

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, WEDNESDAY MORNING, JUNE 24, 1925

PRICE FIVE CENTS

SPECIAL ELECTION LOOMING FOR FALL

Mandamus Proceedings Filed With Supreme Court By L. L. Swan, Albany

PIERCE VETO ATTACKED

Signature Not Held Necessary to Block Revenue From Measures Delayed by Referendum

Demand for a special election the second Tuesday in September is made by L. L. Swan, Albany attorney and Lincoln county representative to the state legislature, by an original proceeding in mandamus filed with the supreme court Tuesday by Attorney John H. McNary of Salem, and specifying that Sam A. Koser, secretary of state, appear Friday morning to show cause why such an election should not be called. An order to this effect was signed by Chief Justice T. A. McBride. The petition charges that Governor Walter M. Pierce did not have a constitutional right to veto a measure passed by the last legislature calling for a special election in the fall.

Sensing that the referendum would be invoked against the revenue-producing measures, namely the tobacco tax, bus bill and "fitting" bill, the legislature passed a bill calling for a special election in order that the proposed revenue might not be delayed. This bill was vetoed by the governor and later the referendum was invoked, postponing the collection of revenue until the general election in November, 1926.

The proposed bus measure is estimated to increase the revenue about \$250,000 each year while the tax upon tobacco is estimated at \$750,000 each year with an additional \$85,000 annually from the so-called fitting bill, providing for a tax of 10 per cent upon self-sustaining state departments and commissions.

It is pointed out that had the legislature seen fit, they could have substituted a resolution calling for the special election in place of the bill, which would not have been subject to the approval of the governor.

The petition filed yesterday takes the stand that under the referendum and initiative amendment, provision is made that all elections on measures referred to the people shall be held at the biennial regular general elections except when the legislative assembly shall order a special election. The contention is made that the passage of the act by the legislature is sufficient and does not need the sanction of the governor.

Provision is also made that with the exception of a bill providing the establishment of a normal school in eastern Oregon, which will not be voted upon until November, 1926, all other measures that were referred should be voted upon at the special election in September. These proposed constitutional amendments are:

- Denial of resolution declaring inheritance and income taxes for 15 years.
- Authorizing governor to fill vacancies caused by recall.
- Authorizing Curry county to exceed 6 per cent tax limitation.
- Authorizing certain school districts to exceed 6 per cent limitation.
- Authorizing Klamath county to exceed 6 per cent limitation.
- Vacancies occurring less than 20 days prior to election to be filled by appointment and not at election.
- Repealing denial of suffrage to negroes.

(Continued on page 6)

POLITICAL CONTROL HIT

STATE SHOULD KEEP HANDS OFF, HODSON DECLARES

PORTLAND, June 23.—State machinery for social work free from political control is a necessity, declared William Hodson, director of the department of social legislation of the Russell Sage foundation, New York, at today's session of the two-day conference of the Oregon Social Workers' association, which closed tonight.

Possibility of achieving freedom from political influence for such state agencies was seen by the speaker. "If a state is determined that any particular department of its government shall be free of political control, it can demand and obtain this freedom," he asserted.

An illuminating talk on "development of community chests under councils of social agencies" was given at the closing session by Edward Stree, director of the community council of St. Louis.

WASHINGTON BUILDING RE-OPENED NEXT FALL

ALTERATIONS ORDERED FOR OTHER PROPERTIES

School Board Approves Contract With Coach; Other Salaries Are Raised

The Washington school, which has been closed for the past school year because of unsafe conditions, may be reopened next fall to handle the decided increase in enrollment was the decision of the school board at their meeting last night. Minor alterations will be made at practically all of the buildings. The greatest expenditures will be made at the Washington and Grant buildings. The work will be done under the direction of the board with G. W. Smalley in charge.

A complaint from the local photographers concerning the contracts for the work on the next year's Clarion Annual was read and discussed. It was laid on the table to be taken up with the student council next fall. During the discussion on the annual proposition it was reported that the cup offered by the Oregon state chapter of Sigma Delta Chi was not given by Sigma Delta Chi, but was put up by a Portland engraving firm and disguised through the journalistic fraternity in order to get business.

Additional contracts approved for next year was that of Hollis Huntington, athletic director, to be paid \$450 by the board and \$650 by the student body. Alma Poble has been re-elected after a year's leave of absence. Grace Taylor, school nurse, received a \$15 a month increase bringing her salary to \$125 for nine months. Dr. T. R. Ross will continue as school doctor at the same salary. John Marr will seek the unruly trout with a \$5 a month increase in salary.

