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# The Daily Capital Journal

Today's News  
Printed Today

THIRTY-SEVENTH YEAR

SALEM, OREGON, TUESDAY, JUNE 23, 1914.

PRICE TWO CENTS ON TRAINS AND NEWS STANDS, FIVE CENTS

## JUDGE EMERY SPEER SEVERELY CENSURED FOR MALFEASANCE

High Officer of U. S. District Court Arraigned for Misusing Power

WENT AS CLOSE TO  
LINE AS WAS SAFE

Judge Disregards Mandate of  
the Court of Appeals,  
Uses Drugs, Etc.

Washington June 23.—Judge Emery Speer, of the United States district court at Macon, Ga., in a report filed with the house judiciary committee today was severely censured for misusing his high office but he was spared an impeachment trial in the senate because the committee believed there was not sufficient evidence of wrongdoing to convict him. The committee requested the house to drop the charges.

Representative Volstead of Minnesota, the sub-investigating committee, submitted a report exonerating Speer. Representatives Webb and Pittenger signed the majority report.

Early in his judicial career the majority report stated, "Judge Speer ascertained the limit to which he could go before liability to impeachment would accrue, and went as close to the line upon many occasions as safety would permit."

Judicial Discretion Abused. "The sub-committee regrets its inability to recommend either a complete acquittal of Judge Speer," the report continued, "of all culpability so far as these charges are concerned, on the one hand or an impeachment on the other. And yet we are persuaded that the competent legal advice at hand is not sufficient to procure a conviction at the hands of the senate. But the sub-committee does feel that the record presents a series of legal oppressions and shows an abuse of judicial discretion, which, though falling short of impeachment, demand condemnation and criticism."

Judge Speer was stamped as an autocrat by the majority. "It was rare-minded that a jury was permitted to return a verdict contrary to his wishes, regardless of the facts," said the report. The investigators did not question the charge that Speer had permitted his friends to exact liberal fees in bankruptcy cases. They criticized the judge for using federal employees as personal servants.

Was Lack of Harmony. The probes attacked Speer because of the "lack of harmony between the judge and the district bar."

"There has been an absolute want of effort on the part of the court to make the people of that district feel that their federal court was the bulwark of their liberties," it said.

Among other charges the committee declared unsubstantiated as far as possible "conviction is concerned are that:

## NIGHT RIDERS KILL SEARCH IS BEING MADE

SHEPHERDERS MET BY BULLETS

Sheep Are Stampeded and Large Numbers Shot as Result of Battle—Sheriff and Doctors Rush to Scene.

Goldendale, Wash., June 23.—One man is reported killed and two seriously wounded in a raid by night riders early today on the sheep camp of Leo Brune, about 10 miles northwest of Wahkiakum. In response to frantic calls by telephone for officers and medical aid, Sheriff Fred W. Smith and two physicians rushed to the scene of the battle.

According to reports reaching here, the employees of Brune, who had charge of a band of sheep grazing in the woods on the Big Klickitat river, were called from their tent by a band of masked men and met with a hail of Winchester bullets.

Charles Smith, who was in the tent, escaped through a fusillade of bullets sent after him by the raiders, and reported that one man had been killed and two seriously wounded by the first volley, and that the sheep were stampeded and a large number of the band shot. The battle was still raging when he left, Smith said.

More Trouble Feared.

Goldendale, Wash., June 23.—Further trouble between cattle men and sheep men as the result of a raid by a band of masked men on the sheep men of Leo Brune in western Klickitat county late Sunday night, in which one herder was shot and badly injured, and 60 sheep killed, was feared today.

Persons familiar with the situation today declared that the attack was the forerunner of others, as the intermediate range where Klickitat county sheep are held until the government pasture is opened about July 4 is overcrowded, making it unfit for cattle grazing.

The feeling between the cattlemen and sheep men has been tense for some time.

## WILSON SMASHES AUTO

SAVES A SMALL GIRL'S LIFE

To Avoid Collision With Little Girl Who Runs In Front of Machine He Jams Steering Gear and Runs Into Post.

