

COL. WHITTLESEY DISAPPEARS

Arbuckle Trial Nears Conclusion

DEFENSE ENDS TESTIMONY IN BIG FILM CASE

Unsuccessful Effort Made to Introduce Evidence By George Lennon, Detective At Hotel.

COMEDIAN TELLS OF NOTORIOUS CAROUSAL

Hundreds Rush for Court Room When Actor is Sent to Stand

SAN FRANCISCO, Nov. 28.—The defense closed its case at 5:25 p. m. today in the manslaughter trial of Roscoe C. (Fatty) Arbuckle after an unavailing effort to have evidence by George Glennon, house detective of the Hotel St. Francis, introduced into the record.

Glennon is reported by the defense to have made a statement tending to exonerate Arbuckle of any responsibility for the fatal injuries to Virginia. Miss Rappe's death was made the basis of the charge against Arbuckle.

The prosecution expected to follow with two days of rebuttal testimony after the defense rested.

Arthur H. Crane, a juror, was said by an attending physician to be so ill that his attendance may not be possible. In the event he is excused, Stephen E. Hopkins, alternate juror, will take his place.

It was regarded as the "big day" of the trial by the counsel for both sides, with Arbuckle himself the direct center of the day's activities. He took the stand to testify regarding his part in the party in his rooms at the Hotel St. Francis in which Miss Virginia Rappe, motion picture actress is alleged to have been fatally injured at his hands.

Due to the failure of the defense to qualify a witness it had summoned as an expert, Arbuckle took the stand before the time set for him to do so. His direct examination was completed in 20 minutes, his attorneys leading him over the ground to be covered in such a short time that it surprised many in the court room.

In a clear, loud voice, and apparently in perfect control of his speech and his actions, Arbuckle denied that he inflicted the injuries on Miss Rappe that have

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CHAMP COW IS REPORTED AT BROCKTON

Kolrain Finnerne Bess, Holstein, Produces 1281 Pounds Butterfat in Year

DELAVAN, Wis., Nov. 28.—A new milk producing champion for the territory east of the Rockies has just been discovered, according to an announcement today by the Holstein-Friesian association.

She is a Holstein cow, Kolrain Finnerne Bess, owned by F. F. Field Dutchland Holstein farms, Brockton, Mass. Her record is 32,563 pounds of milk in one year, slightly more than 16 1/2 tons; and in butterfat she produced the equivalent of 1281 pounds of butter.

In milk production only three other cows have exceeded the record of Bess, Segis Pietertje Prospect of Seattle set the world's mark of more than 87,000 pounds of milk in one year. Tilly Alcarira, of California is second and Zarilda Clothilde III, De Kol of British Columbia, third.

SAM BURKHART IS NEW DEPUTY

Former Member of Police Force Takes Place Vacated by Lee Morelock

SAM O. BURKHART, formerly a guard at the state penitentiary and who has also had experience as an officer employed at various times at a patrolman on the local police force, has been appointed as deputy to succeed Sheriff Lee Morelock. He served as a member of the police force when Ira Hamilton was chief.

Deputy Morelock leaves Sheriff Bower's office, December 1, when he goes to Portland to accept a deputyship in the office of the United States marshal for this district.

COLUMBUS BROWN DIES IN SOUTH

Early Settler in Salem, Member of Donner Party, Passes Away

LOS ANGELES, Nov. 28.—Funeral services for Columbus Brown, 76 years old, who at the age of 3 came to California with his parents as members of the Donner party, will be held here tomorrow. The Browns reached San Francisco in 1849 and later removed to Salem, Or. Mr. Brown was connected with the United States customs service at Astoria for 15 years. Coming to Los Angeles in 1887 he was employed for a number of years in the city and county tax collector's offices. He was visiting his son at Mesa, Ariz., when he died last Sunday.

DECISION NOW NEAR AT HAND IN NAVY ISSUE

Americans Stand Out Firmly Against Japanese Insistence on Bigger Ratio of Sea Power.