PRESIDENT IS ON TRAIN

COOLIDGE AND WIFE RETURNING TO SUMMER HOME

PRESIDENT COOLIDGE'S TRAIN EN ROUTE TO SWAMPSCOTT, Mass., June 23.—(By The Associated Press.)—President and Mrs. Coolidge are traveling back to New England tonight to set up their summer home at Swampscott on the Massachusetts coast.

Mr. Coolidge does not look forward to the two months' visit as a real vacation, feeling the presidential office does not permit of an actual lay off. However, he smiled broadly as he waved goodbye to Washington from the observation platform.

An office has been set up in Lynn, Mass., and lines of communication with the White House established. Part of the executive office force is accompanying the presidential party.

MID-AIR CRASH IS FATAL

PILOT OF NAVY PLANE KILLED WHEN TWO SHIPS MEET

HONOLULU, June 23.—(Associated Press.)—Lieutenant Commander Nathan B. Chase, USN, of San Diego, was killed today as the result of a 500-foot fall, following a sensational collision in mid-air with a navy airplane piloted by Lieutenant T. B. Lee, who landed safely at Luke Field uninjured and his plane only slightly damaged. The accident occurred during combat maneuvers. Lee's airplane swooped up and cut off the tail of Chase's machine which crashed. Apparently Chase was thrown from his machine by the collision as his body was found approximately 500 feet from the wreck.

BREMERTON, WASH., JUNE 23

Lieutenant Commander Nathan B. Chase, USN, who was killed today in an airplane accident on Oahu island of the Hawaiian group, was a nephew of Rear Admiral Chase, commandant of the Puget Sound navy yard here.

BUMPER CROP PREDICTED

ESTIMATE HEAVY WHEAT YIELD IN UMATILLA COUNTY

PENDLETON, June 23.—Umatilla county will harvest a wheat crop of about 5,000,000 bushels, Henry W. Collins, grain man, estimated today after a survey of the county. Last year the county raised less than 4,000,000 bushels of wheat, and in 1923, when there was considerable carry over the crop was estimated at 7,000,000. "Umatilla county has more barley acreage this year than for many years," said Mr. Collins. Many farms after the freeze last winter sowed their land to barley with the result that there will be about 10,000 tons this year as compared with 3,000 tons last year.

SHAKE UP IN DRY FORCE TO BE MADE

Radical Changes in Enforcement of Prohibition Law Starts in August

DISTRICTS TO BE FORMED

Seattle to Be Headquarters for Oregon, Washington, and Alaska; New Officers to Have Charge

WASHINGTON, June 23.—(By Associated Press.)—The biggest shakeup in the enforcement machinery since prohibition was established in the United States has been ordered by the treasury department effective August 1.

The new program under which Assistant Secretary Andrews will seek to make the country dry was announced today, and the way was paved for radical changes in the personnel now engaged in the work. Only the broad outlines of the program were made public, but Mr. Andrews turned immediately to the task of working out its details and a survey of the fitness of those now on the job for reappointment when it is put in operation.

States will be abolished, federal directors for each state will be eliminated, new districts founded wholly in the lines bounding federal judicial districts will be created, and a general decentralization of authority will take place in the reorganization.

Neither Mr. Andrews nor treasury

(Continued on page 2)

FOREST PATROL PLANNED

OREGON BASE TO BE AT EUGENE; COVER COAST

SAN FRANCISCO, June 23.—(By Associated Press.)—Announcement of final plans for airplane patrol of Pacific coast forests for the summer season was made today by District Forester Paul G. Redington. Flights will be made from five bases: Griffith Park, Glendale, Cal.; Mather Field, Sacramento; Eugene, Or.; Vancouver, Wash., and Seattle.

Two planes will be stationed at each base with the exception of Griffith Park where only one will be available. The patrol planes will not make regular flights over forest areas for the purpose of detecting fires but will be used on reconnaissance of large fires, for confirming reports of fires, and for detailed observation of forested lands after electrical storms or when smoky conditions interfere with observations from ground lookout stations.

Emergency landing fields have been selected and marked through out the Pacific coast states. Flights will be begun shortly after July 1, it was stated.

ANOTHER SUIT FILED AGAINST F. C. BRAMWELL

DEPARTMENT SOUGHT RETURN OF STATE BANKING

Previous Efforts Blocked by Superintendent's Appeal to Supreme Court

John Carson, district attorney, yesterday filed another mandamus proceeding against Frank C. Bramwell, state superintendent of banking, in an effort to compel him to return the state headquarters from Portland to Salem. The action was started at the instigation of George Putnam, of Salem. Shortly after the last legislature went into adjournment, Bramwell removed the banking headquarters from Salem to Portland. A former effort to bring the department back to Salem failed, when it was found that the case was appealed to the supreme court.

