

Good Things to Eat
See The Food Page
Saturday Morning's Paper

The Oregon Statesman

National Thrift Week
January 17 to 23
Seven Big Days

SEVENTY-THIRD YEAR

SALEM, OREGON, WEDNESDAY MORNING, JANUARY 9, 1924

PRICE FIVE CENTS

FAKE RAIDERS LEND JAZZ AT 11TH BANQUET

Police Playfully Throw Scare
Into Cherrian Diners, But
it All Ends Very Happily
—Ball in Armory

INITIATION OF NEW MEMBERS IS FEATURE

King Bing Al I Inaugurated
—Cast of Music Box
Revue Guests

Many prominent people first
gaped, then snickered and then,
coming to a fuller realization of
the situation, became sober as
four uniformed Portland patrol-
men "raided" the dining room of
the Marion hotel at the height of
the 11th annual Cherrian banquet
last night and sought to arrest Al
Pierce, manager, on suspicion of
serving liquor, just as he finished
his inaugural address as King
Bing Al I of the Cherrians. The
"raiding" party was headed by
Chief of Police Frank Minto, who
served the "warrant" upon King
Al.

The element of surprise was per-
fect, and the carefully laid plans
were carried out in detail. As
King Bing Al completed his short
address, Chief of Police Minto
entered, with a Portland man com-
ing in from each door. He walked
up to King Bing, who remon-
strated with him. Local men stood
guard at the various exits while
the banquet gradually closed in
around the two men, bursting in-
to melody and dispelling doubts
as to whether or not the raid was
genuine. Members of the Port-
land police quartet were G. N.
Johnson, tenor; G. T. Tulley lead;
F. R. Burch, first bass, and W.
A. Tyler, second bass. Chief Minto
was assisted by Officers Louis
Olson, W. F. Thompson and Pierce
Wright.

Numerous Cherrian songs were
sung during the course of the pro-
gram, followed by a roll call of
active and associate members.
Left-overs from the Music Box
Revue contributed to the entertain-
ment. After an address by retir-
ing King Bing III coronation
ceremonies were held for King
Bing Al I. Following the initia-
tion of new members and the in-
auguration of king and council,
the members adjourned to the ar-
mory for the annual ball.

Following were the new mem-
bers elected and initiated:

Phil A. Elker, George A. Cod-
ding, E. H. Kennedy, J. A. Gos-
ser, Dr. Carl Wenner, Dr. Carl
Miller, Ellis Cooley, William A.
Zosel, F. Ray Felker, Cuyler Van
Patton, Al Krause, E. B. Gabriel,
Alton Hurley, A. A. Keene, Fred
A. Williams, James M. Smith, H.
R. Worth and Frank Durbin, Jr.
Absent but elected, Harry Cohn,
Ralph Stark, William Bell and
Wilfred F. Watkin.

Members of the cast of the Music
Box Revue were guests of the
Cherrians.

Apartment House Planned Here by John J. Roberts

Though John J. Roberts is non-
committal concerning an apartment
house that he is planning to erect,
it is expected he will make his
plans public in a short time, as he
has awarded the contract to de-
molish the residence on South
Winfar, back of the library, where
the new apartment is expected to
be constructed.

UNION MEN REFUSE TO RIDE ON SALEM STREET CAR NO. 21

Wait or walk has been the attitude of several members
of local unions regarding riding on street car No. 21, on the
depot line of the Salem street car system, in charge of a
non-union man, and in view of the frequent complaints in-
structions were given last night at a meeting of the Salem
Trades and Labor Council to take the matter up with Super-
intendent Billings. They refuse to ride on that car. Represent-
atives of all the local unions attended the open meeting.
Selection of a business agent for this year will be made
by a special committee, which was instructed to report back
at an adjourned meeting next Tuesday night. The annual
election of officers will take place at the next regular meet-
ing of the council, January 22.

CONGRESS GIVES FARMER ATTENTION

Ladd Resolution Adopted Re-
lief Measures Considered
in Committee

WASHINGTON, Jan. 8.—The
farmer received a major share of
attention in congress today, relief
measures being considered both in
committee on the floor of the sen-
ate and house, while the depart-
ment of agriculture also took a
hand in the legislative situation.

The senate adopted the Ladd
resolution directing Secretary
Wallace to determine through the
grain futures administration the
position taken on the wheat mar-
ket by the "well known profes-
sional speculators and members of
the large 'futures' commission
houses of Chicago board of trade."

Legislation aimed to aid the
wheat growers was considered in
both the senate and house agri-
culture committees and was the
center of debate on the floor of
the house, special attention being
given to the Norris-Sinclair bill
proposing a \$100,000,000 corpora-
tion to buy and sell American
farm products, both at home and
abroad.

