

THE WEATHER

Unsettled and occasionally threatening west; fair east portion; moderate easterly winds.

The Oregon Statesman

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SEVENTY-FIRST YEAR

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BURCH JURY IS SENT TO BED

PARLEY STILL SAWING AWAY ON SHANTUNG

Final Draft of Naval Treaty to Be Laid Before Committee Next Week and Published Later.

SARRAUT OF FRANCE HAS SIGNING POWER

Numerous Agreements Reached in Japanese and Chinese Confabs

WASHINGTON, Jan. 13.—(By the Associated Press.)—With the naval treaty virtually completed, the arms delegates are preparing to turn to Shantung, hoping that a settlement of that controversy may make it easier to go ahead with other troublesome problems of the Far East.

It is the expectation in conference circles that during the next few days and probably until a decision is reached, the Shantung negotiations will have right of way over discussion of other Far Eastern subjects.

Program Limited Today So far the Shantung exchanges have been between the Japanese and Chinese alone, with American and British observers present, but the next phase is expected to concentrate upon the problem the friendly interest of all the governments represented here.

The Japanese and Chinese groups today agreed to open up the entire Kiao Chow leased territory to foreign trade and tomorrow will take up others of the collateral questions involved in restoration of the leasehold to China. Their sessions, expected to last all day, are the only item for tomorrow.

In the naval negotiations only a few perfunctory details remain to be arranged. An agreement has been reached regarding methods of scrapping under which discarded battleships may be converted in some cases into airplane carriers and training ships, and a final settlement relating to Pacific fortifications awaits a reply expected shortly from Tokio.

French Crisis No Hindrance Present plans developed, the final draft of the naval treaty will be laid before the full naval committee early next week and will be publicly announced at a plenary conference session later.

One possible element of delay in concluding the naval convention was eliminated today when the French delegation received instructions from President Millerand to go ahead with its conference duties regardless of the cabinet crisis at Paris.

Albert Sarraut, head of the French delegation, indicated that he interpreted the message as giving him full power to sign the treaty unless some unexpected question of real importance appeared in the negotiations.

Some Ships Converted Under the scrapping provisions as finally agreed to, the United States and Japan are understood to be authorized to change into airplane carriers some of the battleships now under construction, which under the original plan would have gone to the scrapheap, while France and Italy are to be permitted to convert into training ships the dreadnoughts of their fleets which by the agreement are to become obsolete in 1931.

This decision was formally recorded at a meeting of the "big five" today.

The decision to give the Shantung problem the right of way as details of the present naval agreement clear up was interpreted generally as another evidence of the fundamental importance attached by conference leaders to the question of the long-contested former German leasehold. In American quarters particularly there is apparent a belief that a final settlement of the Shantung situation is almost indispensable to the program of readjustment undertaken by the conference in the Far East.

Settlements Conditional During several weeks of conversations on the subject the Japanese and Chinese have effected agreements on many details, but all of these settlements are conditional on a satisfactory solution of the method for return to China of the Tsin-Tsuan-Fu railroad. On that point difficulties persist despite an informal effort on the part of Secretary

SHE DIRECTS EXECUTION OF MAN WHOSE LIFE SHE SAVED



MRS. GUNDA MARTINDALE, Sheriff of Allamakee, Iowa, will direct the execution of Earl Throst, whose life she saved when a mob of enraged farmers tried to lynch him when they found the body of a young school teacher of whose murder Throst was found guilty.

SECOND BASKETBALL GAME IS CAPTURED BY WHITMAN TEAM

Dropping the football tactics that lost them the first game, Thursday night, and playing a wonderful game of genuine basketball ball, the Whitman quintet pulled out with the long end of the score against the Willamette Bearcats in their second game last night. The final score was 24 to 20, with the Bearcats fast overcoming a disastrous lead that the Missionaries had gained early in the game.

Whitman players certainly put everything they had into the game. Captain Rich, Gurian and tall Kundsén were everywhere, scoring points with clocklike regularity. It is quite clear that as a team they have a little the edge over the Bearcats. There are several of the old-timers who have learned to play together. There were more accurate shooters on the Whitman team. They guard in a spreadeagle fashion that only the most agile opponents could ever pass.

