



# ROSEBURG NEWS-REVIEW

DOUGLAS COUNTY

An Independent Newspaper, Published for the Best Interests of the People.

ALL THE NEWS  
ASSOCIATED PRESS  
LEASED WIRE SERVICE

VOL. XXVI NO. 290 OF ROSEBURG REVIEW

ROSEBURG, OREGON, WEDNESDAY, OCTOBER 28, 1925.

VOL. XXVI NO. 290 OF THE EVENING NEWS

## PIERCE ISSUES PARDON THIRICE CONVICTED MAN

A. J. Weston, Life Term, Freed After Serving Only Half Year.

## WIFE'S EFFORTS WIN

Governor Convinced Man Innocent in Spite of Strong Evidence Against Him.

(Associated Press Leased Wire.)

SALEM, Ore., Oct. 28.—A. J. Weston, twice convicted in Deschutes county and once in Wasco county of second degree murder in connection with the killing of Robert H. Krug, aged citizen of Sisters, Ore., last night left the state penitentiary with a full pardon from the hands of Governor Pierce. Weston has served a little more than a year of a life sentence. His first conviction was reversed by the state supreme court and the case remanded for a new trial. The second trial was held, Weston was again convicted of second degree murder and once more the supreme court reversed it on grounds that the lower court erred in admitting new testimony and again remanded the case. A change of venue to Wasco county was obtained for the third trial in which Weston was again convicted and sentenced to life. No appeal was taken after the third trial, but Weston's wife has constantly kept the case before Governor Pierce, declaring her husband was the victim of a "frame up" and asking for his pardon. The governor refuses to comment on the case other than to say that he became convinced that Weston was innocent. The crime was committed March 24, 1919.

The murder of Krug was one of the most revolting in criminal annals of the state. The evidence indicated that the aged man had been beaten, then tortured until he died, after which fire was set to his cabin and the body burned. Weston was arrested for the crime 18 months after it was committed, when he was taken into custody on information furnished by George Stiiwell and Joe Wilson, who were employed with Weston at a sawmill near Krug's home.

## Evidence Shows Guilt.

Stiiwell declared that he was compelled by Weston to accompany him to Krug's cabin, but that he had no knowledge the aged man was to be killed. He testified that Weston struck Krug on the head and then tortured him in an effort to make him tell where his money was hidden, firing the cabin when Krug died. Joe Wilson's testimony was that Weston later confessed the crime to him. There was other testimony indicating that Weston, Stiiwell and Wilson were engaged in bootlegging that Krug had knowledge of their activities and that this was one reason for their wishing to get him out of the way, though the prosecution contended that robbery was the primary motive. The state to prove robbery the motive, submitted testimony that a note for \$300 made out to Krug and signed by W. S. Fullerton, was found among Weston's effects after his arrest. Also there was testimony that Weston had borrowed a revolver and threatened Krug's life.

## FRENCH TROOPS ASKED TO QUELL SYRIAN REVOLT

(Associated Press Leased Wire.)

PARIS, Oct. 28.—The Syrian situation has assumed such a serious aspect that President Doumergue and Painleve, in their conference of an hour this afternoon, diverted fully half the time for consideration of the ministerial crisis to discussion of the recent events in Damascus in its vicinity. This is the information imparted by the semi-official Harvalet agency.

It is reported that General Sarraill, the French high commissioner, has asked about 15,000 more French troops be sent to Syria to re-inforce the garrison. Premier Painleve informed President Doumergue this evening that he would form another cabinet.

## BIG ESTATE PROBATED

(Associated Press Leased Wire.)

NEW YORK, Oct. 28.—The will of Thomas Franklin Manville, head of the Johns-Manville Company, who died October 19, was filed today, disposing of an estate reported to aggregate \$25,000,000.

## FOREST FIRE RAGES ON UMPQUA DIVIDE

(Associated Press Leased Wire.)

MEDFORD, Ore., Oct. 28.—P. B. Low, district state fire warden, left this morning with a pack train and force of men to fight a forest fire near Galloway gap on the Umpqua divide, which is said to extend over 100 miles front. Local forest officials declare that the fire burned for some time before it was discovered. Continued dry weather makes the forest fire situation in southern Oregon serious again, according to forest service officials.

