

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, WEDNESDAY MORNING, JUNE 17, 1925

PRICE FIVE CENTS

ATTACK LAUNCHED AGAINST SENATOR

Legality of Beals' Place On Fish Commission is Questioned by Koser

OPINION BEING SOUGHT

Secretary of State Writes to Attorney General Regarding the Validity of Claims Presented

Question of the legality of the appointment of A. G. Beals to the fish commission by Governor Walter M. Pierce on June 1 to succeed F. P. Kendall, of Portland, is raised by Secretary of State Koser who has written the attorney general for an opinion.

"The records and files of the office of the secretary of state show that A. G. Beals, of Tillamook county, was duly elected state senator from the 24th district in the November 1924 election and that on November 29, 1924, a certificate of election was issued," the letter reads. "On February 20, 1925, said A. G. Beals received from the state a warrant for \$171.30 in payment for services and mileage as a member of the 33rd legislative assembly.

"It is provided in Sec. 10 of Art. 2, that 'No person holding a lucrative office or appointment under the United States or under this state shall be eligible to a seat in the legislative assembly; nor shall any person hold more than one lucrative office at the same time except as in this constitution expressly permitted'. Further, under Sec. 1, Art. 3, 'the powers of the government shall be divided into three separate departments—legislative, executive and judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another, except as is expressly provided.'"

Members of the fish commission receive no compensation for services except a per diem of \$5 for each member for every day in actual attendance at meetings of the commission or in execution of the duties of their position. It is pointed out by Secretary of State Koser. In no instance, under the law, shall any member of the fish commission receive as salary or per diem a sum in excess of \$200 in any one year, and the members of the commission shall be allowed necessary traveling expenses.

Secretary of State Koser asks for a ruling on the duties of his office in regard to payment upon presentation of claims incurred and approved by the fish commission where the name of A. G. Beals may appear or in the event a claim is presented by Senator Beals for per diem either in attendance at meetings or execution of the duties of his office.

CAILLAUX TO GET ACTION

FRENCH MINISTER OF FINANCE WILL FORCE APPROVAL

PARIS, June 16.—(By The Associated Press).—M. Caillaux, minister of finance, informed the finance committee of the chamber of deputies today he was willing to fight the financial-economic battle along his own lines if it took all summer. He held out the threat of an uninterrupted session of parliament throughout the torrid summer months unless the 1925 budget was voted before the end of June and his bill for the restoration of the French treasury, included additional taxation of 3,000,000,000 francs was passed. M. Caillaux intimated plainly that unless the chamber was disposed to give the government its confidence, he would give some one else the opportunity to work out France's financial salvation.

MEXICO REMAINS FIRM

CHANGE OF POLICY IS DENIED BY PRESIDENT CALLES

MEXICO CITY, June 16.—(By The Associated Press).—President Calles in a statement issued this evening said that Mexico would not modify her agrarian policy. The statement was issued to deny reports that Mexico intended to change these policies because of the recent statement of Secretary of State Kellogg.

"Modification of our agrarian policy," said the statement, "would imply repudiation of principles heretofore stated, as well as treason to their supporters. The government's agrarian policy is sanctioned by law and besides it satisfies the people's aspirations."

SCHOOL BUDGET GIVES STANDING OF DISTRICT

RECEIPTS ARE \$647,099 AND EXPENSES \$644,910

Ten Percent of Remaining Indebtedness is Now Being Paid Off Each Year

The budget for school district No. 24 for 1924-25, compiled by W. H. Burghardt, clerk shows expenditures of \$646,910.63 and receipts amounting to \$647,099.51 with a current indebtedness of \$3500 against \$33,000 at the close of school a year ago. Amounts borrowed and later paid back swelled the sums involved.

Bonded indebtedness of the district at present is \$284,850. Only \$220,000 of the \$500,000 bond-issued authorized two years ago has been expended leaving \$180,000 that can be used by the board without a new issue. The money spent was divided between the addition to the high school, \$100,000 and the new J. L. Parrish Junior high school, opened last fall, at a cost of \$220,000.

Ten percent of the indebtedness is being paid off at the rate of \$22,000 on the Parrish building and \$10,000 on the high school annex. In addition \$10,000 is being paid annually on old bonds, amounting to approximately \$100,000 at present.

