

CIRCULATION
Average for August, 1922—5814
Daily and Sunday—5467
Average for six months ending July 30, 1922—5852
Daily and Sunday—5494

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, FRIDAY MORNING, SEPTEMBER 8, 1922 PRICE: FIVE CENTS

38 MEN INDICTED FOR MURDER

GEOGRAPHY OF CONFERENCE IS UNDER DEBATE

Resolution Introduced Yesterday Proposes That State Boundaries Become New Limits.

WILLAMETTE U. TO HAVE INNINGS TODAY

Numerous Addresses on Variety of Subjects Heard in Session Yesterday

CONFERENCE TODAY

8:30 a. m.—Devotional service, Bishop W. O. Shepard.
9:00 a. m.—Business session.
9:30 p. m.—Anniversary service deaconess board, Mrs. M. S. Hughes presiding. Annual report, Miss Nellie M. Curtis. Address, the Rev. D. W. Howell, D. D.
3:15 p. m.—Annual missionary sermon, the Rev. Clarence True Wilson, D. D., presiding. Sermon, the Rev. M. T. Wire, pastor of M. E. church, Astoria.
4 p. m.—Evangelistic hour, the Rev. Thomas Acheson, presiding. Address, "Evangelism's Cross and Crown," the Rev. Loren M. Edwards, D.D.
6 p. m.—Luncheon and meeting of the Deaconess board, at The Spa.
6:45 p. m.—Open air evangelistic service. Address, Rev. C. E. Powell, D.D.
7:30 p. m.—Willamette university night, Edgar B. Piper, editor, the Oregonian, presiding. Brief addresses by Bishop William O. Shepard, President Eugene Christian Hickman, President Carl Gregg Doney, Principal address, Senator R. A. Booth of Eugene.

All Oregon Methodism in a separate, indivisible conference union, in the effect of the resolution presented to the Methodist conference Thursday, by Dr. R. N. Avison, of Forest Grove.
For geographical reasons that seemed good years ago when the arrangement was made, eastern Oregon is attached to the Idaho conference for administration. This might apply logically to the Snake River valley proper that is a geographical unit with Idaho, but it might not seem so logical for the Blue Mountain country and interior Oregon—and now it is proposed to make the Oregon state line the permanent boundary of the Oregon area. The bringing in of The Dalles district comprising 11 counties, by the conference action of Wednesday, apparently has given rise to the later, bigger ambition.
Proposal No. 9
The action, however, is not quite new. It was brought up three years ago, and in negotiating with the Idaho ecclesiastical reference is made to this earlier desire for an all-Oregon administrative district. A committee is to be appointed by Bishop Shepard to wait on the Gem state conference at Caldwell, Idaho, next week, and present the matter. Also, they will discuss certain territorial adjustments with the Columbia River conference from which was secured the 11 counties of The Dalles district.

Bishop Shepard, in a brief address, asked for the Oregon brethren to be as magnanimous and ecumenical as were the Washington ecclesiastics, and this will be done in a spirit of brotherhood.
University Program Today
Willamette university is to have the center of the stage for today as part of the regular conference schedule. The whole group of specialists who come from the board of education at New York City, arrived yesterday, and were in attendance at the conference and looking around the university. The conference is to go en masse to the university today at 1:15, for a once-over of the whole grounds and buildings, before the big campaign is formally launched later in the day. The greater part of the day will be devoted to the regular business program but the night service for Willamette, is reckoned as the one great outstanding event of the whole year's meeting.
Routine Matters Cleared
A busy business session of the conference Thursday forenoon

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LEGALITY OF STRIKE INJUNCTION ORDER ATTACKED IN SUIT

WASHINGTON, Sept. 7.—(By The Associated Press)—Legality of the order obtained by the government from District Judge Wilkerson at Chicago, restraining the striking railway shop crafts and the railroad brotherhoods from interfering with transportation in prosecution of the shopmen's strike, was assailed today in a suit filed in the supreme court of the District of Columbia by the international brotherhood of electrical workers, one of the organizations on strike. The question of jurisdiction of the Chicago court was also raised by the petition which denied that the plaintiffs had been guilty of any illegal act "before or since" July 1.

