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VALLEY NEWS SERVICE

# The Daily Capital Journal

Weather Report  
Oregon: This afternoon and tonight rain, fair south portion; Wednesday fair; gentle westerly winds.

FORTY-SECOND YEAR NO. 249.—EIGHT PAGES. SALEM, OREGON, TUESDAY, OCTOBER 21, 1919. PRICE TWO CENTS ON TRAINS AND NEWS STANDS—FIVE CENTS

## SURRENDER OF PETROGRAD IS NEAR, REPORT

### General Yudenitch, Commander Of Anti-Bolshevik Forces Says He Expects To Enter City Sometime Today.

### Capture Of Outpost Towns Is Reported; Defenders Supposed To Have Supplies To Prevent Starvation.

Stockholm, Oct. 21.—(United Press)—General Yudenitch, commander of the Russian anti-bolshevik forces invading Petrograd, told Nelson Morris, American ambassador to Sweden, that he expected to enter the city some time today. Yudenitch requested Morris to ask the United States to aid the starving population of the city.

Washington, Oct. 21.—Bolsheviks apparently continued to defend Petrograd yesterday morning, according to a state department dispatch received today. It was stated that an engagement was in progress at the time between bolshevik and anti-bolshevik troops in a Petrograd suburb. Railroad communication to Moscow is interrupted, it was stated. The Petrograd newspapers have ceased publication.

London, Oct. 21.—(United Press)—The siege of Petrograd is progressing favorably for the anti-bolshevik forces, according to official and semi-official dispatches received here today. A communique of the British war office said the capture of Gatchina and Kransko Selo, to the southwest, had been confirmed and that cavalry detachments had completed the work of cutting off Petrograd from all communication with the interior.

An official dispatch from Helsinki reported General Yudenitch had occupied Pulkovo Hill, with its important observatory, while a report from Copenhagen said Yudenitch had moved his headquarters to Czargoo Selo.

The bolsheviks, in addition to increasing their stores of ammunition and guns, moved great quantities of food into the city before it was surrounded, it was learned.

## SALEM ROTARY CLUB SPRINGS SURPRISE VISIT TO PORTLAND

Repaying the Portland Rotary Club its visit to this city the middle of September, Salem Rotarians, motoring, left this city at eight o'clock this morning for Portland. Their visit to the Metropolitan club was a surprise, not one of the Portland Rotarians knowing of their visit until the cortege of autos reached the gates of the Rose City.

During the meeting in Portland the Salem Rotarians heard E. B. Fish, speaking on "Combating Industrial Unrest", deliver a stirring message on the foremost topic of the day.

Other guests at the Portland meeting were the president's counsel of civic clubs, The Salem Rotarians will return to this city tonight.

Those of the Salem club who journeyed to Portland are: O. C. Bumgarner, J. C. Perry, C. B. Clancy, P. D. Thomsen, "Doc" B. L. Steeves, C. P. Bishop, Chas. W. Nlemeyer, H. S. Gile, John W. Todd, Chas. Miller, F. G. Myers, P. E. Fullerton and O. E. Hartman.

Portland, Oct. 21.—Sound asleep in a drizzling rain, Mrs. P. C. Conley was found on the sidewalk half a mile from her home early this morning.

Mrs. Conley, according to her husband, is a somnambulist. She left her home, clad only in her night dress, walked half a mile in the cold and rain and lay down on the concrete walk.

Early morning workers, seeing the woman in her scanty raiment, thought she was a victim of murder. They called the police who rushed to the scene. Mrs. Conley was hurried to the emergency hospital.

Twenty minutes after she arrived there, at about her regular time for arising, she awoke, rubbed her eyes and asked where she was. She had no recollection of the happenings of the night.

She was taken to her home by her husband.

## Salem Police Department to Be Placed Under Provisions of State Compensation Act

Authorized by the city council meeting Monday night, will soon be placed under the provisions of the state compensation act. According to Councilman Utter, who proposed the ordinance, the act, each officer will be required to pay 1 cent a day to the state, and the city will be required to pay three per cent of the police payroll.

The ordinance authorizing the city to enter into a contract with the P. R. L. & P. company to furnish lights to the city for a period of five years, was read the third time last night and passed. The present contract with the company expires June 1, 1920—the date the new contract will become effective.

Granting of owners of the Masonic building, State and High streets, to construct a stairway from the sidewalk down into the basement of the building, was held up. This work, it was pointed out, is contrary to the city ordinance governing construction work. The matter was referred to the street committee.