Coordination of grazing on all
state and national public lands
was proposed by Secretary Wal-
lace at a conference with western
state senators and representatives
as a step to improve conditions in
stock raising.

Representative Leavitt, Repub-
lican, Montana, told the house of
losses suffered by the wheat
growers of the northwestern
states and proposed an export cor-
poration to dispose of surplus
crops.

Council of Churches Approves German Relief

NEW YORK, Jan. 8.—The fed-
eral council of churches of Amer-
ica has aligned itself behind the
American German relief move-
ments and has unreservedly en-
dorsed the proposed \$70,000,000
government food credit bill heads
of the council announced tonight.
The council claims to represent
100,000 Protestant churches in
the United States with a mem-
bership exceeding 20,000,000.

Reports on the situation in Ger-
many, based on investigations by
Dr. Ernest Lyman Mills, superin-
tendent of Methodist Episcopal
Sunday school work in Europe,
soon will be sent to all federal
council agencies for dissemination
among church congregations, who
will be urged to support finan-
cially various campaigns to provide
relief for Germany's post war ills.

STATE WEAVES EVIDENCE WEB AROUND SOLON

Percy I. Sinclair, Washing-
ton State Senator, Ends
Second Day of Trial at
Chehalis

SON FROM WALLA WALLA PRISON IS ONE WITNESS

Says on Stand That Father
Knew Nothing If He Could
Beat Him to It

CHEHALIS, Wash., Jan. 8.—
State's attorneys were weaving a
web of evidence around State
Senator Percy I. Sinclair, former
president of the defunct South-
western Washington State bank at
Ilwaco, at the close of the second
day of his trial in the Lewis county
superior court on a charge of
rendering a false statement to the
state department of banking, re-
lative to his bank's condition.

One of the four witnesses on
the stand this afternoon was Lynn
Purden, publisher of the Ilwaco
Tribune, who testified that the
bank statement given his paper to
publish was not the same as re-
ceived by the state banking de-
partment.

Other witnesses were T. H.
Adams, special deputy state su-
pervisor of banking, who has
charge of the liquidation of the
Ilwaco bank and who identified
several ledger sheets of the bank;
Ralph A. Knapp, state bank exam-
iner, and Myron Sinclair, son of
the defendant who had been on
the stand earlier in the day and
who was recalled to further iden-
tify bank books and records.
Young Sinclair, who was brought
from the Walla Walla peniten-
tiary as a witness, was unable to
explain alleged fictitious credits to
his father's account, totalling sev-
eral thousand dollars.

When asked if his father had
access to the bank's books at all
times, young Sinclair replied:
"Not when I could beat him to it."

Deposit slips, cancelled checks
and other documents were intro-
duced as evidence to prove that
the defendant had personal know-
ledge of the bank's affairs and
that this was not confined to pa-
pers that his son turned over to
him to sign as claimed by Myron
Sinclair.

Today's trial was marked by
numerous verbal clashes between
opposing counsel. Thomas Fiske,
attorney for the defense, contin-
ually objected to questions directed
at witnesses by the prosecution
and fought strenuously to prevent
the introduction of bank papers as
evidence. Most of the handwrit-
ing on these papers was identified
by witnesses as that of the de-
fendant.

Attorney Fiske, to expedite the
trial, said he admitted that sev-
eral of the items in the statement
rendered to the state banking de-
partment were false. It was
brought out during the day that
that statement in question showed
overdrafts of \$739.28 whereas the
defendant's overdraft alone to-
taled more than \$1,500.

Federal Prisoners Give Testimony Before Jury

SEATTLE, Wash., Jan. 8.—
Three federal prisoners serving
sentences in the King county jail
for violation of the national pro-
hibition act were taken from their
cells today and brought before the
grand jury which has been investi-
gating vice and liquor conditions
in this city.

The federal prisoners were fol-
lowed by A. B. Stites, a former
special investigator for Prosecut-
ing Attorney Malcolm Douglas,
and later for Mayor E. J. Brown.

A number of alleged card room
patrons were served subpoenas
and brought into the jury room
during the afternoon.
The testimony of none of the
witnesses was announced today.

THE WEATHER

OREGON: Occasional rain in
the west and snow flurries in
the east portion; moderate
westerly winds.

LOCAL WEATHER
(Tuesday)
Maximum temperature, 45.
Minimum temperature, 31.
River, 3.9 feet.
Rainfall, trace.
Atmosphere, cloudy.
Wind, southwest.

