

WEATHER
Thursday fair, moderate north-westerly winds.

The Oregon Statesman

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SEVENTY-FIRST YEAR

SALEM, OREGON, THURSDAY MORNING, SEPTEMBER 8, 1921

PRICE: FIVE CENTS

KIWANIS CLUB IS ORGANIZED

ROY GARDNER IS BELIEVED NEAR PRISON

Latest Indications Point To Presence of Bandit On Western Side of McNeil's - Footprints Are Found

ATTEMPT TO CROSS CHANNEL IS EVIDENT

Warden Thomas Maloney Now Certain That Convict Is Not Wounded

TACOMA, Wash., Sept. 7.—That Roy Gardner, California mail robber who Monday afternoon made a sensational break from the federal penitentiary on McNeil Island near here, is still on the prison island but has once more given his pursuers the slip, at least for the moment, was indicated throughout the manhunt today.

A gradually accumulated mass of new clues all pointed to the fact that Gardner had made good his escape from the 160-acre mass of tangled underbrush and forest within which prison officials were confident last night he was hiding and is now eluding the searchers in the woods on the western side of the little island.

Wounding Theory Explored
The first intimation of Gardner's new whereabouts came when 16-year-old Tom Williams, stepson of Frank Wise, a rancher, was returning home from a dance last night. He observed a figure in the orchard and notified his stepfather. In the meantime the prowler had disappeared and footprints in the soft earth this morning indicated that he had run to a hole in the fence.

This is said to explode the theory that Gardner had been wounded and Warden Thomas Maloney, in shifting the search, concluded that it was improbable that Gardner had been hit.

Footprints Observed
Further to confirm the belief that the prowler was Gardner, W. E. Case, Tacoma postal inspector, this morning is said to have established with reasonable certainty that the footprints in the orchard are those of Gardner.

Case was active in the search for Gardner last June after the mail bandit's escape from guards at Seattle Rock and is said to have taken measurements of the robber's footprints. These, it is claimed, corresponded with those discovered by the speaker. Identification was easier because of the fact that Gardner wore civilian shoes at the time of the break. Prisoners are permitted to wear their own shoes and Monday Gardner didn't have on prison shoes, it was declared at the penitentiary.

Plans Possibly Thwarted
An attempt of some one to reach the water's edge early this morning was thwarted by the presence of Peter Orwick, a special guard, who was patrolling the shore in a rowing boat at the southeast end of the island and this he believed to be the closest the quarry has come to any of the guards or other inhabitants of the island.

Orwick was first attracted by the sound of pebbles rolling down the bank he said today. He approached closer and again heard the sound. After a silence during which the guard peered still nearer, a rustle in the vegetation is supposed to have marked the bandit's return inland, having detected the presence of the guard.

Initial Rehearsal Held By Apollo Club Singers
Twenty-five members, new and old, attended the initial rehearsal of the Apollo club at the Commercial club last night. Some of the new members were given a preliminary test for the placing of their voices.

The club worked for almost two hours on two members, with intervals of rest, during which Director John R. Sides gave some helpful short talks on some of the fine points of chorus singing. Not more than half a dozen of last year's members will be missing this season. They will be much more made up, numerically, by the invited additions.

President Ralph Jones gave a brief address, urging even better work than the club has done in the past. He congratulated the organization with its having completed three full years of successful existence, a feat heretofore unknown for any Salem musical organization.

90-YEAR-OLD MAN FILES DISCHARGE

Benjamin S. Butterfield Unit In Civil War Served With Wisconsin

A discharge from the United States army was filed for record yesterday in the county recorder's office, just a little different from the usual discharges that are now being placed on record. The owner of the discharge is now 90 years old. His name is Benjamin S. Butterfield, and he served as private with Company C of the 12th regulars, Wisconsin veteran volunteers. The discharge is dated December 23, 1864, and given Mr. Butterfield at Savannah, Ga. when his term of enlistment expired.