Excluding payments for borrowed money, the total expenditures for educational purposes in Salem during the school year which just closed amounted to \$449,785.63. The schools completed a highly satisfactory year with many significant honors won by students in a variety of activities, both scholastic and athletic.

CRIME SAID ADMITTED

WITNESS DECLARES DEFENDANT CONFESSED MURDER

TACOMA, June 16.—(By Associated Press).—E. Lupori, countryman and former friend to Gino Spadoni on the witness stand in superior court this afternoon testified that on the day following the murder of Harry Hellen on March 11, 1921, Spadoni admitted to him that he killed Hellen for discharging him from his job at the Griffin wheel works, of which Hellen was assistant superintendent. The trial of Spadoni on a charge of first degree murder for the Hellen crime was begun yesterday by Govnor Teats.

On cross examination, Attorney S. A. Gagliardi, who is defending Spadoni attempted to lay a foundation to impeach Lupori as a witness and also Detective E. J. Nix of the local police department who preceded him on the stand. Nix was in charge of the investigation of the Hellen murder from the time it occurred until Spadoni was taken into custody in San Francisco early in the spring.

Following Lupori on the stand was Camilla Lupori, his wife, whose testimony in part tended to corroborate that given by her husband.

Thomas F. Reagan, San Francisco police officer who arrested Spadoni in the bay city on a telegraphed warrant from Tacoma, was called to the stand and identified a bowie knife, revolver, shotgun, several cans of black powder and boxes of cartridges that were found in Spadoni's possession at the time he was arrested.

TRIP TO POLE STARTED

MACMILLAN GIVEN FAREWELL BY NAVY SECRETARY

BOSTON, June 16.—(By Associated Press).—A word of farewell from Secretary of the Navy Wilbur to Commander Donald B. MacMillan who will set out from Boston tomorrow for Wiscasset, Me., on the first leg of his ninth journey into the Arctic regions, was transmitted to the explorer today by Theodore D. Robinson, assistant secretary of the navy. It was:

"Goodbye; good luck, and come back safely."

As principal speaker at a luncheon tendered to MacMillan by the Boston City club, the assistant secretary of the navy said the MacMillan expedition had "fired his imagination."

"Most people think that the navy is a war institution only, but it is something more," he said. "The navy is a guarantee of a step forward in every direction. We do not feel that we have sacrificed any of our personnel, for Commander MacMillan has a fine record as a leader and a splendid knowledge of conditions in the Arctic regions. We expect success and a safe return for the entire party, but if they do not come back the navy will find them, with luck."

POLICE SEEK NEW ANGLE IN MURDER

Deaths of Other Women Associates Being Investigated by Officials

WOMAN IS MENTIONED

Female Accomplice to Wife Murderer Hinted at in Testimony; Young is Now Indicted For Death

LOS ANGELES, June 16.—(By The Associated Press).—A young and handsome woman, thought to be an accomplice to the murder of Mrs. Grace Young, widow of the late Patrick Grogan, millionaire "olive king," to which her husband, Dr. Thomas W. Young, dentist, has confessed; a small fortune in bonds and jewels and an investigation into alleged deaths of other women with whom Young is said to have been associated, substantiated the angles on the crime here today.

While the tangled skein was being traced out, county grand jury indicted Young for the murder of his wife, February 21, last, charging him with asphyxiating her with a lethal gas, dumping the body in a cistern beneath their Beverly Glen cabin home and later sealing the crypt with concrete, unwittingly mixed by the dead woman's 18 year old son, Patrick Grogan, Jr., heir to the Grogan fortune.

The accused man appeared for arraignment maintaining the calm attitude which marked his confession, identification of the woman's body and appearance before the grand jury, although he did not

SOIL PHYSICS DISCUSSED

SCIENTISTS MEET IN PORTLAND CONVENTION TODAY

PORTLAND, June 16.—The summer session of the American Association for the Advancement of Science in conjunction with the ninth annual convention of the Pacific division of the organization open formally here tomorrow. Several hundred delegates, prominent in scientific realms will attend.

The western society of soil management and plant nutrition held its sessions today, but this was only a preliminary session and is in advance of the scheduled business. Sessions opened with the presentation of a series of seven papers dealing with soil physics. Nine papers on the subject of plant nutrition comprised the afternoon program. The annual banquet and business meeting of the society was held tonight.

WHITNEY LEADS RACE NEWARK, N. J., June 16.—Report of 2,776 in the state for the turns from 1,672 election districts republican nomination for governor give: Doremus 25,442; McCran 56,213; Whitney 72,567.

