

The Weather — OREGON — Rain and moderate temperature and fresh south winds. Tuesday—Max. 62; Min. 52; River 18.1 rising; Rainfall .66; Atmosphere part cloudy; Wind west.

The Oregon Statesman

Statesman Classified ads bring results. Every day some one comes in and tells of the splendid results obtained. See pages 6 and 7 of today.

SEVENTY-FOURTH YEAR

SALEM, OREGON, WEDNESDAY MORNING, FEBRUARY 4, 1925

PRICE FIVE CENTS

PRICE OUSTER IS DEMANDED OF GOVERNOR

Measure to Place Game Commission in Hands of Board of Control Awaits Executive Action

COMPROMISE EXPECTED TO SAVE SITUATION

Bill Withdrawn Tuesday; Several Measures Approved By Lower House

Removal of R. W. Price of Portland as a member of the state game commission and the appointment of a successor who meets the approval of the sportsmen of the state or else the dumping of H. B. No. 198, placing the appointment of the game commission in the hands of the board of control, is being faced by Governor Pierce, who has been given until 10 o'clock this morning to make his actions known to those sponsoring the measure.

While those seeking the ouster of Mr. Price are non-committal upon his successor, it is understood that the name of William Lee, of Klamath Falls, is being mentioned for the vacant place on the board if the governor agrees to the compromise.

The measure came up for its third reading in the house yesterday but upon request of its sponsor, Representative Kirkwood, chairman of the game committee, the bill was withdrawn and is slated to come up again today.

Congestion Is Passed With a short house session in the afternoon and Speaker Burdick calling attention to more action by committees as the session is facing the usual congestion toward the close, the legislature did little of importance Tuesday.

At the opening of the session yesterday a joint memorial, deleting from the constitution of the state that section relating to suffrage by negro, mulattoes and Chinese, was adopted, while one measure, HB No. 400, by Carlin, overlooking Monday, was introduced. This measure seeks the repeal of section 4443, Oregon laws, the quarter-mile road tax yielding about \$250,000 each year.

Committee Reports A report to the governor from his special committee appointed to revive administrative laws and to submit several consolidation plans, was read and tabled. The letter said that legislation recommended was approved by the board but that the lack of available time prevented the mission from being accomplished. Members of the committee were F. J. Toole, chairman; J. P. Newell, Fred Plisk, W. H. Strayer, A. K. McMahon, L. A. Andrus and R. L. Sablin, Jr.

Bills passed by the house yesterday included HB No. 128, by Graham, permitting counties to move county highway construction equipment over state highways, the limit upon weights proving a

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RAIN IN JANUARY TWICE '24 RECORD

Precipitation Is 6.75 Against 3.54 Inches; River Continues to Rise

The average amount of rainfall for the month of January, 1925, was twice the amount for the same month during 1924, as indicated by the report of the weather man. The average for the past month was 6.75 inches, compared with the 3.54 inches which fell during 1924.

During the year 1923, however, both records were gone one better and the rainfall measured 10.17 inches for January. This is the high point year for the first month as shown by the records.

The Willamette river at Albany last night was reported to be rising steadily from 17.5 mark, and at Jefferson it was reported that the river stood at 11 feet, but has been rising since 3 o'clock in the afternoon. According to the weather reports the Willamette river at Salem will possibly reach 20 feet by Thursday. A depth of 18.1 feet, and rising, was reported for Salem.

Prison Policy Given by Governor Hartley; Reformation Is Aim

OLYMPIA, Wash., Feb. 3.—Governor Roland H. Hartley outlined today the policies of his administration on pardons and paroles.

"In dealing with those convicted of criminal offenses we must not lose sight of the humanitarian side of the question," the governor said. "Reformation of the wrongdoer should be made paramount to his punishment, but at no time should society be made to suffer nor the commission of crime encouraged by too lax use of the executive pardoning power.

"The indeterminate sentence must of necessity carry with it the parole system. Except in extraordinary cases, where evidence not available at the time of trial makes it apparent that gross injustice has been done, it will be

DEFER ACTION ON NOMINATION

Senate Postpone Confirmation of Supreme Court Justice Until Today

WASHINGTON, Feb. 3.—Action on the nomination of Attorney General Stone to be a supreme court justice was postponed today until tomorrow by the senate.

While normally nominations are considered behind closed doors, a move will be made to have action on this one in the open since the attorney general requested an open hearing before the judiciary committee on the reasons why the department of justice is bringing a new case against Senator Wheeler, democrat, Montana, in the District of Columbia courts.

