

Editorial Page of "The Capital Journal"

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THE ORPET CASE, AND TRIALS GENERALLY

The long-drawn-out Orpet case came to an end Saturday night when the jury on its third ballot, agreed on a verdict of acquittal.

To those who read the judge's instructions to the jury this result was a foregone conclusion. Among other things in these instructions was this: "If you believe that the evidence has shown Marion had the same opportunity of taking the poison herself that Orpet had of giving it to her, your verdict should be not guilty."

With these instructions there could be no other verdict, as the testimony showed exactly this condition. The two were in the Helm woods together. The evidence showed that while Orpet's father, who was a florist, had a lot of cyanide of potassium to which young Orpet had access and which was the poison which caused her death, the girl also had access to the chemical laboratory at school, was at the time studying chemistry and the lessons a few days before had been on the effects of cyanide of potassium.

As to motive there seems to have been no reason advanced as to why the girl should want to commit suicide. While she apparently wanted Orpet to marry her, she did not seem to be very much in love with him, judging from the evidence of her girl friends. She had tried unsuccessfully to make Orpet believe their intimacy had resulted in conditions that necessitated his marrying her, but she knew better, and so evidently, did he.

On the other hand there does not seem to have been sufficient reasons to cause Orpet to desire her death. He wanted to marry another girl and told Marion so; but in the circumstances he could have done this without murdering her. The one thing against Orpet that points to him as a possible murderer was his actions after Marion had killed herself, if she did that, and that was that instead of reporting her death as any innocent person would, he left her body lying in the woods while he attended a picture show, and said nothing about the affair until some hours later and after the body was discovered. It looks as though, if she had killed herself in his presence as he asserts she did, that he would have reported the matter. If he killed her, he would not have done so.

It was a case that aroused much interest, and one that again emphasized the absurd methods of our judicial system. The case was called for trial May 15 and after examining more than a thousand veniremen a jury of twelve was selected in a little over four weeks, the case going to trial on June 15. It dragged along for more than four weeks more, ending July 15, lasting 61 days. Some time was devoted to listening to the wisdom of alleged alienists, who showed conclusively that the girl was of a temperament that would embrace suicide readily and also that she wasn't.

Then the lawyers on either side got endwise in the court room and harangued the jury for several days calling names and shedding tears, almost, in their perferid oratory, for public influence as much as for the enlightenment of the jury.

With the dispensing of red tape, making the lawyers attend to business only, and trying the case in a sensible and businesslike manner, a week would have been a long time for the trial to last. Does anyone suppose that the examination of a thousand men was necessary to find twelve qualified to pass upon the case? Of what use was the be-wigged testimony of several alienists as to the girl's temperament when the judge afterward told the jury that "if she had as good an opportunity to take the poison herself as Orpet had to administer it they must acquit?"

The case cost the county above \$30,000 when it should not have cost above one thousand. And on top of this we are told the lawyers were congratulated on their victory and all that kind of stuff when they had deliberately saddled this \$30,000 cost bill on the taxpayers of Lake county.

The American judicial system is long overdue for a thorough overhauling, and a getting back to first principles where justice quickly administered, is the object and result, instead of incubating whole libraries of pre-

cedent and a maze of technicalities, and getting nowhere. It might be well, as a learned judge not long ago remarked: "to wipe out the statutes and re-enact the ten commandments." This would have simplified the Orpet case, for he violated at least one of them.

The fact that Americans do not take kindly to military service in time of peace is again emphasized by the dispatches from the Mexican border, saying at least half the militia boys are anxious to get home simply because there is little prospect of war. They are willing to face danger and do any fighting necessary, but they object to the monotony and discomforts of frontier service where there is nothing but routine work. At the same time it is necessary now that they are there that they stay until the trouble is settled. From present indications and the sudden coming off his high horse of Carranza, it looks as if this would be accomplished in the next few months. Carranza has suggested that a commission of three from each country meet, go over the situation and perfect some arrangement by which raiding and other border troubles would end. President Wilson is in accord with this plan and it will perhaps materialize in a few days. If so, it should not take long to perfect some plan acceptable to both governments and this would allow the boys to come home.

The naval collier Nanshan has arrived at San Diego from La Paz, a port on the main coast a short distance south of the southern extremity of the peninsula of Lower California. She brought 55 refugees who tell of the conditions there as being decidedly bad. All food supplies have been confiscated by the military, and the civilians have to subsist as best they can on fruits and a meager supply of flour. They say the better class of Mexicans urged them to stay, but an uprising is liable to take place and all foreigners would in such case be at the mercy of the ignorant peons, and as the United States government had requested them to return they thought it the part of wisdom to do so, in spite of the friendly sentiment of the better classes. They say Carranza is cordially hated and that Villa is in that section very much of a popular idol. They intimate also that in case Villa made a showing of strength and got in touch with that section that Carranza's troops would desert and go over to him. Evidently Mexico is not yet ready for self government.