EXPERTS OF POWERS WILL COFER TODAY

Scene of Action This Week Likely to Be Transferred To Committees

SUCCESS PROCLAIMED

WASHINGTON, Nov. 28.—(By The Associated Press)—The British armament conference delegation through an authorized spokesman took occasion again today to let it be known there is every reason for the belief that the arms conference will be a success.

"The American, British and Japanese delegations are all optimistic and quite satisfied as to the progress made," said the British spokesman.

WASHINGTON, Nov. 28.—(By The Associated Press)—The arms conference is approaching its first great decision.

It was rumored tonight by Vice Admiral Kato, chief Japanese naval expert, that Japan seeks a 70 per cent naval ratio. It also was announced with equal authority that the American delegation stood firmly on Secretary Hughes' "5-5-3" ratio proposal which means a 60 per cent status for Japan.

The conference ultimately must reconcile these two views or accept one or the other to reach agreement.

Seventy Per Cent Demand—Vice Admiral Kato said the 70 per cent ratio was the minimum necessary for Japanese security.

The American view is that 60 per cent for Japan is the maximum naval strength that could be accepted in view of the American liabilities in the Pacific.

Tomorrow naval experts of the five powers will meet. They have concluded their inter-group discussions of the American plan, so far as its major factors are concerned. Developments today and tonight indicated that they would return the matter to the conference delegates without recommendations for important modifications.

Americans Stand Firm—The American experts are satisfied that the original estimates of naval strength were correct. Presumably the British officers are in accord with the American view in many respects.

The French and Italian attitude has not been formally disclosed. Yet there was some indication that action by the committee of experts to sustain the American estimate of naval facts and figures was expected. Whether Japanese experts would submit minority views was not known.

In any event, it seems likely that the scene of action will be

TEN MILLION FISH KILLED AT HATCHERY

Loss to Oregon Industry as Result of Storm Will Aggregate \$1,200,000

PORTLAND, Ore., Nov. 28.—Potential loss to the fishing industry of Oregon will amount to \$1,200,000 as the result of the storm which swept the Columbia river gorge last week, while the actual loss to commercial fish hatcheries will amount to \$50,000 according to a report made today by Carl D. Shoemaker, secretary of the fish commission.

Shoemaker and members of the commission made a survey of the storm damage in the Bonneville district Saturday. A total of 10,000,000 young salmon were lost at Bonneville, and 2,500,000 1-year-old sockeye salmon were lost at Herman creek.

Figuring a 5 per cent return on these fish Shoemaker has estimated the potential loss.

Hatchery buildings, dams and equipment all over the state were affected by the storm and flood causing damage estimated at \$50,000. Advice has not been received yet as to the conditions at Oak Ridge, Santiam and McKenzie hatcheries.

SUCCESSOR NAMED FOR MISS HEIST

Miss Ruth Babb Appointed Head of State Physio-Therapy Department

Miss Ruth Babb, of Lake Grove, Ore., has been appointed head of the physio-therapy department of the state industrial accident commission, according to Will T. Kirk.

Miss Babb succeeds Miss Laura Heise who resigned to accept an appointment as missionary in Bom, India. Miss Heist was on duty for the last time yesterday.

Miss Babb served for two years and seven months in Walter Reed army hospital at Washington, D. C., having received her appointment there in February, 1919. She received her training as a reconstruction aide at Reed college in Portland.

"Miss Babb comes to us with the best of recommendations and fine experience in the work," said Mr. Kirk, "and we hope for big things."

"Much to my disappointment," said Miss Babb, "I was not given an opportunity to serve overseas during the war. I received orders to report to Walter Reed hospital in February, 1919. I was there for more than two and a half years. Nearly 1500 patients are being cared for at Walter Reed now but when I went there there were more than 2000."

MARSHAL FOCH IN NORTHWEST

Leader of Allied Armies Will Be Greeted at St. Maries, Idaho

SPOKANE, Wash., Nov. 28.—Marshal Foch will be formally welcomed to Idaho and Washington tomorrow at St. Maries, Idaho, where he will be greeted by state and American legion officials of the two states.

Governor Hart of Washington, C. D. Cunningham, state commander of the American legion for Washington, Lieutenant Governor W. J. Coyle and Henry A. Wise, state adjutant for the legion in Washington, left here tonight for St. Maries, where they will be joined by Don Leeper, state commander for Idaho; Lester Albert, Idaho state adjutant of the legion and others.