Senator Cummins of the judiciary committee said he expected the nomination to be confirmed at tomorrow's session and those senators who have interposed objection to favorable action gave voice to a similar opinion.

Some discussion is expected to precede the vote, however. Senator Walsh, democrat, Montana, counsel for his colleague in the case now pending in Montana against Senator Wheeler, plans to make clear his position with respect to his protest against the presentation of a new case against his colleague in Washington instead of in his home state.

Senator Heflin, democrat, Alabama, and perhaps one or two others expect to revert to the Ownbey case which proved the first stumbling block to quick action by the senate and in which Mr. Stone appeared in the supreme court as counsel for the executors of the estate of J. Pierpont Morgan in a damage suit against Ownbey.

GERMAN TREATY WINS APPROVAL

Senate Foreign Relations Committee Reports Favorably on Policy

WASHINGTON, Feb. 3.—The German commercial treaty was favorably reported today by the senate foreign relations committee with reservations approved by the state department, which fail, however, to remove the objection which has prevented ratification of the convention for more than a year.

Under the reservations, the state department's policy against discrimination in favor of American shipping would remain in full force for at least a year, but thereafter it could be changed upon ninety days notice to Germany.

After the committee had acted, chairman Borah said the reservation left the matter of policy with congress but opponents of the treaty took the opposite view and made it plain that they would launch a fight in the senate for a specific statement that the determination of future policy should rest with congress and not with the executive department.

Some proponents of the treaty said favorable action had been taken in the committee merely to get the treaty on the floor of the senate for thrashing out of differences as to whether the door is to be closed to the stimulation of the American merchant marine through the imposition of preferential tariff duties on imports from American bottoms.

MISSING MEN ARE RESCUED, REPORT SAYS

All Members of Crew Found; Schooner Takes Aboard Captain and Eight Men Near Willapa Bar

SEVERAL VESSELS STAND BY TO GIVE ASSISTANCE

Attempt to Tow Water Logged Steamer Fail; Men Are Exhausted

PORTLAND, Ore., Feb. 3.—A message from the Algonquin reads:

"Boat with missing men from Caoba picked up by schooner Pescawha off Willapa bar. We now have Captain Sandvig and eight men aboard Algonquin. This accounts for all the crew. Algonquin proceeding to Astoria."

PORTLAND, Ore., Feb. 3.—Captain Sandvig and eight men of the crew of the steam schooner Caoba, abandoned Sunday night at sea, were rescued today by the schooner Pescawha off Willapa bar, according to a wireless received tonight from the coast guard cutter Algonquin at the North Head, Wash., radio station. The Caoba's men were later transferred to the Algonquin and were en route to Astoria.

ABERDEEN, Wash., Feb. 30.—Details of the disabling of the steam schooner Caoba, now adrift off the Columbia river, were given tonight by First Officer A. Rignall, who with nine members of the crew was picked up and brought to Grays Harbor today in an exhausted condition.

"Early Sunday afternoon when we were about 20 miles below Tillamook Rock, Ore., we discovered that our rudder shaft was cracked," Rignall said. "We worked two hours, but our efforts at repair were futile. Meanwhile, the ship was rapidly filling with water and the engine room pumps were not equal to emergency.

"We labored for nearly nine hours and the ship, battered and smashed by waves and wind, seemed doomed. Finally Captain Alfred Sandvig ordered us to the life boats. The captain, with eight men, was in one boat and myself and nine men in boat No. 2. The crew was exhausted and we just floated near the Caoba.

"Tossed by the waves, but keeping afloat by constantly bailing, we remained near the Caoba until early yesterday morning when a new wind carried us away from the Caoba. We rigged a small sail and were carried swiftly along by a southwester. We hoped to reach Grays Harbor some time this morning. We heard the whistling buoy off the bar at 4 o'clock. A big ship passed by or else they did not see our flares or took us for fishermen and not in distress.

"But with the change in tide, two more ships came in sight and stood by. One was the Anne Hanly, which picked us up and kept us aboard until the tug Cudahy arrived and took us up the harbor."

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MONMOUTH VOTES FOR SEWER SYSTEM

Vote Yesterday Was 276 in Favor of and Only 47 Against the Project

Monmouth was rejoicing last night over the result of the election there yesterday on the question of giving the city council power to issue bonds to build a complete sewer system.

