

CIRCULATION
Average for July, 1922—6028
Daily only—5683
Average for six months ending June 30, 1922—5826
Daily only—5431

The Oregon Statesman

IN THE CITY OF SALEM
and elsewhere in
Marion and Polk Counties
Nearly everybody reads
The Oregon Statesman
THE HOME NEWSPAPER

SEVENTY-SECOND YEAR

SALEM, OREGON, SATURDAY MORNING, AUGUST 12, 1922

PRICE: FIVE CENTS

SHERIFF NELSON IS RECALLED

KLAN TRIAL TO BE HELD BACK UNTIL MONDAY

Mistrial Declared in Case of Ex-Kleagle Baker, Who Will Be Examined by Mental Experts.

STIPULATIONS MADE BY OPPOSING SIDES

Not Necessary to Empanel New Jury—Situation Is Without Precedent

LOS ANGELES, Aug. 11.—The trial of 36 alleged members of the Ku Klux Klan on felony charges growing out of the Inglewood raid of April 22 last, will proceed next Monday and a mistrial will be declared as to ex-Kleagle Nathan Baker, admitted leader of the raid, according to an agreement reached today by counsel in the case.

Baker was taken ill in court yesterday and a physician reported today it would be impossible for him to attend court inside of 90 days.

Other Defendants Ready

A stipulation was signed by each of the remaining 36 defendants, requesting that the trial proceed as to them, and waiving any right they may have had to demand the presence of Baker as a defendant. The stipulation was approved by Judge Frederick W. Houser, but no order was entered in the trial today as the jury had been dismissed until Monday before the agreement was reached. The status of the case is shown in the records in that a recess taken yesterday when Baker became ill, has been continued until Monday.

Baker Has Delusion

Baker, according to the physician, is suffering from complete nervous prostration, is irrational and possessed of "a delusion that he is in danger and someone is pursuing him."

Deputy District Attorney Asa Keys asked the court to appoint a specialist in mental diseases to examine Baker and report to the court on his condition next Monday.

Former Attack Recalled

"I am informed," the prosecutor said, "that this man had an attack which may have been of a similar nature to that some time ago, and recovered in a very short time."

This was agreed to by the defense and Dr. T. J. Orblison, alienist, was assigned by Judge Houser to make the examination at the patient's home.

The prosecutor withdrew a request that a mistrial be declared as to all the defendants, and a new jury empaneled when Baker was able to attend, and consented to the program contained in the stipulation.

Case Without Precedent

Attorneys on both sides said they had been unable to find in law reports of any state a decision covering a case parallel to this. Judge Houser said he was satisfied the situation was unique so far as California was concerned. One of the attorneys suggested that the judge "might as well make a little law" himself.

City of Cork Captured by the National Forces

WATERFORD, Ireland, Aug. 11.—(By the Associated Press.)—The National forces captured the city of Cork late Thursday evening, according to a report received from a reliable source tonight. The report said that everything now was quite in Cork.

LONDON, Aug. 11.—(By the Associated Press.)—The National troops have entered Cork, according to an official announcement just issued. They took 50 prisoners.

Seven of the national troops were killed and many wounded.

THE WEATHER

Idaho: Saturday, showers; cooler south portion.
Washington and Oregon: Saturday, showers.

HARLEY SLUSHER IS PUT OVER BY VOTES IN CLATSOP COUNTY

ASTORIA, Or., Aug. 11.—That Sheriff Ole Nelson was recalled by the election in Clatsop county today and Harley J. Slusher was elected to succeed him by a majority of approximately 300 votes was indicated by the returns received tonight.

The vote cast was about two-thirds that at a recent primary election.

Complete returns from all precincts in Astoria, Warrenton and Seaside as well as from six outside precincts showed a majority of 470 for the recall and of 569 for the election of Slusher. There were 18 precincts to hear from but the vote in them will be small.

The charges against Sheriff Nelson on which the recall was based were drunkenness, disorderly conduct, failure to enforce the prohibition laws and inefficiency. The charges were brought by the citizens' committee of Warrenton and the Astoria Law Enforcement league, both of which endorsed Slusher.

The vote by the women in Astoria was unusually large.