LINVILLE TO MEET OFFICERS AGAIN TODAY

Federal Prohibition Officer
Will Discuss Problems
With Sheriffs

PORTLAND, Ore., Jan. 8.—Re-
cent activities of state prohibition
agents in going to counties with-
out knowledge of law enforcement
officers of those counties, result-
ing in considerable friction, caus-
ed some comment today at the
joint session of sheriffs with J. A.
Linville, state prohibition officer,
and the subject will be taken up
in detail for consideration at to-
morrow's session it was decided.

District attorney Myers in his
address expressed the belief that
the state prohibition department
could be an effective cog in the
machinery of law enforcement.
He said there should be close co-
operation between it and the
other law enforcement agencies
and that he hoped this could be
developed.

That the wholesale arrest and
conviction of narcotic peddlers in
this district has resulted in a
much more limited sale of narco-
tics was the declaration of Harry
V. Williamson, federal narcotic
agent.

Mrs. Mary Mallett, state presi-
dent of the Women's Christian
Temperance union, complimented
the state and federal officers in
the results of their enforcement
work.

There were 30 sheriffs in at-
tendance as members of the Ore-
gon State Sheriffs' association.

LEADERS CONFIDENT OF DELAYING BONUS

Plan to Press Vote on Tax
Reduction Before Serv-
ice Men's Measure

WASHINGTON, Jan. 8.—Con-
fidence was expressed today by Re-
publican leaders of the house that
they would be able to pass a tax
reduction bill to a vote before
action is had on the soldiers'
bonus.

Opposed to giving priority to
the bonus—a question expected to
come to a showdown at a confer-
ence of house Republicans Thurs-
day night, Representative Long-
worth, the majority leader notified
the group of former service men
who are demanding a vote on ad-
justed compensation ahead of tax
legislation that no effort would
be made to dodge the issue.

For an hour Mr. Longworth was
in conference with representatives
Johnson of South Dakota, Fish of
New York and Andrew of Massa-
chusetts, who were active in hav-
ing the conference called. He told
them "that we have you beaten
and will show you on Thursday
night."

The discussion was held after it
had been announced from the
White House that President Cool-
idge was in hearty support of plans
to give the tax legislation the
right of way over the bonus. At
the same time, a White House
spokesman, in discussing the tax
situation, said the president con-
sidered that the surtax schedule
carried in the Garner Democratic
substitute for the Mellon bill
would tend to discourage the in-
vestment of capital in business en-
terprises rather than in tax ex-
empt securities.

MANY ARE INJURED IN TEXAS WRECK

Impact of Head On Collision
Near Houston Heard
More Than Mile

HOUSTON, Tex., Jan. 8.—
Crashing head-on with an impact
which was heard more than a mile
west of Hildenthal at 9:03 p. m.,
tonight, killing two members of
one train crew and injuring more
than 30 persons. At least two of
the injured were not expected to
live through the night.

The dead: Engineer Ed. Deros-
sette, train No. 23. Smithville.
Fireman Ed. Sullivan, train No.
23, Smithville.
Engineer Lee Thomason and
Fireman Charles Deckart of train
No. 26, both of Smithville, are
believed to be fatally injured.

DECISION GIVEN

WASHINGTON, Jan. 8.—A fed-
eral trade commission decision
handed down today found the Min-
neapolis Chamber of Commerce
guilty of unfair competition.

SEARCH ACT IS CONSTRUED BY LEGAL OPINION

Warrants Must Be Based on
Facts and Not Supposi-
tions, Says Attorney Gen-
eral's Statement

FORCIBLE RESISTANCE NOT ALLOWED BY LAW

Response Made to Inquiry By
Governor Following Labbe
Home Raid

Facts and not suppositions must
be the basis of search warrants
under the Oregon laws, but it is
impracticable to formulate a fixed
rule as to the kind and amount
of information a complaining wit-
ness should have when applying
for the issuance of a search war-
rant. Persons whose premises are
about to be searched, however in-
nocent they may be, are not just-
ified in forcibly resisting a peace
officer. But they should not con-
sent to the search, for if they do
so their rights in subsequent dam-
age action are waived. These are
the high lights of an opinion pre-
pared by Attorney General Van
Winkle, in reply to an inquiry by
Governor Pierce as to how much
information a complaining witness
must have before he swears to a
search warrant for another's prem-
ises. The opinion arises out of the
recent search of the Labbe
home in Portland.

Fixed Rule Impossible
"It is impracticable," says the
opinion, "to formulate a fixed rule
prescribing the kind and amount
of information a complaining wit-
ness should have when applying
for the issuance of a search war-
rant. Suffice it to say that the
affiant should have knowledge of
the facts and the circumstances
based upon his own personal ob-
servation or upon reliable infor-
mation furnished by others who
have personal knowledge of the
facts, and the information should
at least be of such a character
and entitled to such weight that
a reasonable man would be just-
ified in acting thereon in matters
affecting his own welfare and in-
terests.