The polls were open from 8 in the morning till 8 at night, and the votes in favor of giving the power were, 276, to only 47 against the proposition.

No specific amount was voted; but the majority ballot authorizes the city council to sell enough bonds from time to time to put in a complete sewer system for the city of Monmouth.

The progressive people of Monmouth are pleased with the result, as showing that the city is progressive, and a suitable place for the state normal school.

ELK SHOOTING ASKED YAKIMA, Wash., Feb. 3.—Yakima county game commissioners today voted to request the state legislature to declare an open season on elk in Yakima county.

ATTEMPTS TO RELEASE MAN SEEM IN VAIN

Supreme Effort Is Being Made to Rescue Imprisoned Miner; Human Chain Pass Dirt and Rocks

PRISONER MOTIONLESS FOR OVER 100 HOURS

Leaders in Party Collapse; Human Endurance and Fidelity Shown

CAVE CITY, Ky., Feb. 3.—(By the Associated Press).—What was considered a supreme effort was being made late tonight to rescue Floyd Collins, pinioned in Sand Cave since Friday morning.

A fresh crew of men, headed by William B. Miller, staff correspondent of the Courier Journal, Louisville, formed a human chain from the imprisoned man to the mouth of the cave and laboriously passed out sandstone scooped up by hand from around the body of the victim. It was estimated that two bushels of earth had been removed from around him late tonight, the object being to get at Collins' feet, where a boulder has held him almost motionless for more than 100 hours.

One by one the leaders of the various rescue parties have collapsed and been led or carried away under the care of physicians. The man most concerned, however, clings grimly to life, and as Miller put it "he doesn't know it, but he is playing a very, very big part in his own rescue."

Collins repeatedly asked that some one remain in the cave with him and pleaded for his chum, John Gerald, according to Nelson Jones, a miner, who was the last man to leave the cavern this afternoon. The dozen men in Jones' party made little progress between 10:30 this morning and 3:15 this afternoon in widening the cave and none of their work was done in that section nearest

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LIME INDUSTRY WANTED AT PEN

Plans for Non-Competing Industry Presented at Bureau Meeting Here

Following a meeting of the lime bureau in Salem yesterday, Sam. H. Moore, one of the proprietors of the Oregon-Corvallis Hatching at Corvallis, presented plans, by which a non-competing industry could be introduced at the state penitentiary.

Mr. Moore suggests that the high price of lime for Willamette valley farmers can be solved by the installation of lime crushing machinery at the state penitentiary.

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Klan Makes Contribution To YWCA Budget Campaign

The budget fund of the YWCA took another step forward yesterday when a total of \$500 had been subscribed. The workers have been in the field and every effort is being made to secure the full amount.

Pledges from the Womans' association of the Congregational church amounted to 125, as did the Womans' organization of the First Methodist church. Pledges were also received from the Salem chapter of the OES and a group of Salem men, who stated they were friends of the organization contributed \$19 and signed KKK.

The workers are much pleased by the showing made by the Womans' associations, which are headed by Mrs. Mark McAllister and Mrs. George H. Alden.

Purebred Livestock Men To Meet Here Next Week

The semi-annual meeting of the Oregon Purebred Livestock association will be held in Salem Tuesday, February 10, at the state house. The session will convene at 11 o'clock.

Matters of importance being considered by the legislature will be given consideration by the association. Every member who can is urged to attend the meeting.

Gjedsted Charges Called Irresponsible Muttering of Disgruntled Employee

Charles E. Gjedsted was "fired" from the staff of the adjutant general and did not "resign," it was announced yesterday by local military officers, who characterized his attack upon Brigadier General George A. White as "the irresponsible mutterings of a disgruntled clerk."

Until Monday Gjedsted was employed as a clerical assistant and 24 hours after he had been dismissed, following a probation period of several months, his "resignation" was received at the National Guard headquarters, according to records shown there.

Copies of the letter were broadcast by the ex-employee to newspapers, the governor and officers of the army. One of the principal causes of his discharge, it was

POSTAL RAISE BILL RETURNED

Infringement of Exclusive Right to Originate Revenue Laws Held

WASHINGTON, Feb. 3.—By a vote of 225 to 153, the house today sent back to the senate the postal pay and rate increase bill on the ground that the measure infringed on its exclusive right to originate revenue legislation. With the way barred to house action on this proposal, the house post office committee immediately set out to draft a salary rate bill of its own with republican leaders planning to bring it to a vote before the end of the week, if agreement can be obtained as to its provisions.