EMPORIA EDITOR IS AGAINST BOOZE, SO HE ABANDONS JUDGE

EMPORIA, Kans., Aug. 11.—Rather than edit a magazine advocating the return of wine and beer, William Allen White, Emporia editor and author, today resigned the editorship of Judge.

In a statement to the Associated Press today Mr. White said:

"The boss has his ideas and imposed them upon the paper; this is a free country; if you don't like your job quit it. If I had lived in New York or if Judge could be printed in Kansas, I might have tried to out-talk the boss, but as it was talking was hard and quitting was easy. So I quit."

STRIKE HITS LOS ANGELES

Coast Steamships and Auto Trucks Seek to Relieve Passenger Traffic

LOS ANGELES, Aug. 11.—Southern California felt today for the first time the full impact of the strike of railroad shopmen which has spread on the big Santa Fe lines centering in Los Angeles to include members of the "Big Four" brotherhoods, engineers, firemen, conductors and brakemen and had thereby resulted in the almost complete tieup of the Santa Fe transportation work and a very marked retarding of freight handlings.

These were the principal effects of the new situation. Coupled with it were the marooning of 12 transcontinental lines at desert points, where from 2200 to 2500 passengers waited with what patience they could muster for their interrupted journeys to be resumed; an announcement by postal authorities that mails would be moved north and south by boat and east by motor trucks; an embargo on perishable freight over Santa Fe lines; and an effort by stage companies to do what they could to aid the traveling public in doing away with seat reservations, abandoning schedules and adopting the plan of sending out a stage on any route whenever there was a load for it. The Southern Pacific lines in the southland were not affected today. Its trains were moving about as usual.

At Needles, the passengers of three tied up trains invaded the Harvey House and made the best of the situation. They informed Santa Fe men there that they approved the stand of the trainmen and did not like to see guards around, so in deference to their wishes the guards were removed and put in a "bull pen" pending the departure of the trains. Coast steamer lines reported a decided increase in the demand for accommodations today. Several vessels scheduled to leave the harbor tonight and tomorrow for points north were reported to have full passenger lists.

The situation in Salt Lake and at Pocatello is little affected by the walkout, but at Ogden train movements are held up. Today two Southern Pacific, one Oregon Short Line and one Union Pacific passenger train failed to move, and brotherhood officials there state that as soon as other trains come to Ogden they will tie up, as there will be no firemen to take them out again. This afternoon upward of 50 additional firemen failed to go on duty at the Southern Pacific Ogden yards and it is claimed that traffic from Ogden west to Carlin, Nev., will be affected. The Ogden workers failed to report, union officials said, because the railroads declined to accede to their demands to disarm guards and put the rolling stock in better shape. The Salt Lake and Pocatello walkouts affect fire brickmen, fire knockers, cinder pit men, engine watchmen, water tenders, coal passers, coal chute men, stationary firemen, coal hoist engineers and their helpers. Officials of the Southern Pacific at Ogden stated late today that they were not in a position to forecast the probable result of the walkout of the firemen there.

Local railroad officials said they did not expect the strike of firemen to spread to Salt Lake or other points in this district.

STANFIELD AND M'NARY VOTES ARE CONTRARY

Flexible Tariff Plan Adopted by Senate With Oregon and Idaho Members Taking Opposing Stand.

SOME LIMITATIONS PUT ON PRESIDENT

Duties Cannot be Changed After July, 1924, Unless Congress Approves

WASHINGTON, Aug. 11.—A flexible tariff plan proposing authority for the president to increase or decrease tariff rates in the pending bill until July 1, 1924, was approved tonight by the senate. The vote was 36 to 20, with three Republicans opposing and two Democrats supporting.

With the flexible tariff fight out of the way, the senate approved provisions dealing with unfair methods of competition and unfair acts in the importation of merchandise into the United States.

Amendments Taken Up

It then began consideration of the so-called scientific tariff amendments proposed by Senators Frelinghuysen, Republican, New Jersey, and Jones, Democrat New Mexico.