HOPE OF SAVING MINERS PASSES

Chance of Finding Any of 47 Entombed Men Alive Is Held to Be Meagre
JACKSON, Cal., Sept. 7.—(By The Associated Press.)—E. A. Stent, vice president of the Argonaut Mining company, believes that the 47 miners entombed in the Argonaut mine here have perished, he declared tonight in the first official statement he has issued since the men were trapped by fire a week ago Sunday night.
"I sadly fear that all we can do is to bring out the 47 bodies," Mr. Stent told the Associated Press. "I do not hold out any hope for the rescue of any, if any of the men, I do not place any credence in the alleged reports of signals from the entombed miners."

Vice President Stent, who for 30 years had been identified with the mother lode of Amador county, declared that despite the belief on the part of the company officials that the interred miners are dead, every effort would be put forth to reach the men in the quickest possible time.
Today less than 20 feet were cleared on the 3600-foot level of the Kennedy mine from which rescue crews for 11 days frantically have been burrowing toward the Argonaut shaft. This leaves approximately 260 feet yet to be tunneled before the crews will strike a solid rock formation which will require at least 36 hours of constant drilling to penetrate. Muck, charred timbers and rock on the 3900-foot level held today's progress there down to about 12 feet.

Crews on both the 3600-foot levels are working in clay and muck. Engineers say faster time could be made through solid rock. Men are working ankle deep in mud which is so thick it sticks to their shovels like glue.
In his statement tonight, Vice President Stent added:
"It is barely possible that a few of the older mining men had the presence of mind to seek the lower levels at the start of the fire. If they did and if they barricaded themselves in, it is barely possible that a few of them are alive now."
However, the Argonaut has an emergency exit through what is known as the Muldoon shaft. This emergency exists for the sole

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LEGALITY IN DOUBT

The entire question, it was said unofficially, centers on section 15 of the Clayton act, and section 5 of the Sherman law, which provide that in suits brought thereunder the judge of and federal jurisdiction, if in his judgment it is deemed necessary to protect the government or the purposes of an injunction, may have the power to subpoena witnesses and defendants in other jurisdictions.
While reference to alleged secret negotiations at various unnamed places looking to separate settlements with individual roads continued to be heard throughout the day, these still remained tonight in the status of "unconfirmed reports." The forthcoming meeting in Chicago of the strikers' general policy commission, according to his information, Mr. Noonan said is for the purpose of discussing the strike situation.

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AVERAGE HUMANS AND MEN AT THEIR BEST ARE FOUND IN METHODIST CONFERENCE

One couldn't drop into and see the Methodist conference, not knowing the names or the occasion, or hearing a word spoken on any subject, without knowing that it was really an assemblage of notables.
Not everybody is a notable, perhaps; not the sort of social lions that Mrs. Gotrox, the climber, would pick for her prey, at any rate. Nature never made all men from the same generous mould, or gave to all the same understanding, the same charity, the same big courage that is seen in some of these visitors. But many of them are outstanding.
Many of these men are old, or at least elderly. There is one survivor of the Civil war—where

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FOUR KILLED WHEN TRAINS MEET HEAD-ON

Crack Northern Pacific Train Crashes Into Switch Engine Near Spokane—Six Persons Injured.

THREE OF DEAD ARE ENGINEERS, FIREMAN

All of Injured Were on Passenger Train Pulling Into Parkwater

SPOKANE, Wash., Sept. 7.—Four men were killed and six were injured when Northern Pacific passenger train No. 41, west-bound, collided head-on with a switch engine at Parkwater, four miles east of here, about 7:30 tonight. At least three of the dead and all of the injured were trainmen.
The dead include: O. W. Southern, engineer of No. 41; Ed Hodous, engineer of the switch engine and the electrician of No. 41. The body of the fourth man was found beneath the trucks of one of the baggage cars on No. 41 after the work of clearing away the wreckage had been started.
Injured in Hospital.
The injured, all of whom were taken to the Sacred Heart hospital here are Joe Carlson, fireman on No. 41; Joe Butts, Spokane, and C. Pruitt, who were declared to be seriously injured and Whitt Kerr, J. M. Corbett and E. H. Atkins, not so seriously hurt. Butts was unconscious when taken to the hospital.