The committee went into executive session tonight with members predicting that a measure similar in its main provisions to the senate bill as it was reported from committee would receive approval in this event, leaders are pledged to give it right of way under a rule limiting debate and shutting off amendments from the floor.

Joining with Chairman Green of the ways and means committee, and Representative Garrett, the democratic leader, in urging passage of the resolution which returned the postal bill to the senate, Representative Longworth, the republican leader, said such action would pave the way for final action at this session on a salary and rate measure. He declared he favored bringing a bill to a house vote, but insisted it would have to provide more revenue than it was estimated the senate bill would raise.

"There's no use passing a bill," he told the house, "that the president won't sign."

At the White House it was made known that President Coolidge felt that rate provisions of the senate bill would yield insufficient revenue and was looking to the house to take care of this angle of the problem.

AMERICAN LEGION WILL GIVE DANCE

Attempt to Be Made to Lift Debt on Soldier Monument in Court Grounds

With the object in view of raising enough money to pay off the debt on the soldier monument in the Marion county court house grounds, the American Legion will give a dance at the Crystal Gardens, on February 14.

The amount yet to be paid is \$1320, and it is proposed to sell enough tickets to enable the debt to be taken care of. Arrangements have been made for a brilliant affair, combining a celebration of St. Valentine's day, with a Saturday night dance. The McMinnville Legion realized a sum larger than is contemplated here, by the same means, and for the same purpose.

STORY HELD FAKE

EUGENE, Or., Feb. 3.—Deputy Sheriff Earl Luckey, who investigated this morning the kidnapping story told by a 20-year-old University of Oregon girl student yesterday, has branded the story as a fake, in his opinion.

TESTIMONY IN CLEAVER PROBE COMES TO END

Report Will Be Submitted to Committee Today; Recommendations to Be Made to Legislature

PIERCE, CLEAVER, AND HERWIG ARE WITNESSES

Successor to State Day Commissioner Is Expected to Be Asked

Final taking of testimony in the joint senate and house investigation of the activities of the state prohibition enforcement law was completed at 4 o'clock Tuesday afternoon and as soon as Mr. Cleaver completes his report, which is to be submitted to the committee after the adjournment of both houses this morning, the committee will begin to formulate its report and get this in shape for presentation, together with recommendations, to the legislature. Governor Pierce, Mr. Cleaver and Mr. Herwig were the final witnesses to be heard.

Word that Mr. Cleaver had been indicted on two counts by the federal grand jury in Portland in connection with the raid upon the British steamship "London Merchant" did not reach the committee until after the session had adjourned for the day.

Recommendations Expected With Mr. Cleaver under fire from this source and from the testimony given, in all probability the committee will recommend that a successor be appointed and he be relieved from his duties as state prohibition commissioner.

Whether the law itself will be recommended for the discard and its enforcement given into the hands of the sheriffs and district attorneys of the various counties is debatable and doubtful. However, it is expected that certain alterations will be suggested by the committee, including the placing of burden of cooperation upon the prohibition commissioner and not upon the county officers.

Some new change in the division of fines and a re-allotment of the moneys may be recommended by the committee.

Two Witnesses Heard Members of the committee believe that to do away with a law already enacted, providing it is a good law, weakens the entire social system. Efforts should be devoted toward the source and distribution rather than petty cases of hip-pocket possession, it is believed.

R. I. Keator, former district attorney of Umatilla county, was recalled before the committee to state that in the last two years there had been no enforcement of the law by the sheriff and that the only enforcement was through state agents, paid by Mr. Cleaver, O. A. Kratz, city manager for Astoria, testified in favor of the prohibition commissioner regarding cooperation with state agents.

Governor Is Present Upon invitation of the committee, Governor Pierce appeared and said that he had no feeling that the committee had been disappointed to him and that he had been treated fairly. Friendly relations have marked the keynote of the investigation, though Senator Gar-

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TUESDAY IN WASHINGTON

Senator Mayfield, Texas, was seated by the senate today.

The house sent the postal pay and rate increase bill back to the senate.

New hearings were ordered by a senate committee on the McFadden national banking bill.

A federal grand jury began hearing evidence in the new proceedings in the Wheeler case.

The house foreign affairs committee approved a resolution favoring American world court adherence.

The German commercial treaty with reservations was approved by the senate foreign relations committee.

A resolution for a federal trade commission inquiry into control of the power inquiry was reported by a senate committee.