The roll call on the flexible tariff follows:

The Roll Call

For a flexible tariff: Republicans—Brandee, Burma, Calder, Cameron, Capper, Colt, Curtis, Dillingham, Edge, Frelinghuysen, Hale, Harrold, Jones of Washington, Keyes, Lenroot, Lodge, McCormick, McCumber, McLean, Moses, Nicholson, Norbeck, Oddie, Pepper, Phipp, Shortridge, Smoot, Spencer, Sterling, Sutherland, Townsend, Wadsworth, Warren and Watson of Indiana.—34.
Democrats—Broussard and Kendrick.—2.
Total—36.

Against a flexible tariff:

Republicans—Gooding, McNary and Stanfield.—3.
Democrats—Ashurst, Dial, Fletcher, Gerry, Heflin, Hitchcock, Jones of New Mexico, Myers, Overman, Pomerene, Ransdell, Reed, Sheppard, Simmons, Smith, Trammell and Walsh of Montana.—17.

Borsom Plan Adopted

Just before approving the plan, the senate adopted 34 to 19, an amendment by Senator Borsom, New Mexico, which would provide that after July 1, 1924, no duties could be changed except by authority of congress.

Eighteen Republicans and all of the Democrats supported this amendment. The Republicans were: Borsom, Cameron, Capper, Gooding, Harrold, McCormick, McNary, Moses, Nicolson, Norbeck, Oddie, Rawson, Shortridge, Stanfield, Sterling, Sutherland, Wadsworth and Warren.

President Limited

The plan as finally approved is a sharp modification of that originally proposed. The president is prohibited from using American valuation except in the case of dyes and certain coal tar products covered in two paragraphs of the bill and is required to base changes in rates on the differences in the "costs of production" at home and abroad instead of on differences in "conditions of competition."

Also the president could not change duties from specific to ad valorem or from ad valorem to specific, nor transfer articles from the dutiable list to the free list or from the free list to the dutiable list, nor could he raise any rate beyond any maximums specifically fixed in the bill.

Five Lose Lives When Yacht Shirin Explodes

MIAMI, Fla., Aug. 11.—Five persons lost their lives and two others are believed to have been drowned when an explosion and fire destroyed the converted yacht Shirin, three miles off Miami Beach late today, an hour after it put out from here for Nassau.

ENGINE JUMPS, MAN IS HURT, HE DIES LATER

Tony Zeh Passes Away in Silverton Hospital Following Accident in Camp

SILVERTON, Ore., Aug. 11.—(Special to The Statesman)—Tony Zeh died at the Silverton hospital last night from wounds received in the wreck of a Silver Falls engine at camp yesterday. The engine was leaving camp and coming from the switch into the main line. It is reported a bolt was gone from a rail, which turned the engine crosswise.

A. W. Greene, the engineer, and six or seven other men were in the cab. All of these with the exception of Mr. Zeh and Mr. Green were thrown out. Their injuries were of a minor nature. Mr. Zeh was caught between the cab and the tender. He was removed at once to the hospital, but died from loss of blood and shock. As far as could be learned Zeh had no other relatives but a brother living at Portland. He was leaving camp to go to Portland at the time of the accident. It was reported.

47 VOTERS ARE ACCUSED

Hall's Complaint Mentions Marion County Persons Who Are Charged

Marion county persons to the number of 47, and including 47 residents of Salem, are named in the allegations of Charles Hall as having voted illegally at the primary election on May 19 when Governor Olcott won the Republican nomination that is now contested by Hall. Thirty-one of the 47 Marion county precincts, 12 of which are in Salem, are mentioned in the allegations.

The largest number of alleged illegal voters is named for East Mt. Angel precinct where 40 persons are charged. Specific charges that it is presumed Hall's forces are prepared to make against each individual may be fraudulent registration, voting without registering, not citizen of the United States, not resident of Oregon for legal length of time, not of legal age.

The list of alleged illegal voters as named by Hall is as follows:

St. Paul—Christopher Gundersen; Albert Bochsler, Mary Faller, Jacob Sonner, Walter Murphy and Robert C. Yonce.
McKee—Harvey Ballweber, Louis Rieser, Leta Nibler.
Scollard—Elizabeth Hunt.
East Gervais—Arsta Jones, J. B. Susce.

West Gervais—Asa Simmons, Louise Simmons, Josephine Nibler, Peter Lelek, Benjamin Jelders, Joseph B. Starvens, Frank Funkhauser.