Charles Wilson, of this city, was driving his auto down State street this morning going west across the bridge over the north Mill creek when he attempted to dodge a small girl and drove the machine into an electric light pole smashing his lights, radiator, and bending up the mud guards generally. Mr. Wilson was driving slowly and saw the little girl standing in the street; she did not attempt to cross however and the auto was close to her and the she rushed directly into the path of the car.

In order to avoid an accident Mr. Wilson turned his car sharply to the left and jammed the steering gear and the result was a collision with the post. It will cost several dollars to repair the car but the little girl owes her life to the fact that the pole was struck instead of herself.

Judge Speer uses drugs; that he disregards mandates of the court of appeals and that he unlawfully seized and sold property."

## DRASTIC REDUCTIONS ON THE "LONG HAUL" ARE TO BE MADE

Rates Will Be Lowered in  
Many Cases as Much as  
Twenty Per Cent

WONDERFUL VICTORY  
FOR WESTERN STATES

Effect Will Be Eventually to  
Increase Revenue of  
the Railroads

Washington, June 23.—Relying on the United States supreme court's decision in the "intermountain rate case," the interstate commerce commission prepared today to put into effect sweeping reductions in transcontinental freight rates.

The complete power of the commission over interstate rates and consequent early drastic reduction on "long haul" freight to Spokane, Salt Lake City, Butte, Billings, Reno and other points between the Rocky mountains and the Pacific coast were considered the main outstanding points in the supreme court's decision.

All railroads will be required to file with the commission new tariffs reducing rates on transcontinental shipments to "intermountain cities." In many cases, the reductions will amount to 20 per cent. The commission's power was sweeping increased through the validation of the long and short haul amendment. The most far-reaching effect of the decision is the declaration by the supreme court that all power to initiate or prescribe changes in rates has, "if the commission desires to exercise it," been transferred by congress from the railroads to the commission.

Will Benefit Railroads.

Louis D. Brandeis of Boston predicted today that the decision would eventually do of great benefit to the railroads.

"It will help business so much," he said, "that before long its effect will not be noticed in the revenues of the railroads, unless it be to increase them. It is a wonderful victory for the western states."

The supreme court's decision also opens the way for shippers to recover approximately \$10,000,000 from the railroads, it was said.

This sum represents payments of rates made on the old basis while the demand for a reduction was pending in the courts. It was explained, however, that the reparation proposition will have to be handled by the railroad commission, which will also fix the amounts to be repaid by the transportation companies.

Advantage to Interior Towns.

Expert traffic men further pointed out that the ruling insures interior towns an advantage from the opening of the Panama canal in proportion to the benefits coast cities will derive.

## ARE WE BARBAROUS? DOCTOR ARRAIGNS AGE

FANATICISM STILL FLOURISHES

Physician Says Preventable Diseases Cause a Large Percentage of the Nation's Mortality—Civilizations Are Overthrown.

Atlantic City, N. J., June 23.—"The historian of the future will have no difficulty in convincing his readers that those who lived at the beginning of the twentieth century were but slightly removed from barbarism," said Dr. John A. Witherspoon of Nashville, Tenn., in delivering the presidential address before the American Medical association's annual convention in session here today.

"He will tell that the school, saloon and house of prostitution flourished in close proximity; that the capitalist worked his employees under conditions which precluded soundness of body; that the labor union man dynamited buildings; that while we sent missionaries to convert the heathen and buddhists, 10,000 murders were committed annually in our midst, and that a large percentage of our mortality was due to preventable diseases."

Past May Be Repeated.

"There can be no doubt that disease has overthrown civilization in the past, and there is no safety that it may not do so again. The recent outbreak of plague in Manchuria and its more recent appearance in Cuba are not without their warnings. It remains to be seen if those who control our government have the necessary intelligence to protect our country against the invasion of pestilence."

"The failure to provide for camp sanitation in 1898, the behavior of California officials on the finding of plague in San Francisco and the general indifference of national and state authorities toward the eradication of disease discourage the hope that intelligent patriotism is widely distributed among us."

As a contemporary of Mr. Dowie and Mrs. Eddy, and as a citizen of the country in which the osteopath and the chiropractic flourish, I feel some embarrassment in speaking of the fanaticism and the ignorance of the dark ages."