## CANYONVILLE MAN KILLED YESTERDAY BY FALLING LIMB

H. F. Wooster, Proprietor of Telephone Exchange, Sustains Crushed Skull.

(Associated Press Leased Wire.)

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H. F. Wooster, owner and manager of the Canyonville telephone exchange, died yesterday afternoon from injuries sustained earlier in the day while engaged in work at Rest Haven auto camp south of Canyonville. Mr. Wooster and Mr. Stenger, the proprietor of the camp, were engaged in felling a large tree, the upper part of which was destroyed. A heavy limb broke from the snag and fell upon Mr. Wooster's head, crushing the skull.

Dr. E. B. Stewart was hastily summoned and made a quick trip to Canyonville, where he found the injured man still alive but unconscious. After applying some stimulants and giving first aid treatment, Dr. Stewart made arrangements to bring him by auto to the hospital at Roseburg. Mr. Wooster died as the car reached Kelley's corner.

The body was held there until Coroner Ritter could be reached and permission obtained to bring the body on into Roseburg. Because of the nature of the accident and the fact that there were a number of witnesses, no inquest was deemed necessary.

Mr. Wooster was 51 years of age, a native of Iowa. He was a resident of Canyonville before moving to Canyonville, where he made his home for the past 13 years. He leaves a widow and several children. Arrangements for the funeral have not yet been made.

## FEDERAL CONVICTS AT McNEIL ISLAND DASH FOR FREEDOM

(Associated Press Leased Wire.)

TACOMA, Wash., Oct. 28.—Bert A. McGillis, 29, convicted in Portland for violation of the national motor vehicle theft act, and George Temple, alias Louis Lawson, 24, sentenced from Pocatello, Idaho, for forging post office money orders and violation of the motor vehicle theft act, escaped from the McNeil Island federal penitentiary about 3 o'clock this morning. McGillis was serving a term of fifteen months begun last June and Temple was under a sentence of two and one half years begun last November.

The two were assigned to some plumbing work outside the main prison building during the night and no one was guarding them except the night watchman who had his regular rounds to make. He made frequent checks to see that they were doing the work, but when he returned at 3 o'clock they were missing. Daylight revealed the fact that a rowboat belonging to Guard Nathan Mitchell was missing from its mooring near the machine shop and a search of the vicinity failed to discover it.

Prison officials were conducting their search for the men on the theory that they were able to get to the mainland or to one of the other islands in the stolen boat. Both were clad in prison overalls. Warden Finch R. Archer authorized rewards for their capture.

Both the father of McGillis and the wife of Temple are living in Portland.

## BELOW ZERO IN MONTANA

(Associated Press Leased Wire.)

DENVER, Oct. 28.—Winter's first bitter onslaught of the season in the Rocky mountain regions today sent temperatures hurtling below zero in Montana and spread a mantle of snow over the region. The frigid thrust was most severe at Rapid City, S. D., where the mercury descended to 14 below. At Judith Gap, Mont., it was 12 below, and at Miles City 8 below.

## BROCCOLI CROP TO BE LARGEST IN CO. HISTORY

Vegetable Crops Committee Predicts Huge Yield for Coming Season.

## GRADES CONSIDERED

Marketing of Single High Class Grade and Canning of Seconds Offered as Aid to Market.

(Associated Press Leased Wire.)

The vegetable crops committee of the Douglas county agricultural economic conference met last night in the office of County Agent Cooney and definitely drafted a program of fact finding upon which to base its report to the general conference November 19 and 20. D. N. Busenbark, chairman of the committee, presided. The committee proposes, on the basis of its study, to draft a program of broccoli and vegetable crops production that will permit the continuance of this important industry along most economic lines.

Tentative estimates made by the committee members place the broccoli acreage in the county this year slightly in excess of 4000 acres. This acreage, it is believed, providing normal conditions prevail, will produce 1600 to 2000 carloads of broccoli. If the crop materializes it will be by far the largest crop ever harvested in the county, the maximum thus far being 283 carloads from the 1923-24 crop.