Bramwell was fined \$50 for contempt of court in Judge L. H. McMahan's court a short time ago, when he failed to appear to show cause why he entered a prejudicial charge against the judge. He did not answer the court summons, and appealed his case when the fine was assessed.

In the new action, the attorney general declares that Bramwell is not complying with the law by maintaining only a desk in the capitol building, and using the Portland branch as headquarters. Redress is sought under the new statute which went into effect on May 25.

SHIP SALES AUTHORIZED

PRESIDENT PALMER TO MAKE DISPOSAL OF BOATS

WASHINGTON, June 23.—(By The Associated Press.)—Authority to negotiate all sales of ships was delegated to President Palmer of the fleet corporation today by the shipping board in accordance with a suggestion by President Coolidge.

This action leaves the exclusive power of negotiating sales to the fleet corporation subject to approval or disapproval of contracts by the board. The arrangement is expected to make for efficiency by removing friction within the board and by encouraging businessmen to enter the market for ships.

Previously the board has delegated various of its powers to the fleet corporation and the latter agency is now regarded as entrusted with complete administrative supervision of the physical properties of the board with functions as a regulatory, semi-judicial and policy organization. The corporation, however, is merely an agent, as the board under the merchant marine act cannot divest itself of any of its powers.

MAC MILLAN SHIP SEEN

SYDNEY, N. S., June 23.—(By The Associated Press.)—The steamer Peary of the Donald B. MacMillan Arctic expedition arrived in Sydney Harbor tonight.

\$15,000 APPROPRIATED FOR SEARCH FOR SLAYER

MURDER OF KELSO EDITOR PROBED RELENTLESSLY

Luke S. May Employed by Officials; Fingerprints Are Being Broadcast

KELSO, Wash., June 23.—To aid in bringing to justice the slayer of Thomas Dovery, publisher of the Cowlitz County News, last Friday night, the Cowlitz county commissioners today authorized an emergency budget of \$5,000 for the employment of Luke S. May, Seattle criminologist, who has been placed in charge of the search for the murderer. At the same time the county commissioners took preliminary action for an emergency budget of \$10,000 for the sheriff's office in prosecuting the search. The hearing on the \$10,000 budget will be held by the commissioners June 30.

Mr. May left for Seattle this afternoon to do some laboratory work to determine whether or not the revolver and the bullet found near the editor's body were those that were used to kill him. The fingerprints on the gun will also be photographed and checked with fingerprint records throughout the country. Before his departure Mr. May said:

"We have as yet found nothing tangible to work with. A new development that may be connected with the case was an attempt to force William Wodrich, salesman for a motor company, and an active worker in the recall campaign against Todd, to sign a paper Sunday night. Wodrich reported to the authorities but the facts were not disclosed.

The man, according to Wodrich, accosted him at Third and Columbia streets at the point of a gun and ordered Wodrich to sign the paper. After threatening Wodrich and declaring "you will sign these papers before this time

(Continued on page 2)

POLAR PARTY TO SAIL

ELLISWORTH FIRST LEARNS OF FATHER'S DEATH

KINGS BAY, Spitzbergen, June 22.—(By Associated Press.)—Roald Amundsen, Lincoln Ellsworth and the other members of the expedition which recently made an ineffectual attempt to reach the north pole by airplane from Spitzbergen, will sail tomorrow from King's Bay on board the steamer Albatross.

The first batch of congratulatory messages, including those from American geographical societies, were delivered to Amundsen today.

Ellsworth, who only yesterday received the news of the death of his father, James W. Ellsworth, plans soon to leave for the United States.

SHEPHERD GRILLED IN POISONING CASE

Defendant Is Subjected to Lengthy Cross Examination by Prosecution

STATE CHARGES DENIED

Pack With Falman Declared Untrue; Charge of Inquiring About Course At School Is Said False

CHICAGO, June 23.—(By The Associated Press.)—Today's session of the trial of William Darlington Shepherd for the slaying of his former foster son, William Nelson McClintock, saw the conclusion of testimony and the commencement of arguments after Shepherd testified in his own defense.

A denial of all the state charges made by Shepherd under questioning of his attorneys, occupied three minutes after which he was subjected to an hour and a half of cross examination. The conclusion of the cross examination and a crowded court room gasping at the brevity and its trend, the accusation not being touched upon.