Army officers are greatly pleased at the nomination of Congressman Hay to a place on the court of claims bench. This, not because they have an exceeding great love for Hay, but because he as chairman of the house military committee has always been a consistent champion of the militia. Hay is greatly admired by his fellow congressmen of both parties, and on his appearance in the house the first time after his appointment, Congressman Mann, leader of the minority, started a demonstration in his honor. Speaker Clark remarked that the appointment was a splendid one but congress could ill afford to lose his services.

Regular army officers say it was not scarcity of rations that caused the militia on the way to the border on two occasions to raid stores, but the civilian appetite that has not yet become accustomed to military rations. The officers say the boys leaving Massachusetts were given five days regular army rations with some extras, but they ate it all in three days simply because they were traveling and did not have anything to do but eat to kill time. General Wood adds that there was also an absence of a small microbe called "discipline."

Baseball fans will be interested in the report from New York that arrangements are under way by which Christy Matthewson will become manager of the Cincinnati Reds. The proposition is to trade Charles Herzog, present manager of the Reds, to the Giants for Matthewson. Matthewson has, it is said, long desired to be a manager, and as his arm, which has for so long been the main reliance of McGraw, has gone back he must find new work in the game or quit it. Few baseball boys would like to see Matty quit the game.



GOING BACK HOME

There's nothing sadder than returning, responsive to a heartfelt yearning, to scenes we used to know; but lately to such scenes I wandered, and with an aching heart I pondered o'er things of long ago. I used to know a girl named Daisy, who was so smooth she drove me crazy; of her for years I'd dreamed; and always in my mental vision, angelic, beautiful, elysian, and bright with youth she seemed. And in my recent tour I found her with seven husky sons around her, and she was bent and gray, and worn from cooking hams and fishes, and washing everlasting dishes, and helping men pitch hay. And all the lads who with me gambled, and through the melon patches rambled, on bygone starry nights, were stale, from all their toil and straining, and hobbled up and down complaining of aches and chigger bites. The town itself was there, unchanging, the river down its course was ranging, by hoary elm and pine; the old stone church still reared its steeple, and in its shade were planted people who once were chums of mine.



Fair Board's Picnic Gets Salem In Bad

(Hubbard Enterprise.)
In the expressed opinion of a large number of Salem's out-of-town guests at the Fourth celebration, a mistake was made for which Salem should make restitution at the first opportunity. Most citizens in this community and others as well, received invitations to "come to Salem and celebrate with us." The day was glorious and before noon the largest crowd ever on the fair grounds except a special day at the fair under favorable conditions, had accepted that invitation. All went well until the grand stand was crowded for the afternoon races. No one objected to paying twenty-five cents for a seat in the grand stand, but objected to paying for standing along the fence at the side of the track as this location had always been free during fair time. Since last fair time this plot had been fenced in. A number of people crossed this fence and were going to the track when they were turned back by a guard and told that they would be arrested unless the withdrawal or paid the quarter. Some turned back and met others at the entrance on the way in, whereat the man with the tin snare was forgotten and the people went and came at will. The general expression was that the people would not stand for the graft. A charge of fifteen cents was made for the bleachers on the south of the grand stand; considered more graft, as these were free at fair time. These people had come at Salem's bidding and were her guests and were made up mostly of the responsible, well-to-do business and farmer citizens for twenty miles in all directions. Salem business men discussing the matter would place responsibility on the State Fair Board. He that as it may, there should not be a recurrence of such discourtesy.

Association Will Have Picnic in Polk County

A community picnic, which will perhaps be one of the largest ever held in Polk county, will be given all day Saturday, July 29, at the old Highland church, near the Mountain View school house. It will be given under the auspices of the Parent Teachers' association and through this association, an invitation to everybody has been extended.

The program for the morning has been arranged to include the best speakers from Salem and the best musical talent to be found in Polk county. In the afternoon, sports of all kinds will entertain the crowd. The picnic is to be a basket affair, although arrangements have been made for refreshment stands.

The following committees have been appointed: Lunch committee, Mr. and Mrs. J. C. Cannon, Mr. and Mrs. M. M. Bailey, Mr. and Mrs. J. B. Olinger, Mr. and Mrs. G. R. Adams, Mr. and Mrs. H. M. Webb, Mr. and Mrs. J. R. Chapman, Miss Nellie Taylor, Mrs. Manuel Schindler and Mrs. W. M. Bousleaur.

Platform committee: T. J. Gardner, chairman; W. M. Bousleaur, W. C. Franklin, John Ferguson, P. T. Runcorn, W. M. Stuart.

Staud committee: L. C. Grice, chairman; Henry Lynch, H. M. Webb and L. Cohen.

Publicity committee: Miss Mollie Runcorn and James Imhof.

Program committee: Mrs. Jack White, Mrs. Frank Bousleaur, Mrs. J. W. Newwood, Mrs. J. B. Olinger and Mrs. H. C. Seyour.

Amusement committee: Robert Adams, chairman; George White, Amos Grice, Albert Bousleaur.

Grounds committee: J. R. Chapman, H. M. Webb, A. R. Southwick, L. C. Grice, W. M. Stuart and Victor Lynch.