According to L. S. Newton, of the western division of the Northern Pacific, the switch engine had taken four coaches of guards from this city to the shops at Parkwater and had started to cross over to the west-bound track for the return trip when No. 41 struck it. The switch engine had just pulled onto the track in front of the passenger train.

STRANGER TAKES MUSICAL CENSUS

Says He Represents School Board, But Inquiry Shows He Does Not
A young man claiming to represent the Salem school board, visited several homes on South Liberty street Thursday, gathering statistics as to the number, size, kind, pitch, cost, 'n' everything of the musical bric a brac of the city in the name of the school board.
At some places the residents told him they were not so sure that it was a matter for the school board to know or be interested in, and they told him what they pleased. What he gathered might be more interesting than reliable as to Salem's musical aspirations.
As a matter of fact, the school board doesn't care a hoot whether any one plays on a jewsharp, scrapes a horse fiddle, squawks a saxophone, beats a tom-tom, rattles the bones or tickles the ivories on a grand piano or the tones of a pianola. It doesn't give a continental dog-gone if one could or could not carry a bag-tied tune in a steel bottle or halcyon it lightly and airily on the bridge of one's nose. It reckons not whether a person dotes on soggy "Vogner" or goes batty over wild-eyed jazz; whether he sings hymns or cradle songs or Krazy Kat roundelays.
If the visitor represented that the school board wanted to know all the fiddles and flutes and organs and banjos and hurdy-gurdys it wasn't so. The school board hasn't the honor of his acquaintance. As already stated, the board simply isn't interested in the private musical whims of Salem. Anybody can sing, or play, or deliver pantomime songs without either words or music.
The statistical visitor didn't kick the dogs or steal the peaches or trample on the flowers of anybody's home, so far as recorded. Nobody lost anything but two or three minutes. But the school board, according to reliable information, doesn't belong in the statistical inquisition. It has enough real troubles of its own

MAN SOUGHT IN MURDER CASE

Police Doubt Truth of Clara Winborn's Confession of Seattle Crime
OAKLAND, Cal., Sept. 7.—The Oakland police have begun searching for a man who they believe must have been an accomplice in the slaying of Ferdinand Hochbrun at Seattle last fall with Mrs. Clara Skarin Winborn, who confessed to the killing here yesterday. Hochbrun, a wealthy retired realty dealer, was found dead in his apartment in December and Mrs. Winborn told Lieutenant William B. Kent of the Seattle detective force yesterday, that she shot him in self-defense against his advances.
Police Seek Motive
James L. Drew, chief of the Oakland police, said he believed Mrs. Winborn was trying to shield some man, and stated he was trying to learn the motive for her remaining in San Francisco and Oakland for many months despite the danger of being recognized. She was arrested here Sunday.
Several things have yet to be explained about the affair, according to Chief Drew. One is the fact that relatives received letters after Hochbrun's death, he

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SOME PARSONS TOO SPARING WITH VOICES

Ought to Talk Louder—Great American Cud Not in Evidence, Says Observer

Somebody could perform a notable public service by training more of the preachers to speak louder and more distinctly.
Many seem to have operated in little buildings, where a speaker can perhaps be heard in any tone of voice. But the piping voice or the husky whisper or the mumble that would get across the small decorous building where there is nothing else to do but to listen, isn't worth a nickel in a big room like those needed for the Oregon conference, with so many buzz-buzzes going on in committees and group consultations. The spectator would wonder if the state of Oregon were short of air, some of the speakers from the floor are so sparing of its use in telling their story.
But that's a wonderful audience in one respect—there isn't a single gum-chawer in the bunch! There may be poorly tattered domes, and butcher-knife-trimmed whiskers, and last year's coats, and even an occasional appalling delioid collar, but there isn't a single smack-chomp-gurgle-and-squawk of the great American cud. There isn't a single set of bulging jaws muscled up like a prize-fighter's biceps, built up from everlasting devotion to the sneaky cud. After hearing and seeing the average street car and lecture, and committee meeting and convention, and seeing the usual percentage of lawyers on the streets, it's almost like heaven to step into a congregation where they masticate absolutely nothing but the occasional rag—and seldom even that.