He went into the army December 30, 1861, and saw about three years of active fighting. When discharged in 1864, the record shows that he was 23 years old, six feet tall and of sandy complexion, and that his occupation was that of farmer. He was born in 1831.

CLEAN STREETS ARE DEMANDED

City Council Decides To Advertise For Paving of Summer Street

The common practice of piling all sorts of wood and scraps of wood on the streets or upon the curbs for the winter will soon be a thing of the past, should the council finally approve of the bill introduced at the Tuesday evening session.

This is the practice of leaving it there indefinitely. The new ordinance places a limit of 30 days. Aldermen thought it wasn't quite right that some residents should use the streets and curbing as a convenient location for their woodpiles.

North Summer street will be paved the seven blocks to connect with the paving of the fair grounds road as soon as arrangements can be made and bids advertised for. The petition presented to the council included 67 per cent of the necessary footage.

This practically closes efforts that have been made for several months to secure the necessary signatures to secure the paving.

An ordinance was passed, introduced for the purpose of permitting the Southern Pacific railroad to tear up its line on Seventeenth street from Market to the fair grounds road. The 1,600 feet in question has not been used and the railroad wants to salvage the rails and wires.

L. O. Heywood, Salem contractor, was awarded the contract for the improvement of Church street between Highland and Pine.

For the remainder of the year, it will cost any cab driver \$100 to take out a license. This is customary before fair times, in order to protect home carriers from those who come to Salem just during fair week.

As a final act of the evening, H. H. Vandevort, who has just returned from his annual hunt in southern Oregon, presented the newspaper men and members of the city council with samples of genuine jerked venison.

Many Aliens To Seek American Citizenship
PORTLAND, Ore., Sept. 7.—Seeking citizenship papers about 325 aliens of various nationalities will appear for hearing next week in Portland, Astoria, Gold Beach, Grants Pass, Klamath Falls and Pendleton, according to V. W. Tomlinson, chief examiner of the local naturalization bureau. About 200 of these aliens will appear here, he said.

So heavy is the work that Tomlinson will be forced to handle the hearings at Gold Beach, Pendleton, Grants Pass and Klamath Falls by mail. The hearings at Astoria and Portland will be handled in person.

BROWN'S HELD IN LOCAL JAIL

Man Arrested After Shooting Accused of Assault With Intent To Kill

Forrest Brown, son of the assassin of Lewis, is held under an open charge pending further investigation. He was arrested by officers Tuesday morning. Young Brown stated that he was intending to make a delivery and sale of booze, but laughed at the officers when they inquired as to the location of the liquor.

Liquor is Found
The liquor, a cheap grade of moonshine, was found yesterday morning by Special Agent Sandefer's party. A white handkerchief tied to the top strand of a barbed wire fence, indicated the position of the booze, a 15-gallon keg and also a five gallon container cached about 300 yards from the scene of the shooting.

"I will never witness a more brutal attack than that made upon Lewis by J. M. Brown," stated Deputy Pay Harnd, who as a member of the party of booze raiders, saw the incident. Harnd and Mike Moore, a second deputy, plunged into the thick underbrush and captured Brown, when he made an attempt to flee from the scene. The near tragedy occurred on a lonely spot on the Ball-Croisan detour of the Riverside drive, at 12:45 yesterday morning.

Appears from Brush
"Brown had appeared out of the underbrush and inquired for Lewis at the time we were conversing with Officers Sandefer and Drew about 100 feet away. With the other members of the party, I was sitting in the car used during the raid. Lewis, in an effort to better understand the newcomer, stepped out of the car and in a jovial way asked Brown where the 'stuff' was.

"Brown, who was standing near Lewis, replied by firing twice at him. Lewis fell face downward to the ground and Brown fired again. It was afterward ascertained that the first two shots penetrated the victim's thigh, the third grazed the abdominal wall, not deeply penetrating the cavity.

