Weather — OREGON — Cloudy with occasional rain; moderate temperature; increasing southwest winds becoming strong along the coast.—Max. 62; Min. 40; River 2.5, falling; Rainfall none; Atmosphere clear; Wind southeast

The Oregon Statesman

SEVENTY-FOURTH YEAR — SALEM, OREGON, FRIDAY MORNING, APRIL 3, 1925 — PRICE FIVE CENTS

The Statesman Classified Ad offers you the utmost possible value from your expenditure. See pages 6 and 7 today. You will find here many offerings of interest as well as many wants.

ACTRESS' CASE IS BROUGHT TO DRAMATIC END

Federal Judge Orders Abrupt Halt of Trial During Testimony; Duell Declared Perjurer

ATTORNEY NOW HELD ON BOND OF $10,000

Jurist Declares Case Is "Most Outrageous" He Has Ever Tried

NEW YORK, April 2.—Federal Judge Mack today put a dramatic finish to the trial of a suit to compel Lillian Gish to make movies only for the company headed by Charles H. Duell.

The court abruptly halted the testimony of a witness, dismissed the suit, ordered grand jury proceedings aiming at Duell's indictment for perjury and further recommended that steps be taken to disbar him from practice as an attorney.

Bond Placed

Duell was ordered held in $10,000 bail for grand jury action on the court's charge of perjury, but later was released in custody of his brother.

Federal Attorney Buckner announced he would present the charge to a grand jury next week.

The court said with one or two exceptions he never had judged a case of "more flagrant, outrageous breach of trust and over reaching" or one involving "more downright perjury" than had been shown by Duell.

Insanity Ridiculed

"The only possible doubt that the court ever entertained as to the wilfulness of the perjury arose yesterday," said Judge Mack. "The doubt engendered was as to the possible sanity of any man who thought or could think he would get away with the tissues of falsehoods attempted to be perpetrated on this court in the affidavits and in the testimony. That doubt as to sanity has not, however, become a conviction of the court. The witness (Duell) in other proceedings may endeavor to establish that insanity as a defense."

Duell is president of Charles H. Duell, Inc., a motion picture company. He was head of Inspiration Pictures, Inc., with which Miss Gish signed her contract, before it went into liquidation last fall.

Duell filed a summons and complaint in federal court on January 30, seeking to enjoin Miss Gish from making moving pictures for any one but Inspiration Pictures, Inc., of which Duell was president. This company later was liquidated and Duell formed Charles H. Duell, Inc., also a motion picture concern.

RECREATION BOARD NAMED BY PIERCE

Members Will Encourage Physical Education and Serve Without Pay

Appointment of a state recreation commission was made Thursday by Governor Pierce. The purpose of the commission is to encourage recreation projects and physical education in the state. All members serve without pay.

Members of the board, who met in Salem for the first meeting yesterday, are John C. Henderson, director of the Portland community service; W. A. Kearns, athletic director, OAC; Dean John F. Bovard, University of Oregon; O. A. Kratz, city manager, Astoria; Fred Kiddle, former state commander, American legion, Island City; Miss Carin Degermark, Portland, and Marshall Dana, Portland newspaperman.

Willamette Nominates May Queen Candidates

Nomination for May Queen at Willamette University will be made this morning at the regular chapel hour. Three girls receiving the highest number of votes will be balloted upon again Friday and the one receiving the highest vote will be chosen as queen. The other two will be the maids of honor.

DOPE CACHE FOUND

SEATTLE, April 2.—Discovery of 12 five-tael tins of narcotics by a park superintendent here today in a city park led federal narcotic agents to investigate rumors that narcotic smugglers were using public parks to hide their caches. The retail value of the narcotics was $3,000.

Gerald Chapman, Most Notorious Criminal in America, Takes Stand

HARTFORD, Conn., April 2.—(By the AP.)—Gerald Chapman brought his defense against the charge of having murdered a New Britain policeman last October 12, to a climax today when he took the stand himself and matched his wits with the state's prosecutor, Hugh M. Alcorn.

The notorious prisoner spoke in low, even, unhurried tones. His eyes were fixed on his questioner most of the time but occasionally he would look directly at the jury.