At St. Maries, Marshal Foch will be asked to lay the cornerstone for a new American legion building. Plans for his visit here will call for a private luncheon followed by a military parade through downtown streets and a public mass meeting in the evening.

Marshal Foch, National Commander MacNider of the legion and members of their party will be guests of honor at a dinner. The marshal's special train is due to leave for the coast at 10 p. m.

MARY'S CASE DEFENDED BY GAVIN M'NAB

Nevada's Attack Upon Validity of Film Star's Divorce Decried by San Francisco Attorney.

JUDGE LANGAN'S DECREE NOW BEING CONTESTED

Lawyer Asserts That Attorney General Had no Right to Upset Order

CARSON CITY, Nev., Nov. 29.—(By The Associated Press)—Declarations that the attempt of Attorney-General Leonard B. Fowler of Nevada to set aside Mary Pickford's divorce from Owen Moore "violates every principle of institutional government" and "is the first of its kind and should be the last," were made by Miss Pickford's attorney, Gavin McNab, San Francisco, in an answer filed in the state supreme court here today to Fowler's appeal from District Judge Frank P. Langan's ruling upholding the decree.

Miss Pickford was granted a decree of divorce at Minden, Nev., March 20, 1920, by Judge Langan, and in a short time married Douglas Fairbanks. Miss Pickford, Moore and Fairbanks are motion picture stars. On April 16, 1920, Attorney-General Fowler filed an action at Minden asking that the decree be set aside "in the interests of the state of Nevada." On June 25, 1921, Judge Langan upheld the decision and Fowler appealed to the state supreme court.

McNab's conclusions reached in his answer to the appeal follow in full:

No Precedent.—"This case is without precedent in jurisprudence. It is the first of its kind and should be the last of its kind. It violates every principle of institutional government. It is without warrant by the constitution of Nevada, by statute, by the common law or by judicial interpretation.

"Official power and authority must be found in the law. They cannot be usurped. No language can be found in any law that can be tortured into giving excuse for this attitude of the attorney-general.

Deplores Firm Action.—"If Nevada had contemplated becoming a party in the form of plaintiff or defendant, or plaintiff against plaintiff and defendant, in divorce, or any other action, the state, through her people or her legislature, would have articulated her purpose.

"If Nevada had intended that her established courts were not to be the sole dispenser of justice, but that the attorney-general was to be a super-court, over-ruling judicial determinations, disturbing the orderly administration of justice and harassing litigants, it surely would have so said. It is not thinkable that the people of the state could allow any official to be at large without legal restrictions, free to constitute himself a bill of attainder as against any litigant.

Hints at Injustice.—"The axiomatic principle of representative and orderly government is that law shall have a uniform operation. It cannot be delegated to any official to make the law unto himself and to select a victim for prejudice or caprice. That would be the end of free government.

"That no attorney-general in the long history of Nevada ever attempted to exercise such powers should settle the fact of their non-existence. That the present attorney-general has selected but one victim for this attempted and extraordinary oppressive and eccentric interpretation and abuse of power amounting to persecution argues against its existence, even in his judgment.

Official Oversteps Power.—"The people of Nevada could have contemplated that it should be left to the temper, prejudice or caprice of any official whether the law should, or should not be applied, nor that he should confine the operation of the law to one person alone merely because that person was famous.

"Nevada has exercised herself in her laws as to the authority of her courts and the authority of other officials. She has given no

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FAMOUS SOLDIER IS MISSING FROM SHIP ON VOYAGE TO CUBA

NEW YORK, Nov. 28.—Lieutenant Colonel Charles W. Whittlesey, hero of the famous "Lost Battalion," has disappeared from the steamship Tolosa on which he sailed Saturday for Havana, according to a wireless today.

News of the famous soldier's disappearance came in the following message from the captain of the ship:

"Passenger named C. W. Whittlesey disappeared. Left several letters." Officials of the United Fruit line, operators of the ship, confirmed the fact that the passenger was Lieutenant Colonel Whittlesey through his relatives.