Brown Fires First
"Brown had fired at least three shots before any of us recovered from the surprise of the unprovoked attack. We fired into the dusk as he turned and ran. "Lewis had been shot down without having a chance to touch his gun. We found it with a full clip of cartridges and no fresh powder left.

Officer Sandefer is relieved by the news that Lewis is nearly out of danger from any immediate after effects of the wound and shock, but mystified as to Brown's actions.

"It is beyond me, what inspired Brown to plug Lewis with that heavy Colt automatic pistol," observed Sandefer before returning to Portland yesterday. "We are prepared for almost anything in our fight against law violators but there are very few men who will shoot down another man without even giving him a chance to get his gun. Brown had evidently soaked up more of his devil's soup than was good for him, or anyone else."

Summonsed from Portland to her husband's bedside within two hours of the shooting, Mrs. Lewis is aiding hospital nurses in the struggle against harmful reactions or shock for and protection to the young officer's recovery. Surgeons who attended Lewis reported that his left thigh was badly shattered by the two heavy calibre bullets and that a recovery period of possibly six months will be necessary before he can walk even with aid.

DALLAS, Or., Sept. 7.—(Special to The Statesman) —Forrest Brown, who with his father, J. M. Brown, was arrested near Salem last night as a result of a fight between the men and prohibition enforcement officers, was in the toils of the law in Polk county in June on a moonshine charge.

Polk Case is Recalled
Son of Man Who Shot Lewis Once in Custody of Sheriff J. W. Orr

Facing a charge of assault with intent to kill, J. M. Brown, alleged vendor of moonshine liquor, is held under bonds in the county jail awaiting preliminary hearing which will probably be held at Woodburn Friday before Justice of the Peace Blaine McCord. The charge was made by Prosecutor John H. Carson yesterday and follows the serious shooting of Arthur Lewis, anti-saloon league operator, by Brown who is about 48 years old.

ROSEBURG, Or., Sept. 7.—Dr. R. M. Brumfield, accused of the murder of Dennis Russell, will be tried in Douglas county, beginning October 5.

Judge G. G. Bingham this morning overruled the motion of counsel for the accused dentist in asking for a change of venue to Lane county, on the allegation that their client could not obtain a fair trial in his home county, due to prejudice.

"I believe there are many men in Douglas county who have not talked with the witnesses, who did not attend the coroner's inquest, and who have not read full details of the case," said Judge Bingham in making announcement of his decision.

SILVERTON CHARTER OUT OF DATE; NEW CODE IS NOW PLAN

SILVERTON, Or., Sept. 7. (Special to the Statesman).—The Silvertown councilmen are considering the advisability of adopting a new city charter. The present charter was enacted in 1887 and was made to accommodate a village of one or two hundred citizens instead of a city of 3,000.

The old charter does not permit the city to incur a debt of more than \$500. The new proposed charter will provide for a debt of at least \$5,000.

The new charter would also make it permissible for the city to purchase property outside its limits.

BINGHAM REFUSES CHANGE OF VENUE FOR DR. BRUMFIELD

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SUSEE AND REXSTRAY MAY BE BOYS DROWNED AT LEWISTON

Ten days ago newspaper dispatches announced that two Woodburn men, names unknown, had been drowned in the Snake river, near Lewiston, Ida. Later reports came out that the bodies had not been identified and had been buried.

Yesterday Mrs. John B. Susee asked Sheriff Oscar Bower to assist her in an effort to ascertain if one of the two men was her son, Arthur A. Susee, who, since August 10, has been missing from this locality. Susee, who is a farmer and a timber worker, started out in the summer with the intent to hunt a location. He was accompanied by Chris Rexstray, also of Woodburn.

Sheriff Bower has sent out a request for further information in Portland and resulted in the description with that of one of the men drowned. Susee's description follows: Height 5 feet 5 inches; weight 135 pounds; cleft chin; dark brown hair; prominent nose; slight upper filling thought to have been in left molar; index finger of right hand crushed, stump (finger end) fragment of nail curled toward front of hand. Rexstray's description corresponds to published physical characteristics of the other man reported drowned.