Adopted Schedule for County Institutes

The county school superintendents, in session at the state house during the past week, Saturday perfected and adopted a schedule for county institutes for the balance of this year. In nearly all cases, unless changed by agreement, the institutes will be held at the county seats.

The schedule follows:
Coos and Curry, August (to be set);
Wasco, September 18, 19, 20; Jefferson, Sept. 20, 21, 22; Lake, Sept. 23, 24, 25; Marion, Oct. 4, 5, 6; Polk, Oct. 9, 10, 11; Jackson and Josephine, Oct. 11, 12, 13; Douglas, Oct. 16, 17, 18; Washington, Oct. 18, 19, 20; Tillamook, Oct. 23, 24, 25; Columbia, Oct. 25, 26, 27; Clatsop, Oct. 30, 31, Nov. 1; Umatilla, Nov. 1, 2, 3; Baker, Union and Wallowa, Nov. 1, 2, 3; Morrow, Nov. 8, 9, 10; Wheeler, Nov. 13, 14, 15; Gilliam, Nov. 15, 16, 17; Sherman and Hood River, Nov. 20, 21, 22; Lane, Nov. 27, 28, 29; Yamhill, Dec. 4, 5, 6; Crook, Dec. 18, 19, 20; Benton and Linn, Dec. 20, 21, 22.

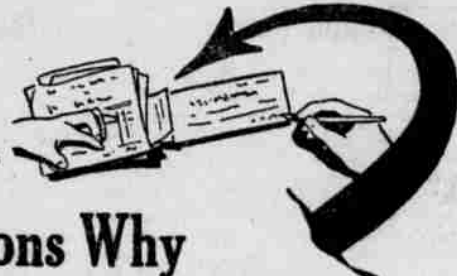
HONORED JOHN BROWN'S SON

Portland, Ore., July 17. — Salmon Brown, the only living son of John Brown, with his wife and daughter, were honor guests at an old-fashioned church service at the Highland Congregational church here Sunday. Women and girls sat on one side of the church room and men and boys on the other. The choir sang "John Brown's Body."

Make Skin Smooth

There is one safe, dependable treatment that relieves itching torture instantly and that cleanses and soothes the skin.
Ask any druggist for a 25c bottle of Zemo and apply it as directed. Soon you will find that pimples, black heads, eczema, ringworm and similar skin troubles will disappear.
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Pay by Check— Ten Reasons Why



1. A check when cashed becomes a receipt.
2. A check is always the "right change."
3. A check records permanently to whom paid, when paid and amount paid.
4. Merchants prefer checks, because they are safer than cash.
5. Paying by check prevents loss of money by theft, carelessness or accident.
6. Your check carries the money to the right person.
7. Paying by check is proof of your carefulness in business.
8. Checking depositors receive especial consideration from the bank in time of need.
9. If a check is lost, it is valueless to finder.
10. Last, but not least, having a checking account is a great help in accumulating a cash reserve.

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Will Orpet Not Guilty of Girl's Murder

Waukegan, Ill., July 16.—Will Orpet was acquitted last night of Marion Lambert's murder.

The jury that for six weeks had heard two versions of the tragedy of Helms Woods, where Marion was found dead in the snow on February 10, whose version of the defense, that Marion committed suicide.

The verdict was returned at 7:45 o'clock, and 30 minutes later Orpet had shaken hands with everybody in the courtroom, kissed his mother, issued a statement to the reporters, and was speeding on toward his father's home at Lake Forest, to spend his first night out of jail since February 11.

Four Ballots Taken
The jury took four ballots. The first stood 11 to 1 for acquittal, and the lone opponent of not guilty was won over after the jury had returned from supper, when his fellow jurors promised to reveal his name.

The courtroom was jammed when the verdict came in. Orpet, pale-faced and tense, watched the lips of Foreman James O'Shea frame the sentences that spelled his fate.

As the word "not" was framed, Orpet leaped to his feet, flung his arms about his mother's neck and smiled. He didn't cry a single tear.

Someone Shouts "Horror!"
A great shout rang clear to the rafters of the court house. Somebody in the crowd shouted: "Horror!"

"Get that man," ordered Judge Donnelly. "If I can find him he can spend at least five hours in the cell where Orpet has spent five months." But the bailiffs couldn't find him.

Orpet rushed up to the judge, the jury, the lawyers and the spectators. He grabbed every hand that was thrust out at him. Then he turned to the reporters.

"Here's what I want to say," he began, and then he dictated:
Has No Hard Feelings
"I am grateful to the jury; I am

grateful to my counsel. I appreciate that I have had a hard fight, but I have stood it because I was innocent. I have no hard feelings. I hope to go out into the world and prove to my friends that I will merit their confidence, friendship and honor."
Orpet's father was not in the court room. Neither was Frank Lambert, father of Marion. Some of the neighbors took the news to the Lamberts. They only shook their heads.

Don't forget your friends on their vacation—they will want to see a home paper. Phone 81.



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