Standardized and development of certified seed strains, orderly marketing of the crop and the saturation point in production, the importance of putting a single high quality grade on the market, possibilities of disposing of second grade broccoli through canning, were a few of the important matters discussed by the committee which will be emphasized at the November meeting. All were agreed upon the importance of marketing a single grade of high quality broccoli. Keeping off the market the poor quality "stuff" and find a market for it through canning would be advantageous to all. The ability of local canneries to handle a large portion of second grades will be investigated.

Good or bad seed has often meant the difference between success or failure of broccoli and a plan will be studied whereby certified and tested seeds might be made available. Such a step might help, it was the opinion of Dr. C. H. Bailey that broccoli seed does not always act the same. The same lot of seed may give good results one year and the following year result in a poor crop because of the variable climatic conditions, Dr. Bailey indicated.

It was the belief of the committee, expressed in a motion, that the time had come when the population of Roseburg justified the establishment of a public market. Reference was made to a public market which operated several years ago. G. A. Lindblom was appointed to make a thorough study of such a possibility and report his findings at the final meeting of the committee.

Those present at the meeting were D. N. Busenbark, C. H. Bailey, Foster Butler, C. E. Marks, Hugh Ritchie, Henry Lander, G. A. Lindblom, Herbert Beyers. The committee adjourned until the conference session on November 19, unless Chairman Busenbark felt it advisable to hold another meeting before the conference.

Arrangements were completed yesterday for the use of the armory for the conference sessions, and plans were formulated by R. A. Busenbark, general chairman, for a basket dinner on the second day.

## DENTISTRY DEPT. URGED AT U. OF O.

(Associated Press Leased Wire.)

SALEM, Ore., Oct. 28.—A department of dentistry to be maintained in connection with the medical college of the University of Oregon is urged in the annual reports of the state board of dental examiners to Governor Pierce. "The only dental institution in the state of Oregon, in the entire northwest for that matter," says the report, "is a privately owned and controlled institution."

At the close of the fiscal year ending March 31, the report says, there were 1683 dentists registered in the state and seven dental office proprietors or managers. Of these 251 were non-residents of the state. During the year the licenses of six dentists were revoked for non-payment of annual registration fees.

## MUSSOLINI FEELS SAFE.

(Associated Press Leased Wire.)

MILAN, Italy, Oct. 28.—The Fascist regime cannot be overthrown except by force, Premier Mussolini declared today in a speech before an audience which packed the Scala theater in celebration of the third anniversary of the Fascist march on Rome.

## JUPE SPRINKLES EUGENE

(Associated Press Leased Wire.)

EUGENE, Ore., Oct. 28.—A light rain was falling here this afternoon, the first rain recorded this month.

## Negroes Cheer Ousted Episcopal Bishop for Advocating Equality of American Blacks and Whites

(Associated Press Leased Wire.)

CHICAGO, Oct. 28.—A crowd of negroes and a few whites attending the American negro labor congress enthusiastically cheered declarations of William Montgomery Brown, deposed protestant Episcopal bishop, favoring communism and racial equality of negroes and whites last night.

"Long live communism," he shouted. "Long live the American negroes on an equal footing with American Caucasians." Others of his statements were: "I was railroaded out of the House of Bishops at New Orleans; or perhaps it was Jim Crowed." "Capitalism is politically bankrupt; the church supporting it is religiously bankrupt. Communism is sure to come. The only religion is the desire to make the most out of life. There is more hope for the workers in the international labor defense movement than in any other. The social system is not enervating you. You are not trying to overthrow society. You are trying to liberate it from ignorance, class prejudice and hatred, ruin and repression. I am trying to liberate religion from the supernatural." He advised against concluding "that the church is bad, even though it generally supports capitalism against efforts to free the workers."

## HYMAN HUNTLEY'S TRIAL LIKELY TO BEGIN NEXT WEEK

(Associated Press Leased Wire.)

MEDFORD, Ore., Oct. 28.—It is probable that the trial of Hyman Huntley, 58, section crew worker, charged with first degree murder, as the result of the fatal stabbing of Jesse James Gibbs, 28, last September, in a fight over the alleged attentions paid by Gibbs to Mrs. Huntley, will be called early next week.