CLACKAMAS JURY INDICTS THREE CARELESS DRIVING AND DRY LAW VIOLATIONS INVOKE GRAND JURY'S ACTION

OREGON CITY, Ore., Sept. 7.—The Clackamas county grand jury today indicted J. L. Smith, Dr. J. P. Graham and "John Doe," a third man in an automobile wrecked near here early today, for alleged violation of the dry law in transporting liquor. The grand jury also returned a separate indictment against Smith charging him with "operating an automobile on a public highway in a manner inimical to the welfare of the general public."

PARIS, Sept. 7.—The American state department has made unofficial inquiry of France. It is announced, as to how it would recognize an official note respecting recognition of the German-American treaty.

HARDING ACCEPTS NEW YORK, Sept. 7.—President Harding has accepted the honorary presidency of the Pross Congress of the World to be held in Honolulu next month.

BOY SOON SWIMMER FORT SMITH, Ark., Sept. 7.—Pat Duncan, aged 12, weighing 72 pounds, swam 12 miles, 150 feet in Poteau river today in a swimming contest. He was in the water eight hours, five minutes.

FEDERAL COURT WILL GET CASE

Trial of Mrs. Wurtzberger Will Be Before Authorities in Portland

FORMER WIFE IN SALEM

Mrs. Edith Collard Among Few Mourners For Murdered Chemawa Man

Mrs. Alma L. Wurtzberger, confessed murderer bound over to the Marion county grand jury for the murder of her husband, drew Wurtzberger, at her home at Chemawa Sunday, must stand trial in the federal courts of Portland with Federal District Attorney Lester Humphreys leading the prosecution. This became known last night.

The federal authorities hold jurisdiction by reason of the fact that by direct purchase the United States government took over the land upon which the Indian school is located and upon which Mrs. Wurtzberger committed the crime. Through the purchase the government obtained all rights over the land and all rights to prosecute for actions committed within their territory.

Conference Called
The basis upon which the local prosecutors at first laid claim to jurisdiction in the case was that no Indian was involved in the crime and that the state would have jurisdiction over all others than the students. Their decision gave rise to objection by constitutional lawyers, especially in Portland and resulted in a conference between the state and federal prosecutors held in Portland yesterday.

Instead of going to the Marion county grand jury the case now awaits the convening of the federal grand jury, which has not yet been set for the delivery of the prisoners into the hands of the federal authorities but it will probably be within the next few days.

Mrs. Wurtzberger will be tried on a first degree murder charge in connection with the death of her husband whom she claims she killed with a blacksmith's hammer.

Articles Given Daughter
Mrs. Edith Collard, the first wife of Wurtzberger, and her daughter, Mabel, came from Vancouver Tuesday to attend his funeral and to look after his property. The daughter is presumed to be the one legal heir for the little belongings left by the dead man and Coroner Lloyd Biron turned over to her all that he could find of such property. There were his military medals and an old rifle, but nothing of considerable worth save as mementoes.

The daughter visited him at Chemawa six weeks ago, coming down from Vancouver where she is living with her mother, who remarried after the legal separation from Wurtzberger five years ago. Mrs. Collard, in conversation as she viewed the remains of the man she had once loved, made a remark to an attendant to the effect that whatever he might have been, or done, he deserved a better fate than the one that befell him. The Collards attended the funeral service, going to the cemetery with the poor little cortege following a veteran of three wars, and immediately after its close drove back to Vancouver.

Son in Hawaii
Wurtzberger has this one daughter Mabel, and a son, some years older, who is now in the army, stationed in the Hawaiian islands. It is understood, the daughter has remained with her mother, but the boy has been more with the father since the break-up of the home.

