUSE

Former boss Barnes in a listening attitude.



## DARING DAYLIGHT ROBBERS CAPTURED

### Oakland Police Take Three Into Custody After Reign Of Terror

Oakland, Cal., April 27.—The Oakland police believe they have in custody the three daring daylight robbers who have terrorized the downtown business district in two sensational daylight holdups within the past ten days. They are Leigh Hastings, Ray Parker and Harry Harris.  
On April 16 the three men held up and robbed Abe Davis, the agent of a lottery company with offices in the Security Bank building at Eleventh and Broadway and on Saturday last duplicated the Davis holdup by robbing G. H. McArthur, another lottery agent with offices at 906 Broadway.  
A third robbery, that of a Chinese lottery joint, conducted by Gee Moy at 827 Franklin street is also charged to the three men. Moy has identified Harris as one of the holdup men.  
Hastings was positively identified by Davis as one of the two men that held him up and bound him to an office chair in his offices in the Security Bank building. This was at 2 o'clock in the afternoon of April 16.  
At 2:30 o'clock Hastings walked in to Police Judge Samuel's courtroom and testified for the prosecution in a case against two Chinese charged with conducting a lottery.  
Hastings attempted to make this fact an alibi but Davis was positive in his identification.

## THOUSANDS OF MONSTER CANNON ARE FLINGING DEATH ALONG YSER

### EXPLOSION OF GUNS AND CRASH OF SHELLS ROCK COUNTRY LIKE TERRIBLE EARTHQUAKE SHOCK

### EXPENDITURE OF AMMUNITION BEYOND COMPREHENSION—FEATHERY FLOATING PUFFS IN THE DOME OF SKY REVEAL EXPLODING SHELLS SENT AFTER BOMB-DROPPING AIR-CRAFT—REGION COVERING 60 MILES IS VERITABLE HELL ON EARTH—BOOMING IS ENDLESS ROAR OF THUNDER—GREATEST ARTILLERY DUEL WORLD EVER HAD MISFORTUNE TO WITNESS

any perceptible interval.  
The expenditure of ammunition in this great battle is absolutely fabulous. As far as the glass would carry, one could see white bursts of exploding shells, the blackening clouds from the exploding giant guns of the Germans, as the great artillery fight went on. Far up against the dome of the sky, too, could be seen feathery floating smoke waves that showed where clouds of shells from the anti-aircraft guns were exploding as they search out hostile aeroplane spying upon the allied positions.  
Air Craft In Sky.  
Far up in the sky were German and allied aircraft, dashing at full speed, higher and thither, seeking to locate and determine the movements of the masked troops below.  
For 60 miles along Flanders front the German and allied artillery engaged in a titanic duel eclipsing anything ever dreamed of before. The French and British artillery was brought up hurriedly and is being used to straighten out the dents put into the allied line by the German dash.  
Germans Use Gas Bombs.  
Throughout Monday, whenever a north wind blew, the Germans resorted to the use of poisonous gases in a vain endeavor to asphyxiate the men in the allied trenches. The gas was thrown into the air so as to float across the trenches, but the British know now what to expect when a little breeze

## TREATING OF GUESTS IS NOT PERMISSIBLE

### Supreme Court Assesses Manager Worrall, of Tillamook Hotel Company, \$250 For Liquors Used While Performing Duties of Host—Also Declares Judge Webster Holmes Imprudent For Sitting In Hotel Case

While a technical disqualification of the judge was not shown to exist with the meaning of the statute, it would have been more in keeping with prudence and a fine sense of impartiality if the presiding judge had declined to try the suit.  
Where an injunction may be allowed by the court at any time before the commencement of suit and before decree the plaintiff must be required to give an undertaking, with one or more sureties, the terms of the statute are imperative and command the court or the judge to require an undertaking before allowing an injunction.  
The refusal of defendants to pay the accountants in obedience to the orders of the court did not furnish ground for a receivership. Under all of the circumstances, as we read the history of the litigation, a receiver should not have been appointed.  
Assuming that a court of equity does have the power to remove the officers of a corporation and substitute a managing receiver or even to decree the dissolution of the corporation, nevertheless it is a well settled rule that such court will proceed with extreme caution in the appointment of receivers over corporate bodies.  
Minority stockholders are entitled to protection against fraud or gross or reckless mismanagement on the part of the officers of a private corporation, but under the evidence the instant case does not afford an illustration of fraud and such mismanagement has been shown as to warrant a court to adopt the extreme measure of taking complete charge of the business and conducting it through a receiver.  
That the manager of a hotel company cannot use or give away property of the company (treating the guests or company with liquor at the bar at the expense of the company) in the manner indicated and should be enjoined from doing so in future.  
Upon the above findings and others of minor nature the supreme court this morning in an opinion written by Justice Harris, modified the decree of

Judge Webster Holmes, of the circuit court for Tillamook county, in the case of John Lehard Henderson, plaintiff and respondent, vs. the Tillamook Hotel Company, P. J. Worral, manager; Anna A. Worral and Charles Knues, defendants and appellants, by imposing a judgment against Worrall, as manager, in the amount of \$250 for the liquor of the company he was alleged to have squandered in the capacity of host, and dismissing the suit as against the other defendants.  
This action was brought by Henderson, owner of one share of the hotel stock, for the purpose of enjoining Worrall, as manager of the hotel on the ground of mismanagement, habitual intoxication and impairment of the reputation and business of the company; suing for an accounting and the appointment of a receiver. The record in the case showed that Judge Holmes who tried the case, had owned stock in the hotel company but that he had disposed of it to the plaintiff prior to the commencement of the suit and the defendants raised the question of disqualification against the trial judge in sitting in the case. This case has been in the courts since January 16, 1914, and has attracted widespread attention on account of the prominence of the hostility and the issues involved in the litigation.

### The Weather

Oregon: Fair to night and Wednesday; uncertainly winds.

### THAT ICE BILL IS GRDING

ROOSEVELT ARRIVING AT COURT HOUSE ON LEFT JOHN MCGRATH PRIVATE SECRETARY W. H. VAN BENSCHOTEN, OF COUNSEL.

## BARNES LISTENING TO ROOSEVELT TESTIFYING

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