Members of Mr. Whittlesey's law firm here were at a loss to account for his visit to Cuba. When he left the offices of the firm Friday he announced his intention, they said, of attending the Army-Navy game Saturday.

His business associates declared his mind was clear and that he was apparently in good health otherwise when last seen. He was cheerful, they added, and declared they were unable to explain his seemingly strange action in going away without notifying them of his plans.

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STIFF BUNCH OF FINES IS HANDED GEORGE KUSCHNICK

Kind-hearted judges yesterday saved George Kuschnick, Gervais farmer, from having to go through the inconvenience of spending a total of 49 days in jail. However, Kuschnick, paid fines amounting to \$420 in Salem and Marion county courts yesterday following his arrest when he drove his booze-laden Ford into Salem, Saturday night.

Kuschnick's fear of being taken before County Judge Bushey were not justified. Judge Bushey recently handed out some stiff combination fines and jail sentences and the booze-handling gentry are as keen for him as bearded monkeys are for safety razors.

Fines Are Multiplied.—The Gervais man was first taken before Judge Race yesterday morning and was fined \$100 and given 10 days for having liquor in his possession. Then Judge Race levied an additional fine of \$20 upon Kuschnick for cutting a corner with his car just prior to his arrest by Sergeant Ellis.

Judge Race suspended Kuschnick's 10-day jail sentence and allowed him to depart— to Judge Unruh's court where a third charge of transportation of liquor was written against Kuschnick. "Just \$200 and 30 days," commented Justice of the Peace G. E. Unruh, after listening to Kuschnick's plea of guilty.

"The jail sentence is suspended on provision of the prisoner's good behavior," said Judge Unruh, after the \$200 had been paid. State Has Charge.—And the story endeth not here, for District Attorney John Carson has issued a fourth warrant against the Gervais booze hauler, charging him with violation of the state code pertaining to possession of liquor.

Kuschnick told Chief Moffitt and court officials that he had intended to sell his 10 gallons of what he called Canadian whiskey in Salem at \$15 a gallon. Those who are familiar with liquor values assert that Kuschnick's booze was of superlative quality and that he could probably secure from \$9 to \$12 a quart for it.

Knocking One Talk.—"Kuschnick was picked up by the police when they ought to be attending to their business of serving side-walk notices," said one street corner character, yesterday.

"All George has to do now is to bring in another load and he can clear enough to pay his fine and then some. A fine or so is just advertisement for a man in this business. If he can keep his car and keep out of jail, it is easy to avoid the cops," continued the knowing one.

ANOTHER WONDER COW COMES FROM PICKARD BROS. HERDS

Within a few miles of Salem, there is one of the greatest Jersey cows in the world, and her name is Lady's Silken Glow. She is owned by Pickard Brothers.

For the past year careful and official tests have been made of this cow's production of butterfat. Yesterday a telegram was received by E. A. Rhoden, from the American Jersey Cattle club of New York, as follows:

"Lady's Silken Glow, final 14-539 pounds of milk; 1038.59 pounds of butterfat. Places her third highest cow of breed."

Few Ahead of New Find.—Only four cows of the Jersey breed have made an official record of more than 1,000 pounds of butterfat and these are: Plain Mary, 1040.68 pounds, which is still the world's record. Plain Mary lived in the New England states, and died a few months ago.

Vive La France, second in the world record, with 1039.29 pounds of butterfat. She is owned by Pickard Brothers.

Lady's Silken Glow, just completed her world record, with 1038.59 pounds. Had she produced just one and one-half pounds more in the year, she would have broken all world records. She is owned by Pickard Brothers.

Sophia's Agnes, a Jersey formerly owned in the east, had a record of 1000.7 pounds of butterfat. She died some time ago.

Thus, according to the official figures of the American Jersey Cattle club, the two greatest Jersey cows in the world are within a few miles of Salem. And Vive La France, the greatest living Jersey cow, has a record of only 70 of a pound more butterfat in

LIBERATION OF CHINA STARTED IN CONFERENCE

Withdrawal of Foreign Post-offices and Postal Systems from Territory Agreed Upon.