Walter E. Shean, his accuser, was a criminal and an assistant of criminals from all parts of the country, he asserted. Shean, Chapman said, conducted in the storeroom of his Springfield, Mass., advertising concern, a depot for stolen goods.

Shean accused Chapman of having been his companion the night two safes were looted in a New Britain department store and Patrolman James Skelly was fatally wounded.

Shean has testified that Chapman was the policeman's slayer. Chapman denied ever having been in New Britain; admitted he had four times been convicted of crime and said he had "left" the federal prison at Atlanta "about March 26, 1923."

On cross examination, Alcorn quizzed him about the $2,400,000 New York mail robbery for which he was sent to Atlanta prison.

"I do not want to get into an argument with you about whether or not I was guilty of the holdup," Chapman answered. "It has nothing to do with this case."

Asked if he had shot at a police officer at the time he was arrested in Munice, he replied:

"I shot at someone, not knowing he was a policeman. He came up and jabbed a gun under my heart. I had something like $4,700 in my pocket, and he wasn't a very prepossessing character."

Various articles, including safe cracker's tools, ascribed to his ownership by the prosecution, he said, were owned by his associates.

SUSTENTION OF RULINGS ASKED

Motion Picture League of Oregon Seeks to Uphold Portland Censors

PORTLAND, April 2.—The Oregon motion picture league today made formal request of the Film Board of Trade to maintain eliminations and decisions of the Portland censors in all film plays distributed for exhibition in the state. The action is the outgrowth of promises made at the last session of the legislature by motion picture interests that this step would be taken if the measure designed to create a state board were defeated.

The Oregon motion picture league is composed of Portland exhibitors, as well as the managers of the branch film exchanges, and unanimous endorsement of the proposal by this organization practically assures the compliance with the request by the Film Board of Trade. The latter group is composed exclusively of managers of branch houses and film exchanges here, and their decisions are usually complied with by producers whom they represent.

Not only will the eliminations ordered by the Portland censors be sustained in all films gong out to the state, but the decisions of the board in refusing permission of some pictures to be shown here will be binding for the entire state.

AUTO ACCIDENTS ARE TABULATED

State of Washington Is Declared to Have Largest Number Per Car

WASHINGTON, April 2.—Although past studies of automobile accidents for the country as a whole indicated that while there were more automobiles there were fewer accidents, this condition does not hold true in Washington state, the bureau of public roads disclosed today in making public a statistical review of highway mishaps in Washington, Oregon and Montana.

Washington with more registered automobiles than either Montana or Oregon, had more accidents per 1,000 cars. Montana had the smallest ratio of accidents.

The bureau, using newspaper accounts of accidents, listed 1,606 in the three states. Faulty operation by drivers was given as the cause in 1020 cases; faulty highway conditions in 214 cases, and faults of others than drivers in 191 cases.

Oregon Debate Team Loses To Washington University

EUGENE, Or., April 2.—The University of Washington negative and affirmative teams were victorious over the University of Oregon affirmative and negative teams by a two to one decision in the women's debate held tonight on the Oregon campus and three to nothing in the contest at Seattle.

Aline Buster and Frances Cherry, representing Oregon, debated here against Adeline Burrus and Dorothy Thomas Thomas George of Washington on the question, "Resolved That the proposed child labor amendment should be made a part of the federal constitution."

DODGE ESTATE TAX IS LARGE

Heirs to Motor Company Must Pay Over Twelve Million Dollars

DETROIT, Mich., April 2.—Heirs of Horace E. and John F. Dodge will owe the United States about $12,000,000 in taxes, the Detroit Free Press in discussing the amount the government may secure from the sale of the automobile plant to interests represented by Dillon, Read & Co., New York bankers.

In arriving at the amount of the tax, the sale price is placed at $12,000,000 and the value of the property when the heirs became owners of it in 1920 at $54,000,000. The paper states it is confirmed by revenue collectors that the present owners are responsible for the tax only from the time the property came into their possession. The tax is 12½ per cent, which figured roughly on $98,000,000 amounts to twelve and a half million dollars. The paper also states that the agreement providing for the transfer has been signed and that the payment will be in cash.