At that it was pure luck that could ever give them the verdict. An unfortunate Bearcat pass that gave the ball to the deadly Gurian instead of to a brother Bearcat, where he had a week to walk up to the goal and make two points while everybody else was at the other end of the field accounted for two of the winning points. The bearcats are the faster of foot and the better in passing the ball. Patton and Logan both had to lay off for bad ankles. Socolofsky, going in for Dimick in the last half, made two long goals that brought the crowd up standing.

There were no long goals such as marked the first game; nobody could locate the baskets on the distance lines. Edwards took Logan's place near the close of the game, and Caughlan went in for a short time for Doney, while Dimick took Patton's place.

The two teams might play a series of a dozen or a hundred games with the probability of breaking fairly even. There is clearly no great difference in the potential playing quality of the two. What there is might well be in favor of the Bearcats. It would be far easier and more logical for them to gain in accurate goal throwing than for the others to gain in speed. As it is they break even, with one game apiece, and the two scores so nearly together that there is neither victor nor vanquished.

The playing of Gillette was one of the fine features of the Bearcat team, and Doney gave Kundsén an even break at center, though Kundsén outscored him in

the Whitman team playing scheme. The work of Socolofsky in the few minutes he was in stood out sharply. Idaho university is to be here next week, Wednesday and Friday nights, January 18 and 20. This is not believed to be the equal of Whitman, and the Bearcats can fairly count on fattening their conference score off the Gem state players.

The largest audience of the season witnessed the game. The Score: Whitman—24, Willamette—20. Rich 10, Forward 8, Logar 6, Kundsén 6, Center 2, Doney 4, Chandler 2, Guard 2, Patton 2, Penrose 2.

Substitutions: Willamette—Socolofsky (4) for Dimick; Caughlan for Doney; Dimick for Patton; Doney for Caughlan; Edwards for Logan. Field goals: Rich 4, Guarian 3, Kundsén 4, Gillette 2, Logan 2, Doney 1, Dimick 1, Socolofsky 1. Free throws: Rich 2 from 4; Gillette 4 from 8. Score at end of half: Whitman 13, Willamette 6.

IDAHO 30, GONZAGA 10 MOSCOW, Ida., Jan. 13.—University of Idaho basketball team defeated Gonzaga university 30 to 10 here tonight.

Oregon Overwhelmed SEATTLE, Jan. 13.—Unable to stop the rush of the University of Washington quintet the University of Oregon basketball team was defeated here tonight by the score of 76 to 15 in a game that opened the conference season for Washington. The speed and accurate shooting of the Seattle players kept them far in the lead at every stage of the contest.

Heinte Selik, with 24 points to his credit, was the individual scoring star. The same teams will play tomorrow night in the final game of the series. Washington (76) Oregon (15) Lewis 12, ... Rockney 5, Nicholson 8, ... Andre 5, Reik 24, ... Zimmerman 4, Crawford 17, ... Couch Bryan ... Burnett Substitutions: Washington—Pry (2) for Nicholson; Franklin for Selik; Peters (6) for Crawford; Froude (6) for Lewis; Gundlach for Bryan. Oregon—Latham for Couch; Couch (1) for Andre. Score at half time: Washington 38, Oregon 4. Referee—Stabley Riddle.

FINAL DEBATE IS STARTED ON IMPORT DUTIES

Basis Being Formulated for Assessment Provisions Which Are to Be Written Into Tariff Act.

END OF NEXT WEEK MAY SEE DECISION

Recommendations Are Submitted by Republican-Farmer-Tariff Bloc

WASHINGTON, Jan. 13.—Final discussion of the basis of assessing the import duties which are to be written into the new tariff bill was started today by Republican members of the senate finance committee. They hope to reach a decision on this, the most important and difficult phase of the whole tariff problem, before the end of next week, and then the actual work of constructing the bill will be undertaken. The hope now is that the bill can be reported to the senate around March 1.

Five Cents Suggested Besides discussing the American valuation plan and various substitutes with members of the tariff commission and the court of customs appeals the committee received from the senate Republican (farmer) tariff bloc recommendations as to rates on farm products. These included a suggested duty of 5 cents a pound on short staple cotton, which always has been on the free list, and a rate of 33 cents a pound on wool, on the basis of the scored content, as against the 25 cents proposed in the Fordney bill. Rates at increases over those in the Fordney bill on wheat, oats, and many other products were urged.