Jack Durando, on trial in the circuit court since Monday morning charged with "possession and sale of liquor," was acquitted by a jury late Tuesday after five hours deliberation.

The next trial on the calendar is that of Walter Williams of Gold Hill, 16, charged with a statutory offense. It was this case that was the basis of the two indictments returned by the last grand jury, charging a felony and a misdemeanor against Deputy Sheriff Forrester, who entered pleas of guilty to the minor charge and was fined \$50, the same being suspended.

## P-T ASSOCIATION HEARS REPORTS AND NAMES CANDIDATES

(Associated Press Leased Wire.)

PORTLAND, Ore., Oct. 28.—Mrs. W. W. Gabriel, president of the Irvington Parent Teachers Association of Portland, was today nominated for president of the Oregon state Parent Teachers Association in annual convention here.

Mrs. George J. Perkins, present here, was the opinion of Dr. C. H. Bailey that broccoli seed does not always act the same. The same lot of seed may give good results one year and the following year result in a poor crop because of the variable climatic conditions, Dr. Bailey indicated.

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## MITCHELL CASE OPENS AT ARMY COURT MARTIAL

Challenges of Defense Put Three Superiors Off Judgment Seat.

## INCLUDES PRESIDENT

Accused Officer's Counsel Says Statements Made Not Violation of War Articles.

(Associated Press Leased Wire.)

WASHINGTON, Oct. 28.—After having secured the retirement of three members of the court martial case to try him, Colonel William Mitchell late today challenged the jurisdiction of the court.

Through his counsel the Colonel pleaded that the specifications against him did not constitute any offense falling properly under the articles of war, and that a court martial therefore was without authority to try the charges.

Only one preemptory challenge is permitted under the practice of court martial, but any number may be challenged for cause, as were Generals Summerall and Bowley. It is not required that the defendant state the reasons for a preemptory challenge.

Vacancies caused by challenges are not filled in army courts, the remaining members retaining full authority to act. With the challenges disposed of, therefore, the court was sworn, with its original membership of 13 reduced to 10.

He reviewed the charges until tomorrow without action on Mitchell's challenge of its jurisdiction.

Reid Flays Charges. Representative Reid of Illinois, attorney for the defendant, characterized the action against Colonel Mitchell as "in contradiction to every American principle of law, civil or criminal."

He reviewed the statements made by the court, charging criminal negligence in administration of the army and navy air services and insisted that these statements were permissible under the constitutional guarantees of free speech.

"You will have to admit," Mr. Reid told the court, "that the soldier has rights under the constitution which cannot be taken away. The question is: 'Are soldiers people within the meaning of the constitution?'"

"The defense claimed there were limitations upon free speech, such as sayings which fostered anarchy, constituted libel or were obscene or immoral, but they did not apply since Colonel Mitchell had not been charged with any of these crimes."

Ignorance Charge Returned. Colonel Mitchell's Hawaiian report, which was read to the court as a part of the challenge against General Summerall, was dated December, 1923, and declared the air forces of the islands were badly organized, and that General Summerall had shown an ignorance of the principles involved. In an appended statement by Colonel Mitchell, also read to the court, the Colonel said the report had indicated that General Summerall "knew practically nothing about aviation."

A copy of the report, Colonel Mitchell said, had been handed by him to General Summerall. The case in behalf of Colonel Mitchell was opened by Mr. Reid with the reading of the statements, the air officers made in San Antonio, Texas, September 5 and 9, charging "criminal neglect," "incompetence," and "almost treasonable," administration of the air service. It is upon this language that Colonel Mitchell is being tried on charges of conduct to the prejudice of good order and military discipline.

These statements, Mr. Reid declared, did not constitute a violation of any article of war.

With Colonel Mitchell standing before the bench, Lieutenant Colonel Joseph I. McMullen, assistant trial judge advocate, then read the specifications against him.

WASHINGTON, Oct. 28.—Colonel William Mitchell began his defense at his court martial here today by driving from the bench three members of the court, including its president, Major-General Charles F. Summerall.