Several petitions of citizens to improve streets were read and passed upon.

## OPINION OF LATE JUSTICE MOORE DECISION BASIS

Adopting an opinion prepared by Justice Moore just prior to his death last September and crediting the late jurist therewith, Chief Justice McBride today affirmed the decision of Judge J. W. Hamilton of the Douglas county circuit court in the case of A. H. Wright vs. L. Wimberly et al., upholding the validity of the state law prohibiting the collection of a deficiency judgment on a purchase price mortgage.

Wright had filed suit against Wimberly in the Douglas county circuit court to recover money on a promissory note for \$3000 secured by a mortgage. Judge Hamilton ordered the lien foreclosed to satisfy the claim but refused to give a deficiency judgment. After selling the property on order of the court and deducting costs incident thereto the balance, \$1969, was indorsed on the promissory note. Allowing credit for this amount as a voluntary payment action was instituted to recover the balance due on the \$3000 note, with interest, which action was dismissed by the Douglas county court, the supreme court today affirming the action of Judge Hamilton.

Justices Bennett, Harris and Burnett while especially concurring with Chief Justice McBride, who quotes in full the opinion prepared by the late Justice Moore on the case, hold that there never has been such a thing as a deficiency judgment in this state and that, therefore, the law upon which the opinion is based is meaningless and effectual.

Justices McBride, Bean, Johns and Bennett, on the other hand, agree that the section is a valid prohibition against any recovery in the foreclosure of a purchase money mortgage, beyond the amount which results from a sale of the property, although the creditor may sue on the note, ignoring the mortgage and recover the full amount.

Other opinions were handed down today as follows: State vs. Norma C. Avage, appellant; appeal from Coos county; arising over conviction and fine of \$25 for shipping two salt water crabs. Opinion by Justice Bean. Judge John S. Coke affirmed.

Peninsula Lumber company, appellant; vs. Royal Indemnity company; appeal from Multnomah county; suit to correct an alleged mistake in indemnity policy. Opinion by Justice Burnett. Judge C. U. Gastenbein affirmed.

Farmers National Bank of Peninsula, appellant; appeal from Lane county, City, Okla., vs. C. R. Renfro, et al., appellant; suit alleging fraudulent transfer of land to defraud creditors. Opinion by Justice Burnett. Judge G. F. Skipworth reversed and case dismissed.

Marris Hallberg, appellant, vs. Cornelia E. Harriet; appeal from Marion county; suit to reform mortgage and agreement endorsed on back of promissory note secured there by. Opinion by Justice Benson. Judge George G. Bingham affirmed.

The Oregon Home Builders, appellant; vs. Montgomery Investment company, appeal from Multnomah county; action by real estate broker to recover commission. Opinion by Justice Harris. Judge W. M. Gattens affirmed.

Western Loan and Building company vs. D. H. Spplier, et al.; appeal from Deschutes county. Motion to dismiss appeal. Appeal dismissed. Opinion by Chief Justice McBride.

The trial of the Salem King Products company against a number of Marion county loganberry growers resumed in district court Tuesday morning before Judges Kelly and Bingham. Witnesses for the defense were examined. The court room was thronged all day.

## LITTLE ACTUAL SUPPRESSION OF NEWS REPORTED

### Editor Of Gary Post Declares Few Items Relative To Big Steel Strike Censored By Military Authorities.

### Methods Of Regular Army In Dealing With "Reds" Among Strikers Is Described In Detail By Snyder.

By Henry Burgess Snyder  
(Editor of the Gary, Ind., Evening Post)  
(Written for the United Press.)

Gary, Ind., Oct. 21.—There has been very little actual suppression of news during military control at Gary. The newspapers were ordered at first to publish no news of raids on radicals, but later the military decided that military control rather than martial law was in effect and the order was changed to a request. With one or two exceptions, the request has been complied with.

The desire for secrecy in the army's dealings with radicals is based on the fact that new leads to further raids were being unearthed. If the facts of the raids are made public, the military fear that some of their quarry would seek other fields.

And the army is not interested in chasing reds out of Gary. It wants to deport them. General Leonard Wood, who is actually in charge of the Gary situation, has very strong feelings regarding the treatment that should be meted out to radicals who are trying to undermine the government.

There can be no question that the situation demanded attention. This is a free country but we shall have to get over the impression that it is free for every agitator to stir up trouble.