FOUR DEAF STUDENTS WILL STUDY IN EAST

UNUSUAL RECORD ESTABLISHED BY STATE SCHOOL

Five Oregonians Will be Enrolled on Gallaudet College Roster in Fall

Establishing what is declared to be an unusual record, four members of the graduating class of eight at the state deaf school took the entrance examination for Gallaudet college in Washington, D. C., and all four were successful in having their names enrolled for the coming term. Oregon already has one student at the school, the only college for the deaf in the world, and which offers a five-year college course.

Those gaining admittance to the university are Hilda Hughes of Salem, Theodore Brickley of Brooks, Alice Campbell and Lois Palmer, both of Portland.

According to O. L. McIntyre, superintendent of the deaf school, the Oregon institution has set a record which is seldom equaled by any other state. Gallaudet college has an enrollment of approximately 200 students, or an average of about four for each state, leaving out of consideration the inequality of the division of population. With five students from Oregon, this ranks as one of the highest in the education of the deaf.

Under a new statute passed by the last legislature, the state of Oregon appropriated \$400 for the expenses of each student going to Gallaudet college for higher studies.

WRECK DELAYS TRAIN

CRACK LIMITED DERAILED BY BROKEN WHEELS

HARRISBURG, Pa., June 16.—A cylinder head, blown from the locomotive of the Broadway limited westbound Pennsylvania railroad express tonight derailed the pony wheels of the Quaker City express, eastbound, as the fliers were passing each other at Shawnee, two miles east of Lewistown. The cylinder head struck the pony wheels and forced them from the track, but the driving wheels of the Quaker City's engine were not derailed. The tender of the locomotive, however, dropped to the roadbed and tore into the ties between the rails. The Quaker City express was delayed more than two hours until a wrecking crew repaired the damage. The Broadway limited was held up for more than an hour until a new engine arrived.

CONGRESS GENEROUS WITH AID FOR STATE

HALF OF LAND ALREADY UNDER FEDERAL CONTROL

Senator McNary Says Oregon Could Forego Appropriation if Tax Possible

While congress was generous in the amount appropriated to assist in the development of Oregon, this was no more than right for nearly one-half of the area of the state is controlled by the government which deprives the state of any revenue from taxation, United States Senator Charles L. McNary said Tuesday. Senator McNary has just returned from Washington, D. C.

"If the people of Oregon could tax its largest land owner, the federal government, in my opinion they would be willing to forego the aid they now receive, which is far less than the state and counties would receive if the land was under private ownership and, of course, subject to the burden of taxation," Senator McNary stated.

Failure of the government to proceed with the submarine base at Tongue Point has not been fair to Clatsop county, Senator McNary said. Continuous appeals to the navy department will, eventually, bring about the proposed construction, he believes. Clatsop county provided \$100,000 for the base with the understanding that the government would spend in excess of \$1,000,000 on the development.

Vice President Dawes is given credit for being sincere in his efforts to have the senate revise its rules, but says that the senate has what is being sought, namely, a rule which does suppress debate when once invoked. There can be no great issue created out of his desire to modify the rules, Senator McNary said.

ESTATE WILL BE SPLIT

Legacy Left to William Shepherd by "Millionaire Orphan" is to be Contested in Court by Heirs

CHICAGO, June 16.—(By The Associated Press).—William Darling Shepherd's trial for the murder of William Nelson McClintock, is the precursor of a suit to break the youths' will which made Shepherd a millionaire. Miss Isabelle Pope, who was affianced to the "orphan millionaire," admitted on cross examination today.

The slender, young brunette, who walked with a marriage license while "Billy" died, testified she had agreed with Iowa, cousins of the boy's mother to divide the estate 50-50 in the event the will were broken.

Mrs. Julie Shepherd, for 16 years young McClintock's foster mother, was considered in the agreement, Miss Pope naively admitted, because it was not believed that she was "implicated in this."

The portion which would be set aside for the woman who mothered the boy but was not mentioned in his will would be a tenth, of \$100,000.

Except for an \$8,000 annuity to Miss Pope, the entire estate was willed to Shepherd.

Completing her direct testimony Miss Pope talked again of the change in the Shepherds' attitude toward her after they learned of her engagement to be married to "Billy," told of Shepherd having informed her he had studied about "typhoid and germs," and testified of others in the party at which young McClintock is held by the defense to have eaten typhoid-carrying oysters, suffered no ill effects.