EXTRA-TERRITORIAL RIGHTS SLATED NEXT

Problem of Troop Removal May Lead to Some Troublesome Questions

WASHINGTON, Nov. 28.—(By The Associated Press)—Taking its first direct action toward liberation of China from foreign influences, the arms conference agreed today on the withdrawal of foreign postoffices and postal systems from China.

The decision was conditioned only on the maintenance by China of efficient postal facilities, including retention of the present domestic organization, by which a French co-director general acted as adviser to the Chinese postal authorities January 1, 1923, virtually was agreed upon as the date of withdrawal, the Japanese alone withholding final approval on that point pending consultation with Tokio.

Second Action Today.—Constituting the first comprehensive action on the principle of Chinese administrative integrity as delineated in the "Four points" of Elihu Root the post agreement is expected to be followed tomorrow by another providing for gradual abolition of the system of extra-territorial rights under which a dozen foreign governments have set up their own courts in China and by a discussion of China's request that foreign troops quartered within her borders without treaty sanction be withdrawn.

The question of troop withdrawal may lead the delegate into some of the most troublesome questions of the Far East. Some forces which the Chinese declare are in China without authority are the Shanlung railway, and others are within the debated territory of Sui Manchuria. Thus the negotiation promise to touch upon the Shanlung and Manchurian controversies for the first time, although it is considered likely that the real issues of these problems will be put over for discussion when the conference takes up railway leases.

Telegraph Systems Mentioned.—Along with the foreign question, the Chinese will ask for a consideration on the tract of certain foreign telegraph and wireless systems which they declare exist in China without consent.

In Japanese quarters it was said that the Tokio government was ready to withdraw its troops from the areas not covered by treaty stipulations when China could ensure safety of Japanese nationals and property with those areas. Since the Japanese forces are more widely affected than those of any other nation by the Chinese request, the attitude of the Japanese delegations was taken as forecasting least a declaration of principle favorable to withdrawal.

Committee to Approve.—Although the foreign governments are to have a year of grace in which to prepare for withdrawal of their postal system from China, one feature of the agreement is expected to become effective when the conference delegates today in committee the whole. The section refers to the introduction of contraband into Chinese territory through foreign mails and gives Chinese customs authorities right search mail they may suspect.

Opium Law Violated.—The search clause was understood to have been inserted at the Chinese had charged the large quantities of opium being carried through China to the foreign post in contravention of the anti-opium law. The intention of the present French director, it was said, was stipulated solely in the interest of efficient operation of the Chinese postal system.

GILROY ELECTED PRINCETON, N. J., Nov. 28

Ralph C. Gilroy of Haverhill, Mass., was elected to captain of 1922 Princeton football team today.

ARRANGEMENTS MADE TO FORM ASSOCIATED CHARITIES HERE

Salem is to have a charity service that serves along the lines of the old Social Service society that went out of existence when the war brought prosperity and abolished poverty. Now the poor are back in sufficient numbers to need the best thought of all who can and will help.

At the meeting called at the Commercial club last night to consider some form of associated charities to prevent duplication and pauperization in giving, and the bamboozling of the charitable disposed, the matter of charities was thoroughly gone into. A number of clever hoaxes were laid bare, whereby fat, dirty, sometimes greasy beggars have been hornsogging the gullible public who thought they were living in a good cause whereas they were merely robbing themselves for the benefit of clever swindlers.

Frauds Are Recalled.—Mayor Halvorsen called up some of these hoaxes; the Rev. Albert Loughridge, commander

welfare work, agreed to adopt the constitution, or at least the plan of the old Salem social service organization. This calls for a central governing body that keeps in touch with all branches that practice charity for the needy, and makes it a duty of specified officers to investigate all claims for help that have to go through regular channels before being acted upon.

Committee Named.—A committee was appointed, consisting of six named by the chairman, Harry Levy, to confer with the organizations of the city and get an outline of their ability and disposition to cooperate, as well as to lay out the plan for definite organization. The members are: Mayor George Halvorsen, superintendent of schools George Hug, Rev. M. Fereshstean, Manager T. E. Mc

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