SHEPHERD LOSES IN BAIL FIGHTS

Attempt to Obtain Release Defeated; Defense Objections Are Strong

CHICAGO, April 2.—William D. Shepherd, foster father of William Nelson McClintock, millionaire orphan, and under indictment for murder in connection with McClintock's death, today lost two more efforts to gain his release on bond.

Decisively defeated in an effort to get their client out of jail on an order by Chief Justice Jacob Hopkins of the criminal court, Shepherd's attorneys made another attempt to gain his release later in the day by shifting the fight to another court and missed again.

After Judge Hopkins had refused to release Shepherd following the presentation by defense attorneys of a number of affidavits, William Scott Stewart, chief of counsel for Shepherd, sent a notice to George E. Gorman, assistant state's attorney, that he would go before Judge William Brothers tomorrow and renew his demand for bail. Mr. Gorman, however, refused to accept service, maintaining that the chief justice had charge of all the arrangements in the case, unless that official assigned it to another judge.

Silverton Dog Mistakes Poison for Drinking Water

SILVERTON, April 2.—(Special to The Statesman.)—Curiosity is not confined to the cat family entirely. It very nearly proved fatal to Patsy, the spaniel belonging to George Hauge.

Patsy, while investigating the hen house discovered poison which had not been placed there for her. However, she tasted it and made at once for the water. When Mrs. Esther Weaver, a sister of Mr. Hauge, saw the dog drinking she at once thought of the rat poison. By quick work the dog was saved.

Patsy came into prominence at Silverton last year when she gave birth to 13 bob-tailed puppies.

PERU-CHILEAN AWARD GIVEN TO EMBASSIES

Coolidge Completes Report On Tacna-Arica Arbitration; Message Sent to State Department

CONTENTS OF MEMORIAL ARE NOT MADE PUBLIC

Copies of Paper Are Delivered to Peruvian and Chilean Legates

WASHINGTON, April 2—The expected Peruvian communication relating to the Tacna-Arica arbitration award by President Coolidge was delivered late today at the state department. No statement was forthcoming either at the department or the Peruvian embassy as to its contents except the admission that it did have to do with the award.

Protection is Aim

From other sources it was learned that the communication, which is in the form of a memorial addressed to the arbitrator, makes several requests looking to greater protection and extension of the rights of Peruvian nationals to vote in the plebiscite which is to determine sovereignty of the two provinces under the award.

A duplicate copy of the award was provided for transmission to the Chilean government and it is understood to be at least intimated in the communication taat unless these additional safeguards are provided, the Peruvian government would find it difficult if not impossible to participate in the plebiscite.

Troops May Be Asked

Among the steps the president is asked to take is the replacement of Chilean military and police authorities in Tacna-Arice, preferably with American troops or marines. Should this action be undesirable the American government, however, the way is left open for establishment of a native constabulary in the two provinces to supplant the Chilean troops and police forces.

Another point taken up is the question of the right of Peruvians not now resident in the two territories to cast their baliots in the blepiscite. The award makes only those nationals of either Peru or Chile who are now resident in the disputed territory or who are natives of that territory eligible for registration for the plebiscite. The Peruvian government contends that Peruvians who resided in the territory for a period of five years and were subsequently expelled by the Chilean authorities should be granted the right to vote in the plebiscite.

SALEM HIGH WINS IN SECOND GAME

High School Team Wins From Nevada By Score 29 to 18; Game Fast

CHICAGO, April 2.—A Wichita, Kan., high school basketball team was the favorite when half of the third round in the national interschoolastic championship basketball tournament has been played late this afternoon. The Kansas victory over Yankton, S. D., last year's runner-up, put them in the front ranks of the contenders in the tournament being conducted by the University of Chicago.

Louisville, Ky., also was regarded by many as a champion probability. The Laramie, Wyo., team was defeated, Durham, N. C., meets the Wichita team in the fourth round tomorrow.

Consolation games, although not counting in championship provided good basketball today with Franklin high school of Portland, Ore., the best team, surviving two rounds, first defeating Salem, S. D. and then Rupert, Idaho. Salem, Oregon, defeated Tonapa, Nev., by a score of 29 to 18, in a fast game in which the Salem boys starred.