General Summerall withdrew on his motion after he had been charged with prejudice against the defendant and Brigadier A. J. Bowley was disqualified by his colleagues on the court after a defense challenge had been lodged against him on similar grounds. A preemptory challenge then was made by Mr. Reid against Major-General Summerall.

## \$2 ADVANCE PUTS POTATOES ABOVE WAR TIME LEVEL

(Associated Press Leased Wire.)

CHICAGO, Oct. 28.—Potato prices are above war time levels, according to a report today by the United States bureau of agricultural economics. Latest shipping point quotations throughout the chief producing states are \$2.30 to \$3.10 a hundred pounds wholesale, as against 55 cents to 85 cents a year ago.

Growers of potatoes who are lucky enough to have a fair sized crop are congratulating themselves, the report says and it is added that many an old debt is being paid with the money received from potatoes. Crop short-ages is back of the price advance, which has been accelerated this week by wintry weather conditions north and by sudden fallings of the time of shipments to distributing centers.

## JEAN MADDOX NEAR DEATH AS RESULT OF MERCURY POISON

Tablets Taken for Aspirin by Popular Girl—Condition Reported to Be Very Critical.

(Associated Press Leased Wire.)

PARIS, Oct. 28.—Greece announced at today's meeting of the League of Nations council that she had given orders for her troops in Bulgarian territory to retire behind her own frontier. She assured the council that complete evacuation of Bulgaria would be carried out within the sixty-hour limit laid down by the council.

M. Morloff, the Bulgarian minister, announced that his government had ordered its troops to take no hostile action and assured the council that not a single Bulgarian soldier was now on Greek soil. He officially informed the council in writing that Bulgaria accepted all the conditions laid down in the council's ultimatum.

M. Carapanos then read a telegram from the Greek government which said that, being desirous of accelerating peace as far as possible, Greece already had taken measures in conformity with friendly mediation by Roussalis with a view to ending all operations and bringing her forces behind the Greek frontier.

Greece's unconditional acceptance of the League ultimatum was followed by perhaps the most dramatic and impressive expression of faith in the League as an instrument of world peace since its founding.

Every one of the ten members of the council voiced their conviction that the happy ending of the crisis gave new hopes for humanity and that recurrences would not henceforth be made. Future moves would be toward conciliation and harmony.

Nevertheless, in this general expression of congratulations, Greece did not escape without reproof. Her invasion of Bulgarian soil was scathingly denounced by M. Briand, president of the council.

Turkey May Intervene. SOFIA, Bulgaria, Oct. 28.—Despite the warnings of the League of Nations council, Greek troops at Turkey favoring intervention to "protect Bulgaria from Greek aggression."

The Macedonian union of cultural societies has forwarded a protest to the League of Nations against the Greeks' continued occupation of Bulgarian soil.

From the Other Side. ATHENS, Oct. 28.—The Greeks were attacked by Bulgarian forces this morning near Ramna, it is officially stated.

Ramna is 10 miles west of Demir-hisar, near which the present Greco-Bulgarian trouble broke out, and about five miles south of the border on Greek territory.

LONDON, Oct. 28.—An Exchange Telegraph dispatch from Salonika, Greece, says that while Greek troops were withdrawing from Bulgarian territory this morning, they were attacked by Bulgarians. "It is believed the evacuation must have ceased," the dispatch said.

Bulgar Attack Claimed. ATHENS, Oct. 28.—It is understood that the Greek troops in the frontier territory will not be withdrawn for the time being.

A telegram from the general commanding the Greek third army corps reported that, between 30 and 11 o'clock Tuesday night, Bulgarian detachments attacked the Greeks at Post 72 on the line between Petrich and Ramna. "The fighting still was going on when the dispatch was sent, the general reported. "It is informed that 'Greece immediately informed the council of the League of Nations of this act of Bulgarian aggression, constituting a flagrant infraction of the council's decision and at the same time a fresh proof of Bulgarian bad faith."

## ASSURANCES TO LEAGUE DIFED FROM WAR NEWS

Greece Tells Council She Has Given Orders for Army's Withdrawal.

## AND BULGARIA, ALSO

Dispatches From Frontier, However, Say Greeks Still Shelling Villages.

(Associated Press Leased Wire.)

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