Upon cross-examination the young woman identified passages in numerous letters she had written to "Billy" in which she said that she was enjoying visits with the Shepherds and that they were "darling" to her.

Later Miss Pope admitted the Shepherds had remarked that upon her marriage to "Billy" they would raise a daughter, and not lose a son; that Mrs. Shepherd had telephoned her an acknowledgment of the betrothal announcement.

William Scott Stewart, chief of defense counsel, sought to show that she was enjoying visits with the Shepherds and that his interest in typhoid had been aroused by the participation of his brother, a physician in the typhoid epidemic, during the Spanish-American war.

During the reading of portions of her love letters to Billy, Miss Pope was near tears this afternoon, but regained her composure and continued to answer questions in a smooth, low tone.

MACCABEE TOUR TO END

LADIES AND KNIGHTS GATHER IN SALEM JUNE 20

The conclusion of the great Macabee Auto campaign for Oregon will be held at the state fair grounds in Salem on Saturday, June 20, when Ladies and Sir Knights will gather from all over Oregon in a big picnic and public initiation. A class of 50 candidates will receive the full degree work exemplified by the teams of Tents No. 1 and No. 17 of Portland. Over 20 of the candidates will be furnished by Santiam Tent No. 90 of Mill City.

The lunch will be served at 6 p. m. and is free to all in attendance and will be held over for those unable to arrive early. At 7 p. m. a parade led by the state training school band will be given over the leading streets of Salem and will be participated in by the degree teams and the lady guards from Portland followed by the attendant autos. At 8:30 the initiation will be held open to all in attendance and the degrees will be conferred in the very best possible manner in the spacious auditorium of the stadium. Preceding the degree work the Rose City Guards will give their famous drill which was one of the outstanding features of the recent state convention of the ladies in Portland.

BREAKING OF WILL TO BE ATTEMPTED

Isabelle Pope, Young McClintock's Sweetheart, Makes Admission

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GANGSTERS OPEN WAR

OFFICER IS FIRED ON IN CORRIDOR OF CITY HALL

CHICAGO, June 16.—(By The Associated Press).—Warfare between Chicago gangsters and Chicago policemen which started last week with the shooting of five policemen, tonight was carried into the city hall when an unidentified man appeared at the office of Robert E. Crowe, state's attorney, and fired pointblank at Sergeant Elbert Curran, attached to the state's attorney's staff.

Curran was not hit and the man escaped after Curran had fired several shots at him as he fled.

A few minutes afterward, every door in the county building was guarded and for an hour gun squads searched the building for the man.

Yesterday Sergeant Curran received a telephone call from a man who, in broken English, said Sergeant William Sweeney, "the policeman who shot and killed" Michael Genna, notorious gangster, last Saturday after Genna's gang had shot two policemen and wounded a third, would be killed tomorrow.

A few minutes afterward, every door in the county building was guarded and for an hour gun squads searched the building for the man.

CHINESE SITUATION IS WORRYING US OFFICIALS

HOPE HELD THAT AMERICANS WILL NOT BE THREATENED

Note to Chinese Embassy is Not Now Contemplated by US Department

WASHINGTON, June 16.—(By Associated Press).—Continued uneasiness over the security of foreigners in China was manifest in the summary of official advice made public at the state department today but no case of an attack on American citizens has yet been reported requiring action by the Washington authorities.

On the contrary a report from Charge Mayer at Peking that representatives of Chinese student groups had requested American assistance in seeing that justice was done in that case, inclined officials to increased hopefulness that the anti-foreign outbreak would not develop into a movement which threatened American lives. There was no word available here to show the Chinese situation had engaged the attention of the cabinet extensively at its meeting today. It was said at the department that no note to the Chinese provisional government in Peking was contemplated. In the absence of direct word from cabinet circles, however, a telegram made public by Chairman Borah of the senate foreign relations committee, declaring he favored "withdrawal of extra territorial rights in China as speedily as practicable" took on special significance.

The telegram which was a reply to a protest from an American citizen whose name the senator did not disclose stated that, serious as the situation in China might be, it did not arise from "acts or promises of the United States," and that he saw no reason why the Washington government should be drawn into controversies of other powers or with the Chinese authorities or people.

Mr. Borah's attitude was regarded in some quarters as representing the views of the administration.