Mrs. Wurtzberger has two children, one a son who has been in Portland, and a daughter, Mrs. Ralph Derrick of Salem. To G. Woodward of Chemawa, a working associate, Wurtzberger has told many times that his wife was a good woman, but that the son had been the disturbing factor in their lives. It was agreed between them when they were married, Wurtzberger said, that neither his two children nor her two should be allowed to enter into their family life. The children might come for visits, but they could not come in to be a disturbing factor.

Said Wife Worried
But her son, according to stories told to Woodward no later than Saturday, the day before the tragedy, had been quite insistent that his mother come to Portland and make a home for him. His insistence, Woodward claimed, had led to her distraction. Only a day or so before the tragedy, she had received a letter from the son, which Wurtzberger told Woodward he had demanded to read. He said that he had told her "I'll waide in blood up to the eyes if necessary to read that letter."

State Fire Losses Are Totaled By Mr. Barber

Fire losses in Oregon for the month of August aggregated, outside of Portland, a total of \$318,895, according to the August report of A. C. Barber, state fire marshal. Among the heaviest losses were a \$40,000 garage fire at Bond; a \$50,000 lumber and shingle mill fire at Kelso, a \$20,000 lumber mill fire in Benton county and a \$25,000 sawmill fire in Lane county. The total number of fires was 59.

TRIBUTE PAID LATE ATTORNEY

Marion County Bar Members Do Honor To Samuel Thurston Richardson

The Marion county bar met yesterday at the court house and passed resolutions of sympathy and condolence with the family of Samuel T. Richardson, who died Tuesday in Portland.

SALEM WAITRESS CONFESSES GUILT

Iva Muno In City Jail After Admission To Looting Girl's Trunk

Iva Muno, a waitress, is in the city jail, following her confession to the robbery of a trunk belonging to Clara Guerne, which was stored at her rooming house, and her confession that a letter addressed to herself which she has used as an alibi to establish her innocence, was written by herself in order to throw suspicion upon another girl.

Miss Muno will probably be arraigned on a larceny charge some time today.

The trunk which was looted by Miss Muno was stored in the basement of her rooming house at 219 Court street several weeks ago by Clara Guerne, formerly a boarder there. Monday during the owner's absence, Miss Muno entered the basement, according to her confession, and looted the trunk of goods valued in the neighborhood of \$75. Jewelry, a leather case containing four pairs of sissors, a cigarette case, some stationery, a bracelet, a pair of silk hose, and six handkerchiefs were among the articles taken. In the examination yesterday, she is also said to have admitted the theft of an English wrist watch from Mrs. Ray Borkhurst, a guest of the house.

Following her arrest yesterday morning, Miss Muno firmly maintained her innocence, and attempted to place the blame upon a former Salem girl, now living in another city, but whose name has not been given out. To establish her innocence, the girl produced a letter, supposedly from the former Salem girl, in which she said that "I will call at your room at 219 Court street in the near future and get the property that I left with you some time ago."

Under a grueling examination by the police, which lasted for over an hour, Miss Muno finally broke down and admitted that she had written the letter herself to cover up her theft. The handwriting in the letter she had made a backhand stroke in an effort to hide her own script.

All of the stolen property has been recovered.

Eugene Endorses New Diamond Lake Proposal

EUGENE, Ore., Sept. 7.—The Eugene chamber of commerce last night endorsed Senator Melvyn's bill in congress to annex Diamond Lake to the Crater Lake National park. Efforts will be made by the local chamber to build a road leading from the present upper Willamette road over the summit of the Cascades to Diamond lake, thus making it the northern entrance to the national park, if the lake district is annexed. This will then be the shortest route to the park from a greater portion of western Oregon.