HOWARD MUST HANG TODAY

Malheur County Youth to Pay Penalty for Killing George Sweeney

Notwithstanding a move that developed yesterday to save him from the gallows, George Howard, 25 years old, will pay the death penalty at the Oregon penitentiary at 8:30 o'clock this morning for the murder of George Sweeney of Vale, Malheur county, in September, 1920.
Governor Olcott took the case under advisement when a petition in Howard's behalf was presented him, but last night let it be known that he will not stop the execution.
Many Names on Petition.
Two Portland attorneys, E. F. Mulkey and Charles Garland, and Father J. R. Buck of Salem, the latter representing Archbishop Christie and the Catholic people of the state, went before the governor with a petition carrying 1321 names asking that the death sentence be commuted to life imprisonment. Howard's family is of Catholic affiliation.
As an argument in Howard's behalf the attorneys averred that no evidence was introduced at the trial to show that the murder was premeditated, and argued that only premeditation should constitute cause for a verdict of first degree murder. They held that Howard had killed Sweeney in an altercation and that a verdict of manslaughter would have been justified.

WAR RECORD CITED

They also called the governor's attention to the prisoner's youth and to his war record. Howard was in the transport service during the war and made a large number of trips across the Atlantic.

FLYING PARSON FALLS TO DEATH

Four Men Killed in Two Air Accidents at Vermont Fair Grounds

RUTLAND, Vt., Sept. 7.—For a crowd of 30,000 people assembled at the Rutland fair grounds this afternoon, a flying circus staged with airplanes and balloons was turned into a tragedy, four participants meeting death. An airplane crashed from a height of 2,000 feet, carrying to their deaths the pilot, mechanic and a passenger. A few hours later an aeronaut leaping from a balloon 1500 feet in the air, was killed when his parachute failed to open.
The dead:
Lieutenant Belvin W. Maynard.
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HERRIN MINERS WHO KILLED STRIKE BREAKERS MUST STAND TRIAL FOLLOWING JURY ACTION

MARION, Ill., Sept. 7.—(By The Associated Press)—Five of the 38 indicted men in connection with the Herrin massacre, slept in the county jail tonight. Otis Clark, the first man to be indicted was joined by four more this evening. Leva Mann, miner of Herrin; Charles Rogers, miner of Herrin; Phillip Fontanetta, miner of Marion and James Brown, colored, deputy of Colp, were arrested tonight. They are all charged with murder. The officers had no trouble in making the arrests. Colonel Sam Hunter of the adjutant general's office here, representing Governor Small says that everything is quiet throughout the county. He arrested Phillip Fontanetta within ten minutes after the names were given to the sheriff and deputies. Many arrests are expected early tomorrow.

PRINTERS GETS TWO PROWLERS AT HIS HOME

Jim Sovereign Hears Strange Voices—Nabs Both of 'Em Ere They Are Aware

When "Jim" Sovereign, linotype operator on the staff of The Oregon Statesman, entered his home shortly after 2 o'clock yesterday morning he discovered two prowlers who had sneaked quietly into the house a short time before.
Lights were burning in one sleeping room and the kitchen. Sovereign stealthily circled the house to see if he could get a view of the invaders. He could hear muffled voices, but the prowlers were not to be seen.
With grim determination to give battle he softly opened the front door and passed through the living room. The early morning visitors were discovered in the sleeping room, and James captured them in his brawny arms. The supposed burglars were twins, boy and a girl, making the second pair of twins to visit the Sovereign home during the past few years.