State department officials were disinclined to comment on the senator's views as to "extra territoriality in the absence of more complete understanding which he intended to suggest.

It is recalled, however, that Jacob Gould Schurman, in an address some months ago to an American commercial body in Tientsin, while he was minister to China, drew critical rejoinders from certain American groups in China by urging that it should be possible to relinquish special rights if that nation adopted a modernized judicial code which foreigners could understand.

The chief difficulty about the present Chinese situation, other than the menace of a possible event pressing against foreigners, is that the student movement for revoking the special treaty rights of foreigners is not based on a constructive campaign of stabilization of government and legal practices.

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MAY DEPORT CHINESE

25 SAILORS QUESTIONED BY IMMIGRATION OFFICERS

TACOMA, June 16.—Twenty-five Chinese sailors from the steamer City of Vancouver, are in the city jail tonight awaiting decision from immigration authorities on their status after attempting to leave the ship today. They declared that they had signed for 18 months and that they would not go back to the ship unless their monthly salary of \$12 in American money was increased.

35 DIE WHEN TRAIN CRASHES; 68 HURT

Four Passenger Coaches Filled With Immigrants Pile Up in Divide

SLIDE COVERS TRACKS

Passengers on Way to Visit Native Land Meet Death in Terrible Smashup; Cars Telescoped

HACKETTSTOWN, N. J., June 16.—(By The Associated Press).—Thirty five are dead, 33 in a critical condition and at least 35 more are suffering from injuries received early today when four cars and the engine of a seven car special train on the Delaware, Lackawanna & Western railroad were derailed and piled up on one another at Rockport Sag, two miles west of here.

One hundred and eighty two persons, immigrants of a former day, who had become prosperous in the great corn belt, on their way to visit home lands across the sea, were on the train.

A violent thunderstorm washed gravel over the tracks at the Rockport crossing into which the train plunged as it gained momentum for the rise ahead.

Two day coaches and a Pullman were piled up on top of the engine as it toppled over when it struck a switch after plowing over ties. One other Pullman car was derailed and three remained upright.

By automobile, special train and ambulance the injured were taken to hospitals at Easton, Penn., Phillipsburg, Morristown and Dover, N. J.

The homes of all except the train crew are in Chicago and vicinity. Awakened by the crash, Mrs. Duncan Dunn, who lives about 500 yards distant, communicated with Hackettstown over badly crippled wires, arousing physicians who in turn sent emergency calls to surrounding hospitals.

EASTON, Penn., June 16.—(By The Associated Press).—Two separate investigations were under way tonight into the wreck of the Delaware, Lackawanna & Western railroad near Hackettstown today, causing 35 deaths. Coroner William Fisher of Phillipsburg empaneled a jury and immediately started holding an inquest while the second investigation was started by Prosecutor C. Smith, Jr., of Phillipsburg. Mr. Smith said, he would await the report of his investigators and that if it was shown that there was no criminal negligence no action would be taken by his office.

The wreck occurred at the fork of the New Jersey game commission about three miles from Hackettstown on the Rockport-Beattystown road. It is said to have been caused by a slide of gravel and clay washed down from the hillsides during a severe thunderstorm on the railroad track near a switch point.

When the giant locomotive drawing 10 steel cars struck the debris, the pony wheels jumped the rails and ran over the ties for about 200 feet. Then they encountered the frog of a cross over switch and the engine continued to rumble along. Three hundred feet farther on the locomotive left the rails and fell over on its side. Three cars following were smashed up.

As the locomotive boiler ripped, steam rushed out of the fissure and into a wrecked car that lay atop it. It was in this car that most of the passengers received their serious or fatal injuries.

MAY AID CAMP LEWIS

APPROPRIATION OF SIX MILLION DOLLARS EXPECTED

SEATTLE, June 16.—Camp Lewis would be allotted approximately \$6,000,000 if a new army housing bill under consideration by congress is passed. Brigadier General Albert C. Dalton declared here today.

"Camp Lewis will probably be the largest army post in the United States under the new housing plan now before congress," general Dalton said. The bill involves a total appropriation of \$80,000,000 he said.

General Dalton inspected the camp earlier in the day.

CANTONESE ARR VICTORS

CANTON, June 16.—Fighting between the victorious Cantonese troops and the defeated Tungansese, who were forced to give up possession of the city has come to an end but looting continues.