Fairfield—Lewis Dubois, Arthur Dubois, Peter G. Brassell, W. C. Forcier, Agnes Forcier, Julia Pierce.

Salem No. 1—Sarah Lindsay, Lydia Welborn, L. Masters, Molly Cohen.

West Mt. Angel—Walburg Reiland, Frederick Sciesser, Frank Uselman, Anna Stadler.

East Mt. Angel—Marie Kraemer, Helen Wachter, Margaretta Wirtz, M. Anton Bigler, Casper J. Terhaar, Josephine Beyer, Mary Eberle, Sophia Erpeliding, Remig von Beirum, Herman Schultabers, Leopold R. Pauli, Peter Degen, John Herti, Bertha Schwab, Anton Bell, Sr., Eugene J. Hoffer, Mary Keber, Barbara Degen, Mary Mucken, Antony P. Kraemen, Aloia Uhl, Anna C. Bernins, Ludwig Berti, Rose Hassing, Elizabeth Annan, Frank J. Flecker, Mary A. Flecker, William R. Kern, Joseph Krenkel, Barbara E. Pauli, Paul L. Bucholz, Nicholas Dorfner, Joseph F. Kapsner, August Scharbach, John Schindler, Frank Gillis.

Salem No. 2—Mary Johnson, Merle R. Ivie, Suel Shepherd.

Salem No. 3—Jerry Simpson, Frank Lenon, Fred A. Williams, Maud Williams, Emanuel Irvin.

Salem No. 4—Mary Alice Cheney, Dora Phenetton, Nichlai P. Olson, Jessie Taylor, Edwin H. Norene, Dorothy L. Norene, Le Roy Comstock, James Luper, Eleanor G. Luper.

Salem No. 5—Charles E. Tatro.

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CONDITIONAL ACCEPTANCE OF PRESIDENT'S STRIKE OFFER IS TENDERED BY EXECUTIVES

WOMAN SAVES TWO CHILDREN

Home at Cottage Grove Is Burned—Tots Tossed to Safety by Mother

COTTAGE GROVE, Or., Aug. 11.—Exploding tar, being heated on a cooking stove, set fire to the home of Earl Neal here today. Mrs. Neal had just gone into the yard when the explosion occurred. In a moment the interior of the house was in flames. Mrs. Neal rushed to an upstairs room where two small children were sleeping, seized the bedding from under them, threw it out of the window and then threw the two children on it.

She then lowered herself through the window and picked up the children unharmed. The house was destroyed.

Dublin Postoffice Set on Fire by Irregulars

(By the Associated Press.)
DUBLIN, Aug. 12.—Twenty irregulars entered the postoffice in Amiens street last night, says an official statement, disarmed the sentry at the entrance and overpowered the inner guard of seven soldiers, one of whom was shot and seriously wounded. They rushed into the instrument room and after scattering gasoline, set it on fire.

Considerable damage was done to the floor and furniture. The fire brigade arrived promptly and put out the fire.

This, adds the statement, the main object of the irregulars—destruction of the instruments—was not accomplished. It is expected normal service will be resumed today (Saturday).

One member of the raiding party was arrested.

Cork Tremendously Hurt By Factional Flames

DUBLIN, Aug. 11.—(By the Associated Press.)—Conflagrations raged in Cork throughout hours of the day and night. Firemen were powerless to put out all the fires. All the business part of the city is in ruins. The damage is estimated at £2,000,000 sterling.

The National forces from Passage West have consolidated their positions and pushed outposts to the outskirts of the city. They do not appear, however, to have entered the city as yet. The bulk of the irregular troops are believed to have evacuated the city although leaving behind numerous snipers who are concealed in the ruins of buildings and terrorizing citizens.

FOR CONGRESS

OLYMPIA, Wash., Aug. 11.—J. M. Phillips of Aberdeen, farmer-labor candidate, filed today for the nomination for representative in congress from the Third district.

New Presidency May be Offered Sun Yat Sen

SHANGHAI, Aug. 11.—(By the Associated Press.)—Sun Yat Sen, deposed president of South China who fled from Canton two days ago and is on his way to Shanghai, may be offered the presidency of United China by the Peking administration according to Sun's representative here Eugene Chen. Opponents here of Sun characterize Eugene Chen's announcement as absurd.