Chemawa Indians Play Franklin High Today

The Chemawa Indians are to travel to Portland this afternoon to meet the Franklin high school in a baseball contest, which promises to be a live one. Last week the Portland players were at Chemawa, but due to a heavy thunder and rain storm the game was called during the third inning. The score stood even, and indications were that the Indians would have scored a victory.

GIRL TESTIFIES IN HEARING OF INSANITY CASE

Details of Early Morning Party Following Killing of Mother Told By Dorothy's Friend

DEFENSE PAVE WAY FOR ALIENIST'S TESTIMONY

Dorothy Ellingson Listens Stoically to Recital of Witnesses

SAN FRANCISCO, April 2.—The "Dance Macabre" with which 17-year-old Dorothy Ellingson whiled away the night after she had shot her mother last January 13, was detailed in superior court here this afternoon by Catherine Mossman, testifying at the sanity hearing of the child matricide.

Miss Mossman told of the party that she and Dorothy Ellingson and other girls and young men attended. They danced far into the night, recalled the witness; there was whiskey and revelry.

"Dorothy was gay," she added.

Friends Are Witnesses

The girl on trial watched narrowly her old playmate at jazz parties and occasionally whispered some comment to the jail matron. But throughout today's sessions, which included the testimony of her father and that of police into the circumstances surrounding the death of her mother the girl listened stoically. It was the first day since her trial started March 23 that she got through without fainting. Several times she was agitated and the matron leaned over her with smelling salts but for every recess she left the court room without assistance.

Alienists to Testify

The defense built up today most of the preliminary testimony on which it will base questions to alienists, expected to testify tomorrow. During the day the defense, using witnesses whom the prosecution had called for the interrupted murder trial established a chain of circumstances indicating that the girl had killed her mother, as charged. Furthermore her signed confession to the police was placed in evidence. Defense counsel explained to the court that this was part of the evidence of the defendant's insanity.

Corporal of Detectives McDaniels described his interrogation of the girl when she was arrested two days after her mother's deoth. He said they had talked for a time and finally she burst out:

"I could shoot him!"

He asked her whom she meant, and she said "Jimmy Lamare, a hop-head."

"He killed my mother," the detective quoted her as saying. He added that they sent a man to an address she named and they failed to find "Jimmy." She confessed that it was she who killed her mother.

The defendant's father, Joseph Ellingson, described the girl's life, touching on sordid features that he learned of when she was at an early age. He said that shortly before her birth her mother came into his room and tried to choke him and had been in a serious state of hysteria.

He said he considered the girl insane, basing his belief on her deed and her actions since. On a recent occasion when he and her attorneys visited her he testified "she went into a raving fit and was a mad person.

LIVESTOCK BAN MAY BE LIFTED

Board to Discuss Matter Today; California Representative Is Here

Discussion of the removal of the hoof and mouth disease quarantine, imposed about a year ago on livestock shipments from California, will be a feature of the state livestock sanitary board today.

Requests that the quarantine be lifeted has been made of Governor Pierce, W. H. Lytle, state veternarian and C. A. Park, president of the state board of horticulture, by R. N. Wilson, representing Governor Richardson, of California.

There has been no appearance of the disease among domestic animals since last October, according to Mr. Wilson. The disease has been practically eliminated among the deer and other states have lifted the quarantine.

The livestock board adopted a resolution about a week ago asking the governor not to lift the quarantine.

General Stimulus Is Felt in Agriculture; Outlook Much Brighter

WASHINGTON, April 2.—This is the "first spring in five years with any evidence of general stimulus in agriculture," the bureau of agricultural economics declared today in a report on the situation.

"There are no big agricultural surpluses except in cattle," the report said, "and judging from the lessened population movement, an increased number of farmers apparently feel it financially safe to stay on the farms this spring.

"Returning strength in livestock prices is the most impressive of all the general signs," it declared. "Except for the cattle industry, wherein the numbers on feed have for two years tended to obscure the liquidation in actual breeding stock, agriculture has obviously emptied its surplusses of the major crops and animals.