Oregon Has Leprosy Laws.

Dr. Isador Dyer of New Orleans discussed "The National Care of Leprosy," mentioning California as a state which already takes systematic care of victims of the disease, and Oregon as among those which have laws dealing with it. According to the last formulated report, he said, there are nearly 500 cases in the United States, and this, he remarked, "is probably only a fraction of those in existence."

Dr. Leonard W. Ely of San Francisco talked on "Orthopedic Surgery," and Dr. P. V. K. Johnson of Los Angeles on "Differential Diagnosis of Pyloric Stenosis."

## INSANE THING FOR EMPLOYERS NOT TO RECOGNIZE LABOR

Philadelphia, June 23.—"Should employers recognize organized labor?" John Wanamaker was asked today in the course of his examination by the federal commission on industrial relations.

"It's an insane thing not to recognize it," was his reply. "I believe labor suffered frightfully in the past through poor leadership but a better class of leaders is coming in. I think labor and capital both have the right to organize."

"What do you think are the missing links necessary to bring capital and labor together?" he was asked.

"Prejudice and misunderstanding," was the response, which must be overcome. One way to overcome them is to unite labor unions from political parties."

Wanamaker added that he might be mistaken but he considered that John D. Rockefeller "made a great mistake when he put President Wilson in the position of having to send troops into Colorado."

When steamers 800 miles apart can converse by wireless it is plain that solitude is going to be a scarce article on this planet before long.

### The Weather

Unsettled to night and Wednesday, probably showers west; generally fair east portion; southerly winds.



## PEACE PROSPECT IN MEXICO TAKES ON A BRIGHTER OUTLOOK

Members of Rebel Junta Are  
Optimistic and Believe An  
Agreement Probable

ANOTHER AMERICAN  
SOLDIER DISAPPEARS

Much of Mediators' Success  
Depends on Result of  
Villa's Attack

Washington, June 23.—Members of the rebel junta here were hopeful today, for the first time, of a restoration of peace in Mexico.

They said frankly that they believed an agreement on a provisional government could be reached in the informal conference scheduled between constitutionalists and Huertista representatives. Men high in the Washington administration held the same opinion.

It was said there might be a few days delay in sending the constitutionalists to Niagara Falls but that as little time was possible would be lost.

Soldier Disappears.

Vera Cruz, Mex., June 23.—Another United States soldier was missing from Vera Cruz today and it was feared he had met the same fate as Private Parks, who wandered outside the American lines shortly after General Funston and his men landed, was never seen again and was believed to have been killed by the Mexicans.

The individual to disappear last was a marine whose name the military authorities had not made public. When American sentries on outpost duty shouted questions concerning him to Mexican pickets they were answered only by jeers and epithets.

Friction between the outposts unquestionably has been increasing in the past few days. The American marines, indeed, were so angry today over their fellow soldier's disappearance and the replies they received to their queries for him that it was deemed necessary expressly to order them not to start hostilities.

Depends on Villa's Success.

Niagara Falls, Ont., June 23.—The "A. B. C." mediators were waiting today for definite assurances that Mexican constitutionalist representatives will join in the negotiations here.

Should they do so, the rebels having refused an armistice, their status will be unofficial but this will not interfere with an agreement of Huertistas and constitutionalists, it will simply be embodied in a protocol which the Huertistas will sign on behalf of the present Mexico City government and the American envoys will endorse as the constitutionalists representatives.

It was agreed by everyone that much will depend on the success of General Villa's attack on Zacatecas. In the event of the city's capture the Huertistas, it was said, surely would be much readier than otherwise to accept the best terms they can get.

To Outline Attack.

Canitas, Mexico, June 23.—General Natera, who has had charge of rebel operations about Zacatecas was expected here this afternoon for a conference with Generals Villa, Angeles, Herrera, Urbina and Benavides.

A discussion was scheduled of the battle ground, with which Natera is familiar, to be followed by the outlining of complete plans for a general attack on the city. A hard fight was looked for, as it was known that General Barron, the federal commander, was strongly reinforced recently and received fresh supplies of arms and ammunition, including artillery.