Must State all Facts
"My opinion, therefore, is that
the weight of authority is to the
effect that the affidavit should
state all the facts known to the
affiant and upon which he bases
his request for the issuance of the
search warrant, and if the magis-
trate determines therefrom that
such facts are sufficient in law
to show probable cause and prop-
er grounds for the issuance of the
warrant, he is required to issue
the same.

"It should be understood, how-
ever, that nothing contained in
the foregoing opinion is intended
to convey the impressions that per-
sons, however innocent of any
crime, are justified in forcibly re-
sisting a peace officer who invades
their premises under a search war-
rant issued by a magistrate upon
insufficient grounds, but which ap-
pears to be regular upon its face.
In other words, a search warrant
signed and issued by a magistrate
authorized to issue search war-
rants, as for instance in liquor
cases, and which warrant is in
proper form, as prescribed in sec-
tion 1856 O. L., and which names
or describes the person and the
place to be searched, with reasonable
particularity, is a sufficient pro-
tection to the officer executing it,
notwithstanding it may have been
issued by the magistrate upon a
defective affidavit or upon insuf-
ficient grounds.

Officer Must Act
"The officer is not supposed to
go behind and speculate whether
it should or should not have been
issued, or whether there were suf-
ficient grounds for its issuance.
If the warrant appears regular on
its face and complies with the re-
quirements of the law as to its
form, he, as a ministerial officer,
is bound to serve it, and persons
who resist him in the discharge
of such duty, do so at their peril.
They are not justified in forcibly
preventing the officer from search-
ing their premises under such war-
rant, however innocent they may
be of any crime. In such case it
is their duty to submit peacefully;
that is, they must refrain from any
overt act of violence, though, of
course, they must not consent in
any way to the search, as that
would be a waiver of their rights
in case they should later bring an
action for damages against the
parties who wrongfully procured
the issuance of the warrant.

COUNTY COURTS SWAMP HIGHWAY COMMISSION

Many Delegations Seek Com-
pletion of Road Work in
Their Districts

PORTLAND, Or., Jan. 8.—So
many county delegates swarmed
to the state highway commission
meeting today to apply for road
work for 1924 that only nine
groups could be heard and the rest
will appear with their requests to-
morrow.

Thursday the commission will
meet with the forest officials and
the United States bureau of pub-
lic roads and the program for the
new year will be sketched tenta-
tively.

County courts which still have
incomplete highways within their
boundaries, invaded the meeting
anxious to have their claims placed
on the list.

A concerted drive was staged
for further construction on the
Roosevelt coast highway, and re-
quests were made for hurrying the
Grants Pass-Crescent city
highway, while Umatilla wants a
unit built from Ukiah north, on the
Pilot Rock road, and Morrow
asked for closing the final gap of
the Oregon-Washington highway.

Other requests will be made by
delegations tomorrow after the
commission has awarded a couple
of contracts, bids on which were
opened today. Curry, Lincoln and
Coos counties asked for Roosevelt
highway work.

There are 31.4 miles between
Grants Pass and the California
line on the Grants Pass-Crescent
highway which a Josephine county
delegation urged.

MORLEY MAY ENTER RACE FOR CLERK

Salem Business Man and
Former School Teacher
May Be Candidate

Lane Morley, who owns a gro-
cery store at 746 Highland avenue,
Salem, is seriously thinking of be-
coming a candidate for the Rep-
ublican nomination at the general
primary election for county clerk,
to oppose the incumbent, U. G.
Woyer.

Mr. Morley has been engaged in
the grocery business for the last
five years. Prior to that he was
engaged in the teaching profes-
sion in the public schools of Ore-
gon for 12 years.

FINAL FLASHES

MEMPHIS, Tenn., Jan. 8.—
Bishop William B. Murrah of the
Methodist Episcopal church, south,
was reported critically ill at his
home here tonight.

MADRID, Jan. 8.—(By the As-
sociated Press).—A royal decree
was issued today dissolving the
chamber of deputies and dismiss-
ing the elective members of the
senate.

SAN ANTONIO, Texas, Jan. 8.—
A band of 300 rebels headed by
Vincente Davilla was defeated to-
day in battle in the vicinity of
Allende, 40 miles from Piedras
Negras, opposite Eagle Pass,
Texas.