"Over the country as a whole, reports indicate that farmers have not gone into action so hopefully in five years."

Reviewing its recent intentions-to-plant report, which indicated that farmers contemplated increased acreages of important crops, the bureau repeated its warning that "it seems doubtful if the general expansion of production contemplated by farmers would be to their best interests.

"The indicated purchasing power of the important crops tended higher in February," the report stated. "The key livestock products practically stood still except in case of eggs and butter, which lost ground, under the rapid advance of grain prices, though the winter left certain livestock products in relatively weak position as to purchasing power. This has been especially true of dairy and poultry products having reached a point such as to discourage production of the latter, although recent developments indicate an upward trend."

BULL PUPS NOT BABIES WANTED

Poling Holds American Home Responsible for Moral Condition of Society

"The American home must be held responsible for the moral condition of society. What's wrong with human society? But the world is badly off, we all well know. Some lay this to a wrong kind of politics; some to an inadequate system of education, and others to the church delinquent in its duty. But, above all other institutions, the homes of human society are most responsible."

These were the remarks of Rev. Charles Poling last night at the First Presbyterian church in his sermon on "Home."

"Come home with me and refresh thyself," from I Kings, 13:7, were the words of Mr. Poling's text.

"Bull pups and long-whiskered tom cats are more welcome around some apartment houses houses than prattling and playing children," said the speaker. 'And heaven have mercy upon us that we have come to this!"

The regular 3 o'clock meeting at the First Evangelical church will not be held today. Rev. Mr. Poling will speak at 7:30 p. m. at the First Presbyterian church.

BANDITS' ARSENAL RAIDED BY POLICE

Five Men and Girl Held for Murders in Western States; Guns Found

PHILADELPHIA, April 2—Five men and a girl, arrested here today as alleged highway robbers, were held without bail tonight, charged with the murder of a federal agent in Seattle, Wash., in a fight over bootleg rum, on warrants sworn out by the government.

The prisoners, who gave their names as John Bricker, Thomas H. Miller, Joseph Curry, Harry Green, Jacob Diamond and May Vaughan, were taken in a raid on a house described by the police as a "bandit's arsenal."

In the place the authorities said they found sawed-off shotguns, pistols of all sizes and calibers, and hundreds of rounds of ammunition.

Police said they found letters in May Vaughan's possession linking the prisoner with the Seattle killing and also with other crimes on the Pacific coast. When Director of Public Safety Butler learned that an effort was being made to obtain their release on writs of habeas corpus he notified the department of justice in Washington who in turn notified the local federal authorities to swear out warrants charging them with the west coast murder.

Olympic Wrestling Champ On Mat at Albany Tonight

Robin Reed, world Olympic champion, who has never lost a match, will tangle with Johnny Maurus of San Francisco in a wrestling match at Albany tonight for the best two out of three falls. Reed has been unable to secure any matches in the Pacific northwest because of the lack of contenders to meet him. Maurus has been wrestling instructor at the Olympic Club in the Bay city and has never been defeated. The match is being sponsored by the Babcock Post of the American Legion.

ITALIAN SENATE STAGES UPROAR

Pugilistic Tendency Culminates in Duel; Events Moving Rapidly

ROME, April 2—(By The Associated Press)—Important events departed almost simultaneously in both houses of the Italian parliament today—a pugilistic incident in the chamber afterward culminating in a challenge to a duel, and postponement by the senate vote on War Minister General Di Giorgio's army reform bill. The successful passage of the army bill appeared threatened by strong criticisms from Italy's most prominent military leaders and postponement of the vote was had on request of Premier Mussolini.

The uproar in the chamber was caused by the charge made by Deputy Viola that the government had concentrated black shirts on the occasion of the recent election in the caserta commune for the purpose of intimidating voters opposed to the fascisti candidates. Ths charge led to an exchage of blows between Viola and the fascist deputy, Bottal, and Bottal thereupon challenged Viola to a duel.

Numerous other deputies, including Farinacci, secretary general of the fascist party and some of the communists, and the sergeant at arms had trouble in separating the combatants.