BISHOPS URGE WORLD PEACE

House of Deputies in Conference to Consider Amendments to Constitution
PORTLAND, Ore., Sept. 7.—Adoption by the house of deputies of the Protestant Episcopal triennial convention of a new prayer for the president of the United States to supplant the one in the prayer book, which was declared to have been an adoption of the prayer for the King of England, and rejection by the house of bishops of a constitutional amendment which would have given suffragan bishops the right to vote in the house of bishops were the outstanding developments of the afternoon session of the convention today.
The motion in each case, followed sharp debate. In the house of deputies there was lively discussion of the new prayer for the president.
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WHERE YOU CAN FIND WORK PICKING PRUNES

Prune Picking Jobs!
If Salem doesn't help save the prune crop, in the next two or three weeks, it won't be saved and everybody loses. It's everybody's business to help pick and save this one great money crop that will save the Willamette valley from next thing to bankruptcy, this year.
The Statesman publishes, free, a directory of all the prune owners who will send in their requests for help. Give the good people of Salem a chance to help you—how can they, if they don't know who or where you are?
These are the newest applicants:
H. E. Bolinger has 24 acres of prunes ready to begin picking now; wants four or five pickers or one good sized family. Phone 13F22.
R. V. Bates, seven miles south, phone 107F13, has 55 acres; wants 15 or more pickers, families preferred, fuel and water free.
Wanted—Six more prune pickers, 6½ miles south of Salem, at Rosedale, commence Monday, 11th. Phone 12F6.
G. E. Farnsworth wants man for shaking and driving team; and wife and two children for picking. Can camp comfortably in garage. To be on the place, near Liberty, Sunday, September 10th. Call evenings at 1739 Center St.

OFFICERS ARE INDICTED

The indictments cover a large territory in both Adamson and Franklin counties, and included in the list are at least two officials, Constable John Kelly of Zelgier, in Franklin county and Constable James Brown of Colp, colored, and who is also deputy sheriff and chief of police in that colored mining camp.
The first indictment accuses six men of the slaying of Howard Hoffman of Huntington, Ind., in the Herrin cemetery. He was one of the six captives who escaped the massacre at the barbed wire fence in the timber. They were recaptured and led back to the cemetery. There they were shot down. One of them lived and the other five died. The men named in this true bill are Peter Hiller, Clarence Rogers, Leva Mann, Joseph, Carnegie, Percy Hall and Bert Grace.
Nine Accused of Hanging
The second indictment names nine men in connection with the hanging of Robert L. Anderson Sparta, Mich., at the Southern Illinois strip mine. His body was riddled with bullets after he had been hanged. In the indictment there are two counts, one charging the shooting and the other the hanging. The men accused are Nava Cannady, Herbert Rushing, Clyde Lee, James Galligan, Bert Grace, Dallas McCree, Otis Maynard, Joseph Rhodes and William Stanly.

THIRD INDICTMENT CONCERNS SLAYING OF JOHN SHOEMAKER

The third indictment concerns the slaying of John Shoemaker, son of Mayor Shoemaker of Charleston, Ill. He and 13 others of the non-union mine employes who had surrendered under a flag of truce were killed at the barbed wire fence in the timber near the power house.
27 Charged With Killing 13
In this indictment 27 men are made co-defendants. Five of them are named in other true bills. The accused men are:
John Kelly, Hubert Walker, James (Dad) Norris, Roy Pennington, Harvey Perdue, Charles Rogers, John Rushing, Dallas McCree, Otis Maynard, Alvin Stewart, Joe Murray, Campbell Lively, Wesley McPherson, Frank Adams, Alvin Lollies, Floyd Stokes, George Anderson, Fred McGough, Fred Trausted, Phillip Fontanetta, Tom Weeks, James Brown (colored deputy sheriff), Otis Clark, Lee Howard, Tony Louis Corbett and Bert Grace.
The fourth indictment is for the slaying of John Shoemaker and charges Hubert Walker with committing the slaying. He is the only one named in the indictment.

MANY ARE MINERS

Hoffman's body was shipped to Indiana and never was buried in the potters field at Herrin.
Anderson was alleged by the miners at the time of the massacre to have fired a machine gun and he was hanged for that.
Shoemaker was the father of three young children and was a brother-in-law of W. J. Lester, owner of the strip mine. He was acting as assistant mine superintendent at the time of the massacre.
Many of those indicted are miners, but a few are engaged in other occupations. Special deputy sheriffs are now out arresting the men who were indicted today.

THE WEATHER

Fair and warmer.