In entering upon their discussion of the basis of assessing duties, the committee members had, in conference with Thomas O. Marvin and William Burgess of the tariff commission and Judge Marion De Vries, a member of the court of customs appeals. Smoot Plan Endorsed They endorsed the plan outlined in an amendment proposed yesterday by Senator Smoot of Utah, of assessing duties on the basis of the selling price of the imported article in the American market rather than on the value of the comparable article produced in the United States, the Fordney bill proposal.

The committee also went into a general discussion of the American valuation plan as written into the Fordney bill and several substitutes for it which have been proposed. It was learned that several senators are leaning to the proposal in the latest Smoot amendment.

It was understood that members of the tariff commission and Judge De Vries took the position that the proposal and the other Smoot amendments of yesterday, proposing to give the president authority to alter rates within a 50 per cent range to proclaim American valuation on a given list of articles whenever conditions warranted, were not in conflict.

The recommendations of the Republican-farmer-tariff bloc as to rates on farm products were presented to the majority committee members by Senator Gooding, Republican, Idaho. The rates were those originally proposed by half a dozen farmer organizations and Senator Gooding said they had been accepted by these Republican senators.

Body of Well-Dressed Man is Found in Road COLUMBUS, O., Jan. 13.—The body of a well-dressed man found on a country road near here today and at first thought to have been that of J. R. Richardson, formerly of Los Angeles, Cal., was identified tonight as that of Carl Catt of Newark, O. Richardson is alive and being questioned by police regarding the death of Catt, apparently caused by a bullet wound in the breast.

FRUSH WINS YOUNGSTOWN, O., Jan. 12.—Danny Frush, Cleveland featherweight, knocked out Joe Thomas of Rochester, N. Y., in the second round of a scheduled 10-round bout tonight.

INDIANS OF KLAMATH TO SEEK RIGHTS

Notable Gathering of Redskin Citizens Announced for Beatty and Chiloquin

KLAMATH FALLS, Or., Jan. 13.—A notable gathering of citizen Indians will be held at Beatty on January 20 and at Chiloquin on January 23, for the purpose of determining whether a request shall be made or a suit instituted in the United States court of claims for a partition of the Klamath Indian reservation, or for an apportionment of the shares of the individual Indians who have become citizens of the United States. This movement which has been under consideration for some time, would be undertaken primarily to establish the rights of Indians to property specified in treaties.

ARBUCKLE JURY SELECTION LAGS

Venires Repeatedly Exhausted During Day, Many Are Challenged

SAN FRANCISCO, Jan. 13.—With 11 temporary passed jurors in the box the third day's session in the manslaughter trial of Roscoe (Fatty) Arbuckle were concluded tonight after the panel of another department of the superior court had to be requisitioned to supply additional veniremen. Four times during the day the required 12 temporary jurors were obtained, only to have one of the number eliminated by preemptory challenges. The defense used these preemptories during the day and the state one. The latter now holds three and the defense seven. The 65 members of the panel in Judge Harold Louderback's court were exhausted at noon. The bailiff was directed to summon 34 from another department and eight of these were examined this afternoon. Harold Spreckles, son of John D. Spreckles, was one of those temporarily passed and he is still in the box. It is not thought that the jury can be obtained before Monday noon.

BLOODY HATCHET IS NEW EVIDENCE

Patch of Fresh Cement in Tacoma Home Adds to Murder Theory

TACOMA, Wash., Jan. 13.—A blood-stained hatchet, discovered by city detectives today in the basement of the Rutherford home here, strengthened the belief of the police that Mrs. Sarah Rutherford met her death there three months ago at the hand of a murderer yet unknown and four days before her husband, John Rutherford disappeared.

Stains believed to be those of blood were found beneath a pile of boards in the basement and the removal of several cords of fire wood disclosed a fresh patch of concrete. This concrete, police believe, would be torn out in the belief that a portion of the woman's remains may be hidden behind it.

With these new discoveries, interest increased in the pending report from the University of Washington on the charred bones found in the Rutherford home Mrs. L. E. Reeves, who with her husband has been occupying the house since Rutherford, the owner, left suddenly without leaving a trace. If the university reports that the bones are those of a human being as a number of Tacoma physicians have declared them to be the police announced tonight that they would consider it certain that a crime had been committed.

What may be found tomorrow behind the new patch of concrete running from floor to ceiling and about four feet in width, may so definitely explain the disappearance of the woman. In the meantime the search for Rutherford continues unabated.

Mrs. Rutherford, police learned today, was formerly a resident of Detroit and Grand Rapids, Mich., having married Rutherford in Detroit and coming here from that city in 1918. She was known in Detroit as Mrs. Sarah Gallagher. Rutherford being her second husband, the police say.