It was said there would be no delay on the rebels' part beyond what is unavoidable on account of the condition of the roads.

Angels Withdrawn.

Douglas, Ariz., June 23.—The withdrawal of General Angeles from Carrizosa cabinet at the latter's request was reported here today by members of the constitutionalist junta. Carrizosa, it is said, blames Angeles for differences between the leader and Villa.

Town Reported Captured.

On Board U. S. S. California, Mazatlan, Mexico, June 23.—Rebels under General Alamillo were reported to have captured the town of Zapotlan, an important position.

Will Begin at Once.

## U. G. HOLT RETIRES IS GIVEN VOTE OF THANKS

H. O. WHITE ELECTED DIRECTOR.

B. J. Miles Is Made Chairman of the Salem School Board and Announces Appointment of Various Committees.

After giving school district No. 24 (Salem district) five years of faithful and unstinted service, U. G. Holt, chairman of the board of directors, stepped out last night with what was deemed by the other members of the board one of the finest records ever made by a school director in the history of the institution. Harley O. White, who was elected by an overwhelming majority to succeed Mr. Holt, was placed in office with the regular formalities.

The members of the school board last night, upon motion of Director A. A. Lee, voted a resolution of thanks to Mr. Holt for the latter's diligent and intelligent services rendered the district during his five years of incumbency. Mr. Holt was and is liked by not only his brother members of the board but by teachers and officers of the different schools in the city. He made a splendid record while serving as a director and left the educational board last night as chairman of the organization.

Leaves Best Wishes.

Mr. Holt extended sincere thanks to the members of the board for their good will and expressions of appreciation. He stated that he hoped that the board will progress and have fewer stumbling blocks to meet in its efforts to forward the interests of the school.

Select Committees.

Director B. J. Miles was made chairman of the board, he being the next oldest member. Chairman Miles appointed the following members on the committees:

Finance committee, Lee and Barnes, and Barnes and White will serve on the supplies committee. The school insurance matters will be cared for by Directors White and Barnes also.

Superintendent Kuntz tendered his annual report. The report shows that an increase of 451 pupils was recorded within a few months after the school opened. The superintendent also reported that over 3,000 pupils attended the Salem schools this year.

Superintendent Kuntz will leave the office at the beginning of the next school year, and in the meantime will lend every assistance to the new superintendent, Mr. Elliott, who is expected to arrive June 24. Superintendent Kuntz has done some good work for the schools of Salem, according to the members of the board, and his efforts are greatly appreciated.

William Burkhardt, Jr., the secretary of the board, was paid some high compliments last night by the directors for his efficiency and good work in keeping the records.

Students Bother.

It was reported by the professor of the Grant school that several young men have been damaging the school

## U.S. FIRST OUT OF WORLD-WIDE SLUMP IN BUSINESS AFFAIRS

Present Dullness Is Merely  
Psychological, Says Secretary Redfield

OTHER NATIONS FEEL  
GENERAL DEPRESSION

Trust and Non-Trust Countries Suffer Alike in the Slacking of Trade

Washington, June 23.—Strong support of President Wilson's position that the present dullness in business is merely psychological was voiced here today in a statement issued by Secretary of Commerce Redfield.

"The United States," Secretary Redfield said, "was the last nation to enter the worldwide depression. We felt it least and are now the first to emerge."

The dullness of trade and industry in this country is psychological, just as President Wilson says. It is not a real all sections and figures compiled in the department of commerce show this to be true.

"Other nations have suffered longer and more severely than has the United States—notably France, Germany, England, Canada and Brazil. Conditions in these countries contradict the causes most commonly assigned for depression. Germany is the greatest trust country in the world, while in France there are no trusts; Brazil has a high protective tariff, yet all these countries suffered."

Receives "Prosperity" Letters.

Secretary Redfield said that his department was receiving large numbers of "prosperity" letters, which strengthened the belief that commercial and industrial revival was near. For the first two weeks in June, he said, the Rock Island railroad handled an increase of nearly 1,000 carloads of freight. The approaching harvest has created an extraordinary demand for agricultural implements, and the market for average priced automobiles was never better, he added.

fixtures in his building. Chairman Miles directed the heads of the different schools to call upon the police if necessary and to prosecute the bondsmen who break into the school buildings.