I do not see how we can do without the army in crisis such as this. There is no other agency to step in and bring order out of a threatened chaos. Special police will not, neither will the militia. Both were tried out in Gary and labor was very antagonistic to both. When the regulars rolled in by motor truck they were received with cheers by the strikers. Many of the strikers had been in the army and they felt they would get a square deal. Whether this feeling will continue, only the course of the strike will tell. Even now some of the more radical labor leaders are charging General Wood is playing politics.

But this charge on the part of radicals is easily understood. The army has followed every radical lead and has raided dozens of houses and meeting places. "Rout out the reds" is the slogan and a force of intelligence officers men are on the job day and night. Each night dozens of suspects are brought in for examination. They are all men of alien birth. It is no uncommon occurrence for them to hand out a union card with one hand and an I. W. W. membership card with another. Many of them are so ignorant they do not know the gulf between the I. W. W. and the A. F. of L.

That is the problem of Gary today. It is the problem of every industrial center. And it is a problem that can only be solved by the army as the situation now stands. Conservative leaders know this.

The Central Labor Union News, organ of organized labor, in Gary said recently: "The army authorities came to Gary at opportune time. This has been the fairest and best imaginable. The traditions of the army have been built upon methods of absolute justice to land and being carried out here in such a way that no one can complain. Men who have been heckled and have had an opportunity to be heard, have been cleared and permitted to go their way."

"No rough house methods are used and no brutality of any kind used. If you are innocent you have nothing to fear, but if you are guilty you will be found out. In fact it is justice as it should be practiced at all times. That is what the army rule is and hundreds of strikers attest to the truth of these remarks."

## Captain Smith Is First Of Westerners To Complete Race

San Francisco, Oct. 21.—Captain Lowell H. Smith, the first of fifteen western starters in the transcontinental air derby to complete the race to New York and back, arrived at the Presidio today at 9:45 a. m.

Smith is flying Major Spatz's De-Havilland Bluebird, which was given him by Spatz at Buffalo after his own plane had been destroyed by fire.

Acceptance of the final account of the estate of Charles C. Guerne, made by Administrator George F. Guerne, was made by Acting County Judge Bingham Tuesday. Heirs to the Guerne estate are: C. Guerne, 73, and Eliza Guerne, 59.

## Idaho Circuit Judge Takes Own Life in Portland Today Following Extended Illness

Portland, Or., Oct. 21.—Sitting down on a curb and leaning against a tree, Circuit Judge J. J. Guheen of Pocatello Idaho, 58, shot himself through the heart with a revolver here this morning, dying instantly.

Judge Guheen had been receiving treatment at a local hospital for several weeks, and left the institution for his regular morning walk, dressed as usual in a suit and coat pulled over his flannel night robe. After walking a few blocks from the hospital, he sat down and ended his life. The discharge of the gun set on fire the night garment and the clothing started to burn the body after the suicidal act. A passerby extinguished the flames.

Judge Guheen's health broke down more than a year ago due to strenuous war work in addition to his official duties. He had been despondent for some time.

Mrs. Guheen and two children and Morris Guheen, a brother, were in the city at the time of the suicide, having come here to visit the jurist.

## PRESIDENT IS NOT EXPECTED TO LIFT PROHIBITION BAN

Washington, Oct. 21.—There is a very slight chance that President Wilson will raise the war time dry ban before constitutional prohibition becomes effective in January, it was learned from reliable sources today.

Upon ratification of the German treaty, the president may proclaim peace, even though the United States is still at war, technically, with Austria, according to this information. Declaration of peace would make possible the lifting of the ban.

Those favoring a "wet spell" professed to believe the president would not be bound by a technical state of war with Austria, or any other technicalities, in declaring peace after the German treaty is accepted by the senate.

However, it was learned that the Austrian state of war has been almost completely overlooked by government officials in figuring out when the war could be officially declared ended. Wilson is expected to ask the department of justice for an opinion on the subject before he acts to declare peace.

Should the ban be lifted, millions of gallons of whiskey and other spirits now held in bonded warehouses possibly would go on the market.

## BOY PROWLERS ARE HELD HERE PENDING AN INVESTIGATION

Two boys, who give their names as Fred Lyons, 14, and Glen McLaughlin, 19, were being held Tuesday by police for investigation. Lyons and McLaughlin were arrested late Monday night by Officer Jack White as they crouched in the dark in the alley back of A. H. Moore's bicycle repair shop, 421 Court street. They told police this morning that they were hiding in the alley to keep out of sight of the police, whom they said, they had been told by a high school boy, were looking for youths out late at night.