In today's session was crowded the real drama of the five weeks trial, being furnished by Shepherd's testimony and the demand for the state for the death penalty as punishment for the "coldly calculated, brutal and atrocious murder," as the slaying of McClintock was characterized. After entering an emphatic "I did not" in reply to each accusation, Shepherd asserted that prior to the investigation into McClintock's death, he had never seen Charles C. Falman, who accused him of killing his foster son by inoculating him with typhoid germs. He denied ever inquiring about a bacteriological course at the school of science conducted by Falman.

The story of his life was developed during the cross examination at the hands of prosecutor Robert E. Crowe. It showed Shepherd's business career had been unsuccessful until he went to live with Mrs. Emma Nelson McClintock, mother of "Billy."

Today, at 49, the witness admitted that two parcels of real estate and a few shares of stock represent his life savings.

From 1912, three years after he and his wife became part of the McClintock household, they paid nothing for their livelihood, Shepherd admitted. This continued after her death and the estate passed to the son.

Shepherd explained Mrs. McClintock's desire for the companionship of his wife had led this arrangement. He was employed he testified in "whatever" Mrs. McClintock wanted me to do.

Questioning by Prosecutor Crowe elicited the admission by Shepherd that he had known Billy McClintock had ordered the home which he shared with the Shepherds sold and had written to a young woman that he was "broke" and the future looked doubtful.

Then the state's attorney announced "that's all" and Shepherd's astonishment at not being questioned concerning the accusations against him was evident as he left the witness stand. The prosecution was apparently content to submit its case, depending upon its own witnesses.

STAR WITNESS IS GONE

VALUABLE MAN DISAPPEARS; TESTIMONY NEEDED

TACOMA, June 23.—Disappearance of the state's star witness, Elmer E. Gabrielson, the only man to positively identify both Arden Lloyd and Charles Kinney as the murderers of Harry Schmidt was revealed today by Prosecuting Attorney James W. Sheldon.

Gabrielson disappeared suddenly last month a few days after the first trial of Lloyd and Kinney, which resulted in a jury disagreement.

Other witnesses identified either Lloyd or Kinney separately as one of the two men who shot down Schmidt as they perpetrated the robbery of the National Bank of Tacoma February 7.

The state launched its case this morning and by the time court recessed, four witnesses had positively identified Kinney as one of the perpetrators of the murder and robbery while three others had pointed out Lloyd as the other.

Two witnesses, both passengers in the Spinnaway car which carried Schmidt to his death the morning of the crime, declared that Lloyd and Kinney were not the bandits.

ARRANGEMENT MADE FOR REDUCTION OF TAXATION

FIRST STEP FOR CUT MADE WHEN COMMITTEE MEETS

General Principles of Administration Favored; Action To Be Taken

WASHINGTON, June 23.—(By The Associated Press.)—The first definite step looking to a tax reduction of \$300,000,000 by the next congress was taken today at a conference between Chairman Green of the house ways and means committee, and Secretary Mellon and under-secretary Winston of the treasury.

Mr. Green and the treasury officials were understood to have been in agreement as to the general principles of an administration program. The committee chairman maintained his opposition to repeal of the estate taxes favored by the administration, but was said to have found little other ground for differences on the proposal to lighten the burden on the people by a cut of about the same proportion as was involved in the last tax revision.

No attempt was made today to go into details of new rates and the discussion was confined almost wholly to a question of policy.

The treasury position has been stated repeatedly in expressions by Mr. Mellon and Mr. Winston, and it will go no further than to submit its facts and to the house committee which statements of its views when they are sought.

Mr. Green was informed today of the treasury's finances, was given the views of those in charge there as to what they believed practicable in the way of reduction. It was not disclosed whether the analysis of the returns, on the basis of production by specific rates, was gone into, but it was understood the trend of income to the government from the surtaxes, lowered by the last law was considered.

It was also indicated Mr. Green had informed the treasury of his doubt that the estimate of \$3,000,000 advanced by the president in his budget meeting address last night as the limit for government expenditures in the fiscal year beginning July 1, 1926, could be attained.

This estimate has a vital bearing on the tax reduction program and to the extent that the amount is exceeded, the treasury must find additional income if the \$300,000,000 cut is carried out.

The house ways and means chairman feels that activities of some of federal agencies will be injured if they have their total appropriations cut further as he believes would be necessary to reach the maximum cost fixed by Mr. Coolidge.

"As a rule," said Mr. Green after the conference, congress has appropriated little less than the budget called for. While every effort will be made to keep within the figure named by the president, there are certain activities that cannot be maintained on items less than have been allotted them in the past."