## Prizes for Flower Show Are Announced--Work Is Rushed To Have Fair Ready

the appearance of a cherry palace under the deft touches of the men who have the decoration in charge. The floor space of the south half of the building is being divided off by means of lattice work, and the posts and walls are being covered with green shrubbery until the place will present a gay front to fair visitors and an artistic one as well. The space in front of the main entrance is devoted to a main lobby.

A wide central aisle leads from the entrance lobby to the flower exhibit. The flower exhibit occupies the center of the floor and around a fountain the aisle curves through two avenues of flowers to lead on past the Japanese arbour to the concessions in the rear.

From the main entrance to the concessions the cherry exhibit occupies the entire side on the left and the cherries will be arranged in four tiers of boxes behind arches of lattice work. Mr. Little, of this city, who is the chief decorator, has numerous potted plants and materials for rustic effects in stock which he will use in the decorations.

F. E. Mangis, in charge of the flower show, reports that every effort will be made to make the best possible showing in the flower exhibit, and that flower lovers of the city are preparing to enter their plants and cut flowers in competition in good numbers. The following prizes are offered:

	1st.	2nd.
Prize.	Prize.	Prize.
Best display of roses containing not less than two varieties	\$10.00	\$5.00
Best vase display of 25 roses of one variety	5.00	2.50
Best display of sweet peas 10.00		5.00
Best general display of flowers containing not less than three varieties	10.00	5.00

(Continued on page 5.)

## Square of Butter Is Strong Evidence for Defense--Ends Career of Crime in Crematory

The supreme court handed down four opinions this morning. One of these was that of the state against Lloyd H. Watkins, convicted in the circuit court for Multnomah county of the crime of murder in the first degree for the killing of Lou L. Watkins in October, 1913.

In the trial of the case in the lower court it seems letters found on the defendant when arrested were introduced in evidence over the objections of the defendant, he contending that the letters being from his wife were privileged communications and that as the law prohibited using the testimony of a spouse against the other without the consent of both, that the evidence should not have been admitted. The supreme court, in an opinion written by Justice Burnett, disposes of that by pointing out that communications between them the knowledge of which is derived from independent sources is not included in the inhibition.

The decision of the lower court was affirmed.

charged, "did unlawfully sell, offer and expose for sale certain squares of butter within the state of Oregon, not plainly marked 32 ounces, full weight," as the statutes provide. The case came up on demurrer, that it did not state facts sufficient to constitute a cause of action and this view was sustained. The butter, it seems, was marked: "This package contained 32 ounces full weight when it left the factory."

The fault with the complaint was that it did not state the package was supposed to contain two full pounds, 32 ounces, or whatever the statute required. There was one feature in this case that was strong evidence for the defense, and that was a square of butter bearing the label just as it left the factory and marked besides the factory brand "exhibit A."

This exhibit was filed at the same time the transcript was sent up and as Clerk Moreland has no cold storage facilities notwithstanding the popular idea that matters sent to the supreme court are kept that way, the butter filed as circumstantial evidence became more and more so daily. Starting its career at the crematory, it went down the ladder of crime permitted to but-

ter and seemed determined to finally reach an ignoble end in the crematory. It was probably good enough in its babyhood, but when it got old enough to talk it was decidedly bad, it was worse, it was a crime in itself. As a witness it was first-class, for it was in evidence all the time. Visitors to the new building would remark that it was a beautiful structure, but the sewer connections were bad, and when they left most of them would stand out on the walk and let the west wind toy with them while before again entering the abodes of men. Two minutes after the decision was rendered the butter was on its way out of the building and was buried by a workman leveling the yard. At Judge Moreland's especial request, it was buried deep.

The other cases were Paul Wessinger respondent, against E. T. Mische, defendant and appellant. This was a suit brought to enjoin the erection of a garage on a Portland public park. Justice Moore wrote the opinion and found the defendant had committed "preposterous."

Caroline Sherman against L. C. Glick appeal from Multnomah action to set aside a deed, affirmed.