CANTON, Aug. 11.—(By the Associated Press.)—An immediate revival of business in Canton following Sun Yat Sen's flight Wednesday to Hongkong and Shanghai. His armies in the north on which he was depending to regain control of the south China government are reported crushed and shattered.

(Continued on page 2.)

Union Leaders Make No Statement, but Will Have Response to President's Plan Today—Committees to Wait Upon Executive at White House—Roads Reluctant to Take Men Back

NEW YORK, Aug. 11.—A committee representing the railway executives tomorrow will wait on President Harding with a reply to his proposal for settlement of the rail strike that was described by one railroad official as a "conditional acceptance." What the conditions were, he did not state.

While this announcement was not made by the official spokesman for the conference, it was made by one in close touch with the executives.

He declined to permit his name to be used or to amplify the phrase "conditional acceptance."

A statement issued later by T. Dewitt Cuyler, chairman of the Association of Railway Executives, simply stated that a committee headed by him would wait on President Harding at 4:30 p. m. tomorrow when the conclusion reached today would be submitted to him. Meanwhile the statement said, the decision reached would not be made public.

FORD CARAVAN HERE AUG. 18

Exhibition of Power Machinery for Farms Makes History on Tour

Residents of Salem are due to witness an attraction of real merit and one that is wholly different from anything they have ever seen before," said W. L. Phillips of the Valley Motor company, in discussing the Ford and Fordon power exhibition caravan which will visit Salem Friday and Saturday, August 18 and 19, remaining over Sunday on its return to Portland after a highly successful tour of southern Oregon towns.

"A dozen or more of America's greatest manufacturers of automotive appliances are associated in this enterprise," continued Mr. Phillips, "and the caravan embraces practically every automotive utility in the power farming, commercial and industrial field, not to mention a number of power-driven specialties of peculiar interest to women.

The position taken by the executives was one they understood was neither antagonistic to the president's proposal nor to the stand they took a week ago Tuesday in saying they would have to stand by their guarantees to their old employees who had remained loyal and to the new men employed in place of the strikers.

The terms upon which the rail executives agree to accept President Harding's plan were unofficially said to be as follows:

Terms Are Named

First, that the president's request that the strikers be taken back would be interpreted that the roads would re-hire only as many of the strikers as would be needed to recruit their present forces to normal.

Second, that such strikers as are taken back return unconditionally, their seniority rights later to be established by the railroad labor board.

Unions Not Ready

WASHINGTON, Aug. 11 (By the Associated Press.)—After several hours conference behind closed doors, chief officials of all the railroad labor organizations adjourned tonight until 9 a. m. tomorrow, declaring themselves still unready to make response to President Harding's final strike settlement offer to the shopmen and still unready to make public the policy which unions not now on strike intend to follow in the circumstances.

Answers Come Today

Warren S. Stone, grand chief of the Engineers Brotherhood and chairman of the meetings, announced at its close, however, that both these expressions would be forthcoming tomorrow. Officials of the seven unions on strike will reply to the president for themselves, Mr. Stone said, while the remainder of the organizations intended to join in a declaration of their position to the public.

Mr. Stone, in commenting on the walkouts of trainmen in various places now progressing, said that he had reports from 50 terminals "where our men are facing conditions just like those," and added that "there might be walkouts" at such terminals, completely tying up transportation.

Armed Guards Objected to

At the White House, the administration's view of these walkouts, attributed by the union leaders to the presence of armed guards, was said to be that no strike anywhere of any character which had as their purpose the preventing of

(Continued on page 2.)

Mr. Cuyler's statement said: "At their meeting today, the railroad executives gave to the proposal of the president, dated August 7, 1922, the thorough and conscientious consideration to which it was entitled.

All Elements Considered

"They took into their consideration all the elements in the situation which affected the public welfare and arrived at a conclusion which they will present to the president of the United States.

"For the purpose of making this presentation, a committee has been appointed. The committee will call upon the president tomorrow at 4:30 p. m. The action of railway executives cannot be made public until it has been submitted to the president."

Not Antagonistic

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