The pair said this morning that they were from Pendleton, but McLaughlin later admitted that his home is in Independence. Police have wired Pendleton for information regarding them.

An effort to connect them with the theft of Councilman Henry Vandervort's auto Sunday night, when five shots were fired at the fleeing thieves failed. The boys claim that they arrived in this city Monday evening, and were looking for a place to sleep when arrested.

A suit to collect on a promissory note of \$100 was begun Tuesday by W. L. Hunsaker against E. G. Long and L. M. Savage, with the filing of the complaint in the county clerk's office. Hunsaker claims that he granted the note to Messrs. Long and Savage in April, 1915, and that no time since has any effort been made to settle it. Mr. Hunsaker also asks \$25 for costs of the suit.

A decree, solving the marriage of Hiram B. Cooper and Annabelle Cooper, was issued by District Judge Bingham Monday. In his complaint against his wife, Mr. Cooper alleged that she was only 17 years old at the time of their marriage in Portland August 11, 1917; and that she married without the consent of her parents.

The final account of Grover C. Bellinger, administrator of the estate of John A. Ide, was approved and accepted by the county court Tuesday. Ernest V. Ezekiel, age 2, and Harney E. Wool, are named legatees in the estate.

## COMPROMISE RESERVATIONS OFFERED TODAY

### McCumber Submits Program Agreed Upon By "Mild Reservationists" In Effort To Establish Harmony.

### Democratic Members Of Foreign Relations Committee Meets To Consider Extent Of Concessions Possible.

Washington, Oct. 21.—Compromise reservations to the peace treaty, agreed upon by "mild reservationists" were offered to the senate today by Senator McCumber, North Dakota.

McCumber explained that the reservations represented an effort to harmonize differences among those who believed reservations in some form desirable.

"No one claims," he added, "that the treaty can go through without some kind of reservations."

Washington, Oct. 21.—Democratic members of the senate foreign relations committee went into conference today to consider just how far they may yield in reservations.

Senators said that no progress was made at the first meeting. They will go into conference again later today.

Senator Hitchcock said he recently wrote Dr. Grayson that no conference with the president would be necessary for at least ten days or two weeks. He added that there is no hope of early adjournment and declared plans have been laid for a prolonged treaty fight.

According to Hitchcock, democratic senators are endeavoring to present a united front when the foreign relations committee meets tomorrow to give formal consideration to reservations now being drafted.

Democratic leaders indicated today they will refuse to agree to the reservation program of the republican majority and will attempt to force their own program through the senate, relying on mild reservationists among the republicans.

McCumber's compromise program which is expected to be the storm center of the treaty fight from now on comprises seven reservations. These cover the Monroe doctrine, article 10, withdrawal from the league, Shantung, equalization of voting power, the latter covering two reservations. The new draft embodies the suggestions frequently made by mild reservationists on these points.

Dr. J. J. Potts, parole violator, arrested on the streets here Monday evening by Constable W. E. DeLong on a worthless check charge, was released by Justice of the Peace Glen Unruh after making an acceptable account of the affair. Dr. Potts, for whom authorities have been looking several days, was arrested on complaint of R. L. Young. According to Dr. Potts' version of the affair, he wrote a check for \$5 to Young, and Young delayed in presenting it to the bank. When he finally did present it, Dr. Potts funds were exhausted, and no payment was made on the check.

In 1917 Dr. Potts was arrested in Gilliam county on a charge of embezzlement. He was paroled from the bench, and went to Tacoma. There, it is alleged, he repeated the offense, and also issued several worthless checks. October 22, 1917, he was sent to Oregon state penitentiary, and was released from that institution a year later.

Portland, Oct. 21.—Flowers Stott, prominent Portland attorney and former member of the legislature, returned to Portland today from Astoria, Wash., where he spent Sunday afternoon—in jail.

Stott went to Astoria to see his client, George Welch, who is charged with looting the Astoria bank recently.

The sheriff readily granted Stott's request to enter Welch's cell, but when the attorney requested to get out—that was a different matter. The bank is supposed to have been robbed by two men and the sheriff thought Stott was probably Welch's partner, so he wasn't taking any chances on letting out a possible robber.

Attorney Seeks Interview With Client; Jailed