SCHOOL COSTS COMPILED

TOTAL OF \$646,910 IS SPENT HERE LAST YEAR

Public schools cost Salem taxpayers \$646,910 last year of which \$249,987.43 was spent for direct educational purposes was the annual financial report of Superintendent George Hug at last night's meeting of the school board.

Salaries claimed \$217,822.17 of the amount spent with the balance going to interest on bonds and payment of borrowed money. Materials and supplies claimed \$15,146.45, while repairs and maintenance cost but \$5,030.37. Insurance and miscellaneous expenditures were \$3,914.89.

The budget provided for \$7,084.68 for an emergency fund. Of this but \$7000 was used in paying for the athletic field. A balance of \$1,532.57 was saved under the present budget system.

CONVICTS MAKE PLATES

WASHINGTON PRISONERS BE BUSY ENTIRE YEAR

WALLA WALLA, Wash., June 23.—Work of making the 1926 automobile license plates started at the penitentiary today. Charles R. Marbury, state director of licenses, made the first 10 plates, under the supervision of Ira L. Lockney, superintendent of the stamp mill. In all 400,000 plates will be manufactured, and it is expected that the 87 convicts employed in the stamp mill will be kept busy at the work until the first of the year. Three carloads of steel and 48 barrels of paint are on hand for use in the making of the plates.

NEW MARKET ROADS TOTAL 108 MILES

Marion County Court Will Continue Five-Year Program for 32 Highways

SYSTEM IS SUCCESSFUL

Work of Last Five Years Pleases Some Paving Planned, But Majority of Work Will be Macadam

Thirty-two public highways with an aggregate of 108 1/2 miles were selected yesterday by the Marion county court in response to a request from the state highway commission, bringing the total of improved county roads to 358 1/2 miles at the end of a five-year period. The old system of 34 roads amounted to 150 miles, the program being completed last fall.

The new roads were selected from all parts of the county, the court endeavoring to connect with main roads in adjoining counties wherever possible and to connect sections of the county that were not directly served by the first system. Some of the proposed work in the next five years will be paved, but a majority will be well drained, graded and macadamized. Roads selected as market roads by the 1919 bond issue have been included in the system in order that the work of the system may be completed and the finished parts properly maintained.

An inspection of the county map shows that the network of roads serving communities and districts of the county to have been impartially selected, with the plan for the entire system kept in mind.

Members of the county court have given much thought and spent considerable time examining the county to determine the best course to follow. Many delegations have been heard and many petitions received. The court takes the view that at this time it is not advisable to select too many roads in order that all could be improved within a reasonable length of time.

The roads selected are tentative and will be referred to the state highway commission for final approval. The commission will make investigations before recommending that any work be started. Prior to actual construction or improvement of the new market roads, complete data on grades, alignment, round curves and widths will be compiled.

With the completion of the present five-year program, the county court expects to have the best market road system on the coast. The same economies will be followed in the future as have been observed in the past, and the standard of highway construction will be maintained. The results obtained in the preceding five years have been highly praised, both for the type of work and for the general low expense. The county purchased and operated its own rock crushers and paving plants to great advantage. The cost of these has more than been saved, and the equipment is available for

(Continued on page 2)

FOSSILS ARE EXAMINED

REMAINS OF PREHISTORIC ANIMALS ARE INVESTIGATED

HOQUIAM, Wash., June 23.—Rev. J. H. Geoghegan, discoverer of the existence of remains of prehistoric animals in this section, today visited Lake Quinalt and discovered some fossils and evidences of the existence of a mastodon in that locality, he said tonight. The investigation is being temporarily halted while a search is being made for an Indian who is reported to have sold a mastodon tooth for 50 cents recently, to a traveling tourist. The locality where the tooth was found will be thoroughly searched as soon as the Indian can be found to guide Mr. Geoghegan and paleontologists of the University of Washington to it, Mr. Geoghegan said.

LADD FUNERAL IS SET

SENATOR TO BE BURIED IN WASHINGTON ON THURSDAY

WASHINGTON, June 23.—(By The Associated Press.)—Funeral services for Senator Ladd of North Dakota who died yesterday, will be held at 2 p. m. Thursday at Gawlers chapel here. The body will be placed in a vault at Greenwood cemetery until Mrs. Ladd is strong enough to accompany him on the trip to Fargo, N. D., for interment. The Rev. J. J. Muir, chairman of the senate, and Dr. Thomas C. Clark, pastor of the Tacoma Park Presbyterian church, will officiate. Senator Ladd's body reached Washington this afternoon.