1000 MEMBERS IS GOAL OF LEGION

Capital Post Offers Free Trip to State Convention as Big Prize

Capital Post No. 9 of the American Legion have set their membership mark at 1000 and plan to reach it by their next campaign, according to reports made by Charles Goodwin, adjutant.

As an incentive to the recruiting Legionairs, the first five men who bring in the greatest number of new members will be given a free trip to the state convention of the American Legion at Prineville next summer.

Already interest is running high and from all indications this campaign will place the Salem post well towards the top in the matter of membership. Only one other post in the district is far ahead of them, but the local post has the best record in the matter of percentage credits. The post meets Monday night.

Judge Ben Lindsey's Lead In Race for Bench Reduced

DENVER, Colo., April 2.—Judge Ben B. Lindsey, Denver's nationally known juvenile jurist, tonight sits unsecurely upon the bench seat he has occupied bore than 20 years as a result of a partial recount of the vote cast in the elections last November.

When court closed tonight, Judge Lindsey's original majority of 117 votes by which he was returned to office over Royal B. Graham, republican and acknowledged klansman, had been reduced to a bare ten votes.

A recount in certain precincts was ordered after witnesses testified to fraud, which is alleged in Graham's contesting suit.

The "kiddies' judge" tonight issued a statement again charging the Ku Klux Klan with machinations aimed at his legal head.

DEBT PAYMENT AGAIN ASSURED US BY FRANCE

Large Increase in Circulation of Paper Money Declared By Government Not Due to Inflation

FINANCE MINISTER SAYS WAR DEBT WILL BE PAID

"Old Fraternity of Arms" Is Not Forgotten, Clementel States

PARIS, April 2—(By The Associated Press)—The upper house of the French parliament was officially informed this afternoon of the impending increase in the circulation of paper money, an increase which the government insistently declares is not inflation.

Finance minister Clementel explaining the government program for the solution of the French financial difficulties touches only vaguely upon the different projects in view and in this respect the senate was visibly disappointed.

Stand is Explained

However, he made it clear that the government realizes the necessity of an early funding of war debts. Once again he declared that France will pay.

"Americans know we mean to pay," he said. "We have so assured Mr. Hughes and Secretary of State Kellogg. We have found in considering the matter with them that the old fraternity of arms has not been forgotten and we are on the road to a satisfactory arrangement."

The explanation for his lack of precision regarding the financial program was found during the afternoon, however, when it became known the socialist wing of Premier Herriot's majority had set a delegation to the premier this morning to express dissatisfaction of the group with the projects as announced in yesterday evening's official communication.

Socialists Against Tax

The socialists demanded that the government substitute a capital levy for the increased taxation project outlined. The group did not veto increased circulation but declared that it could not vote for it, or vote for an amendment budget, when it comes back from the senate, unless the social reforms incorporated in it by the chamber were left virtually intact, and unless the new proposed taxation was replaced by a capital levy.

Consequently M. Clementel was obliged to tack around these dangerous points involved in the government program.

WOMAN IS KILLED WHEN TEAM BREAKS

Driver of Stage Probably Fatally Injured When Horses Leave Road

BAKER, Ore., April 2.—A woman was killed, a man injured, probably fatally, and two little girls badly bruised when the horses of the Half Way-Cornucopia stage ran away at a point about 40 miles northeast of Baker today.

The horses became frightened and broke away. Bruce Cameron, the driver, was hurled beneath the wheels of the stage which passed over his body. Mrs. Clara Canahan, postmistress of Carson, Ore., was thrown upon the brake rod, which penetrated her thigh. She was dragged for a considerable distance and died shortly afterwards.

THURSDAY IN WASHINGTON

An effort to postpone consummation of the sale of the five president ships was blocked in a shipping board meeting.

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Agitation was revived for action by the United States to hasten funding of remaining war debts, particularly that of France.

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The treasury announced that March tax payments totaled $432,000,000—within one-half of one per cent of preliminary estimates.

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The National Geographic society announced plans for a five-year study of solar heat with a view to long range weather forecasting.

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The navy department denied that the return here of Rear Admiral Charles E. Hughes had any significance in connection with the fleet maneuvers.