INTEREST NOW CENTERS UPON MEETING TODAY

Arthur Griffith Sends Invitations to All Deputies to Attend Session in Mansion House.

THREATENED STRIKE ON ROADS WATCHED

Provisional Government to Be Established at Meeting in South Erin

DUBLIN, Jan. 13.—(By the Associated Press.)—Interest in the political situation tonight centers in the meeting to be held tomorrow by the southern parliament for the ratification of the peace treaty with Great Britain.

Invitations at the session, issued today and signed by Arthur Griffith, were directed to all deputies elected for the 28 southern counties, including Eamonn De Valera and his adherents. It is not expected, however, that Mr. De Valera or his followers will attend.

May Be Perfunctory The meeting will be held in the oak room of the Mansion house, and unless some members opposed to the treaty decide to attend, promises to be a perfunctory ceremony.

A chairman will be elected, the treaty formally ratified and a provisional government established. Mr. Griffith and the members of the new cabinet, according to present plans, will compose the provisional government.

Transfer Hard Task With the establishment of the government will begin the complicated and laborious task of transferring authority from the British to the Irish government. All the members of the cabinet conferred at Mansion house today, discussing their future duties, the responsibilities of the provisional government and the immediate necessity for dealing with the threatened strike of the railwaymen.

Representatives of the ministry of labor were called in by the cabinet and the situation fully canvassed with a view to averting a general stoppage of the country's main transportation facilities. It is reported there is hope that accommodation may be provided by which extreme action by the railway men will be avoided, for the present at least.

Tom Edwards' Trial is Set for 9 This Morning

Tom Edwards, alleged bootlegger, who was recently arrested on a charge of selling liquor, will be tried in city recorder's court at 9 o'clock today. Edwards yesterday changed his application for a jury trial, deciding that the court hearing would suffice.

He is accused of selling liquor to Bruce Allen, a minor, who is awaiting sentence after pleading guilty to a charge of having liquor in his possession.

The arrest of Edwards is reported to have caused quite a stir of the small but active ring of those who gabble in liquor. Offices assert that Edwards has been involved in liquor handling for some time, but that he has been clever in his operations until recently.

N. L. GUY HEAD OF DALLAS CLUB

Business Man Elected President at Meeting of Board of Directors

DALLAS, Or., Jan. 13.—(Special to The Statesman.)—At the first meeting of the newly elected directors of the Dallas Commercial club Thursday afternoon in the club rooms the following officers were elected to serve for the coming year: President, N. L. Guy; vice president, C. B. Sandberg; secretary, W. V. Fuller; assistant secretary, Hattie Schalter; treasurer, Eugene Hayer. H. A. Joslin, the retiring president, and H. H. Rich were elected to fill vacancies on the board of directors.

SILVERTON IS VICTOR OVER INDEPENDENCE

Score 36 to 19 in basketball Game—Hi Y Boys Win From Sophomores

SILVERTON, Or., Jan. 13.—(Special to The Statesman.)—The Silvertown high school basketball team that about three weeks ago defeated the Independence team at Silvertown tonight. The score was 36 to 19 in favor of Silvertown.

A preliminary game was played between the Hi-Y boys and the sophomores of the high school. Their score was 19 to 11 in favor of the Hi Y team.

The high school girls' team played the Stayton high school girls at Stayton but the result had not been ascertained tonight.

EASTMAN HEARS OF NO RESULTS

Silvertown Mayor Says He Told County Officers Where to Find Booze

SILVERTON, Or., Jan. 13.—(Special to The Statesman.)—Mayor Eastman has given out the statement that about three weeks ago he notified county officials that there was a shack a little north of Silvertown containing moonshine.

The county officials admitted, says Mr. Eastman, that they knew of this and offered to take care of it and report the outcome to Mr. Eastman as the territory was outside of his jurisdiction. Mr. Eastman said this morning that this was the last he had heard of it.

NEW MINISTRY MEETS DELAYS

Raymond Poincare Does Not Expect to Finish Task Before Sunday

PARIS, Jan. 13.—(By the Associated Press) Raymond Poincare, who has assumed the task of forming a ministry to succeed that of Aristide Briand, said tonight that he did not think that he could complete his work before Sunday evening at the earliest.