WASHINGTON, Jan. 8.—A to-
tal increase in pensions of approx-
imately \$60,000,000 is provided in
the Burgen general pensions bill
in the amended form in which the
senate committee on pensions to-
day voted unanimously to report
the measure.

HELENA, Mont., Jan. 8.—Dr.
O. M. Lanstrum of Helena, pub-
lisher of the Montana Record-
Herald was today nominated by
the Republican state central com-
mittee to be Republican national
committeeman for Montana.

THE PLAN IS BRIEF

Propose
I. That the United States shall
immediately enter the Permanent
Court of International Justice, un-
der the conditions stated by Sec-
retary Hughes and President
Harding in February, 1923.
II. That without becoming a
member of the League of Nations
as at present constituted, the United
States shall offer to extend its
present cooperation with the
League and participate in the
work of the League as a body of
mutual counsel under conditions
which
1. Substitute moral force and
public opinion for the military
and economic force originally
implied in Articles X and
XVI.
2. Safeguard the Monroe Doc-
trine.
3. Accept the fact that the United
States will assume the obli-
gations under the Treaty of
Versailles except by Act of
Congress.
4. Propose that membership in
the League should be opened to
all republics.
5. Provide for the continuing de-
velopment of international law.

MADDOO HITS MELLON PLAN IN RADIO TALK

Former Secretary of Treas-
ury Assails Tax Reduc-
tion Program as Outlined
By Present Official

TAX REDISTRIBUTION FAVORED BY CANDIDATE

Man Who Seeks Democratic
Nomination for President
Speaks at Los Angeles

LOS ANGELES, Jan. 8.—Sec-
retary Mellon's tax reduction plan
was vigorously assailed in a Jack-
son Day radio speech here tonight
by William Gibbs McAdoo, candi-
date for the democratic presi-
dential nomination.

Eulogizing Andrew Jackson's
"detestation of graft and hypocri-
sy, his towering championship of
the cause of the common people,"
Mr. McAdoo told his radio audi-
ence that if Jackson were alive
today he would be "implacably
fighting" for the "small and in-
dustrious taxpayers," in what was
described by the speaker as "the
first engagement in the impending
battle brought on at Washington
over the proposed reduction in
taxation."

"The democratic party is for
tax reduction," he continued. "It
has consistently fought for tax re-
duction ever since the armistice,
but it demands that, along with
tax reduction there be tax redistri-
bution so that more even jus-
tice shall be done to the millions
of people who earn by their toil,
small and moderate incomes and
who need relief most.

Concession to Privilege
"The administration tax plan is
a typical concession to privilege,
sugar coated with mites for the
small tax payer and of a kind
with the 1921 tax law which was
chiefly beneficial to those paying
taxes on incomes of \$100,000 per
annum and over.

"The democratic plan on the
other hand, while benefiting the
tax payers with incomes of more
than \$10,000 per annum who also
should have relief, would reduce
taxes upon small and moderate in-
comes to a lower level than that
proposed by the Mellon plan.

"This fundamental fault in the
Mellon plan, and the fundamental
virtue in the democratic plan, con-
demn the former and demonstrate
that the latter is legislation based
upon the sound democratic prin-
ciple that taxes shall always be
so distributed that the major por-
tion shall be borne by those best
able to pay.

Plan Defective
"The Mellon plan is seriously
defective, not alone in its distribu-
tion of the tax burden but in its
reasoning. Under it, a flat 25 per
cent surtax is imposed on all in-
comes from \$100,000 upward.
Why should the man with 100,000
of income pay as high a percent-
age of surtax as a man with \$1-
000,000 or \$5,000,000 income?
The surtaxes should be graduated
so that the burden of taxation
even as between high incomes,
shall be equitably distributed.

"It is urged by the administra-
tion that the low surtax of 25 per
cent on all incomes above \$100-
000 should be granted for two rea-
sons: First, because the wealthy
classes who will be benefitted
thereby will no longer invest in
tax free exempt securities as it is
represented that they are now
doing, thus depriving the govern-
ment of a large amount of taxa-
tion; and, second, because they

(Continued on page 3)

BOYS GIRLS

**Animal Kingdom's
Greatest Newspaper**

"Scoops" the press with picture news of the
animal kingdom.
Funniest paper ever published.

Look for it in the Boys' Girls' Statesman

BOYS GIRLS

THE OREGON STATESMAN
Salem, Oregon

Do you approve the winning
plan Yes ()
in substance? No ()

(Put an X inside the proper box.)

Name

Please Print

Address

City

State

Are you a voter?

Mail Promptly to
THE AMERICAN PEACE AWARD
342 Madison Avenue, New York City
If you wish to express a fuller opin-
ion also, please write to the Amer-
ican Peace Award