Polk County Tax Money Is Coming In Slowly

DALLAS, Ore., Sept. 7.—(Special to The Statesman) —Money for taxes in Polk county is coming in slower this year than at any other time in the history of the county and as a consequence cities which depend a great deal upon the tax money for making improvements have had to curtail doing any work outside of what has to be done. It is expected however, that before the end of the month the money will again begin to flow in rapidly as the farmers and fruit growers are disposing of their this year's crops and money is daily becoming more plentiful. Business is at a standstill on this account but it is expected to live up within a short time.

J. Richard Balliet Is Taken To Douglas County

J. Richard Balliet, recently arrested in Salem on forgery charges, was returned to the Douglas county jail yesterday by Deputy Sheriff Percy Webb.

Balliet was apprehended by Deputy Sheriff Lee Morelock of Salem. Balliet had claimed that he had played minor roles with the Lasky players. In his possession was a check "protecting" device and blank checks. He is accused of having passed two pieces of spurious paper in Roseburg, one for \$20 and the other for \$27.50.

NO CONFIRMATION LONDON, Sept. 7.—No confirmation has been received here of the Smyrna dispatch of Tuesday reporting that Ankara, the Turkish nationalist capital has fallen to the Greeks.

YOUNGER MEN OF CITY ARE GATHERED IN

Membership In Organization of International Reputation Limited To Two From Any One Occupation

SHIELDS IS ELECTED TEMPORARY PRESIDENT.

Practice of Golden Rule In Business Is Foundation Precept of Club

Salem now boasts of a Kiwanis club, composed of the younger progressive business and professional men of the city.

Temporary organization was effected yesterday when Walter C. Humpton, field representative of the Kiwanis club international, met with a number of the younger boosters of the city and went over the situation for Salem.

The temporary organization of officers was as follows: Roy F. Shields, president; Sam A. Kozier, vice president; Henry E. Morris, secretary.

In addition to temporary officers, directors were chosen at the meeting yesterday noon as follows: D. J. Fry, Jr., John H. Sides, Thomas A. Roberts, T. M. Hicks, Julius H. Garnjobst, Carl G. Beuker and John H. Carson. Other directors will be chosen at a meeting to be held this morning.

Within a few days directors of the Salem Kiwanis club will meet and form a permanent organization and elect officers for the coming year. They will also elect from among the leading young business and professional men, others to bring the total Kiwanis membership up to 75, the minimum, as required by the charter.

There are only three other Kiwanis clubs in Oregon, at Portland, Astoria, and Eugene. Kiwanis clubs are organized in 590 cities in the United States, with a total membership in excess of 50,000.

The Kiwanis permit of two men in each city becoming members who follow the same occupation. The club meets weekly for luncheon, and it is understood these meetings will be held at the Hotel Marion, although the day of meeting has not as yet been determined.

The Kiwanis club is a national organization.

COAST BASEBALL

LOS ANGELES, Sept. 7.—Los Angeles won from San Francisco today 11 to 2. (Crump) stayed in the box for San Francisco 3-1-3 innings, in which the Angels scored six runs. He was replaced by Shere and the Angels scored five runs in the next two and two-thirds innings. O'Connell, left semi-professional, then was given a tryout.

After O'Connell had walked in the second, Kelly was rebuffed on an apparent three-bagger by Stutz who made a sensational catch, far back in centerfield, and doubled. O'Connell, left semi-professional, then was given a tryout.

San Francisco 7, Salt Lake 4. SALT LAKE CITY, Sept. 7.—Sacramento won the opening game of the series, 7 to 4. The visitors hit Gouge hard in the opening innings. Prongh was highly effective in emergencies. Ote knocked a home run with the bases full in the second inning.

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STANDING OF THE CLUBS. San Francisco 95, Los Angeles 86, Sacramento 74, Salt Lake 66, Seattle 62, Portland 58, Eugene 52, Astoria 48, Medford 42, Roseburg 38, Klamath Falls 32, Grants Pass 28, Klamath Falls 22, Pendleton 18, Astoria 12, Medford 8, Roseburg 4, Klamath Falls 0, Grants Pass 0, Pendleton 0.