M. Poincare added that he had informed David Lloyd George, the British prime minister, that he would be happy to confer with him at the British embassy in Paris tomorrow.

WOMAN POISONED, JOURNALIST HELD

Thomas Stewart Ryan of Chicago Tribune Protests He is Innocent

PARIS, Jan. 13.—(By the Associated Press)—Thomas Stewart Ryan of the Paris staff of the Chicago Tribune, firmly protesting his innocence was being held in Santa prison tonight in connection with the serious illness of his wife, due, it is alleged to the taking of poison tablets while in Mr. Ryan's room at a hotel here. Mrs. Ryan is a California woman.

She is a violinist, known professionally as Miss Audrey Creighton. She is in the American hospital where physicians tonight hold out little hope for her recovery.

No formal complaint has been filed against Ryan. He is held on a deposition made by Mrs. Ryan. His counsel contends this deposition makes no mention of "violence or compulsion," but says Mrs. Ryan took the poison when "terrified."

Mr. Ryan appeared to be unshaken when he told his version of the affair to the examining magistrate. He testified he had made no threats and did not lock the door of his room while Mrs. Ryan was with him there. He said he had told Mrs. Ryan jokingly he had poison in his hand when she said she did not wish to live but he thought she was pretending when she took the poison.

When aware that she had swallowed the poison, he stated, he despairingly had attempted to cut

REEVE ORDERS SLUMBERS AT 9:50 O'CLOCK

Body, Which Retired to Deliberate at 3:57 p.m. Will Resume at Early Hour This Morning.

DRAMATIC APPEALS MADE BY ATTORNEYS

Women Jurors Sob, Defendant Smiles and Baffles Psychologists

LOS ANGELES, Jan. 13.—The jury which at 3:57 o'clock this afternoon retired to consider the fate of Arthur C. Burch of Evanston, Ill., charged with the murder of J. Belton Kennedy, Los Angeles broker, had reached no verdict at 9:50 tonight, and at that time Judge Sidney N. Reeve ordered that it be taken to a hotel and locked up for the night.

He instructed that it resume its deliberations not later than 9 o'clock tomorrow morning. Burch was in court when the order was made, his counsel agreeing to the procedure. The prisoner's face showed lines of anxiety when he came to court, although his step was jaunty. As he left the courtroom to return to the county jail by way of the "bridge of sighs," connecting the jail with the hall of justice, an acquaintance called out: "Where are you going?" "Back to the same old place," replied Burch.

The jurors left for the hotel at 10:15 p. m. Trial Lasts Eight Weeks Ten women and two men filed into a jury room here at 3:27 o'clock today to deliberate after hearing eight weeks of testimony and argument upon the fate of Arthur C. Burch of Evanston, Ill., indicted on a charge of the murder of J. Belton Kennedy, local broker here August 5.

Burch smiled, seemingly in satisfaction that his previously expressed wish that his life be delivered into the hands of the jury on Friday the 13th, had come to pass. His smiles, which have baffled students of psychology, unwavering his visage even when women jurors sobbed as Thomas Lee Woolwine, district attorney, drew by living words a picture of the "desolation of the parents of the murdered boy," Kennedy. Burch Not Discouraged Expressing confidence that he would be acquitted, Burch, in good humor, was taken to the county jail after the jury retired for its deliberations. Superior Judge Sidney N. Reeve gave the case into the hands of the jurors after reading for 30 minutes instructions on law and evidence. He defined first and degree murder and, touching upon evidence presented to determine that Burch was insane the jury would have to find that he did not understand the nature of the act alleged to have been committed if they should find that he committed the murder.

Discussion Refused Mrs. Belle Harris, 13th alternate juror, dismissed at conclusion of the argument, declined to discuss the evidence, saying that she was not called upon to give a verdict and therefore had nothing to say. Two court sessions of the day bringing to a culmination a trial that has taken the most of two months, were marked by some four hours of argument by the district attorney couched in burning words, designed to bring forth fires of judgment upon what is termed a "miserable, cowardly little assassin" in a "fool conspiracy."

Woman is Scored The district attorney pictured Mrs. Madalynne C. Obenchain of Chicago, co-defendant in the indictment against Burch but who in the county jail awaiting trial set for next month, as the accomplice in a plot that took the life of Kennedy. The jurors after deliberating two hours were taken out to dinner at 5:57 o'clock. Judge Reeve announced that he would return to the court room at 8 o'clock, was said the jury might resume by 7:30.