

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, TUESDAY MORNING, JULY 14, 1925

PRICE FIVE CENTS

ATTEMPT TO QUASH INDICTMENT MADE

Judge May Dismiss Charges Against Scopes in Evolution Test Trial

DARROW ATTACKS BIBLE

Discrepancies in Teaching of Testament Pointed Out by Defense Attorney; Theory Upheld

DAYTON, Tenn., July 13.—(By The Associated Press.)—Judge John T. Raulston, presiding at the trial of John Thomas Scopes on a charge of violating the law of the state of Tennessee making it a misdemeanor to teach theories of evolution in the public schools, retired to his chambers tonight to study the question of whether the indictment against the 24 year old school teacher shall be summarily quashed. The judge carried with him briefs of the half score points stressed by the contending sides in the case while ringing in his ears were words from half a dozen oral arguments presented to the court during the day.

It was the first of perhaps other days to be devoted entirely to oratory. The jury's service was brief. Soon after court opened and the state had interrogated one juror, R. L. Gentry, as to whether he had expressed an opinion as to the guilt or innocence of the defendant, the jury was sent from the room that argument might be made on the motion to quash. Mr. Gentry went with his fellow jurors after declaring he

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HUGE DAM IS DEDICATED

IDAHO PROJECT WILL INSURE RECLAMATION OF LAND

AMERICAN FALLS, Idaho, July 13.—(By The Associated Press.)—With thousands of persons from all over the west present, Hubert Work, secretary of the interior today dedicated the mammoth American Falls dam on the Snake river which will impound 1,700,000 acre feet of water for irrigating the Snake river valley.

Today's celebration marks the insurance of water in plenty for existing projects in Idaho and the starting of construction of one of the outstanding engineering feats in reclamation history. Secretary Work, lauding the enterprise of the people of the state for their cooperation with the government in the building of the dam said that he had assurance that "the policy previously determined upon by the reclamation service is sound and that its future prospects are safer and brighter than ever before in its history."

SALARIES ARE INCREASED

SMITH AND BELLINGER MUST USE OWN MACHINES

Two salary increases were made Monday by the state board of control with the understanding that the recipients use their own automobiles for private purposes and not state owned vehicles.

Under the action of the board Dr. J. N. Smith, superintendent of the feeble minded school, will receive \$2000 instead of \$2500 a year and Dr. G. C. Bellinger, superintendent of the tuberculosis hospital, will receive \$2000 instead of \$2300. Salaries of other state superintendents were discussed but no action taken.

The board recently increased the salaries of Dr. R. E. Lee Steiner, superintendent of the state hospital and Dr. W. D. McNary, superintendent of the eastern Oregon state hospital near Pendleton, from \$3000 to \$4000 a year with the same provisions.

MOTHER AND GIRL DROWN

ATTEMPT TO RESCUE CHILD FROM WATER PROVES FATAL

CASCADE LOCKS, Ore., July 13.—Mrs. W. H. McLean, mother of four, and Lorna, 13, her eldest daughter, were drowned in the Columbia river here today and their bodies were carried over the rapids.

Lorna, bathing from the beach here, went out too far and was caught by the swift current. The mother, although she was unable to swim, dashed into the water upon hearing her daughter's cries for help, struggled put into the current, sank and was not seen again.

The three small McLean children, the oldest of whom is 9, watched their mother and sister drown.

NATURALIST IS NAMED ON GAME COMMISSION

W. L. FINDLEY SUCCEEDS R. W. PRICE WHO RESIGNED

New Appointee Active in Bird and Animal Protection in State For Years

William L. Findley, of Jennings Lodge, naturalist, author and lecturer, was appointed a member of the state game commission by Governor Pierce Monday to succeed R. W. Price, of Portland, who recently resigned.

Mr. Findley helped draft the first law creating the state fish and game commission in 1911 and was appointed as first member, serving as chairman. He later served four years as state game warden, resigning to continue his educational and scientific studies. When the position of state biologist was created he served for four years in this capacity.

Important positions held by Mr. Findley include his connection with the National Association of Audubon societies; president of the Oregon Audubon society, a position he has held for nearly 20 years; director of the national conference on outdoor recreation called by President Coolidge; director of the Isaac Walton League of America; member of the editorial staff of Nature magazine and other minor positions. He was instrumental in President Roosevelt's creating wild fowl reservations at Malheur lake, Klamath lake, Cold springs and Three Arch rocks. He is a member of the advisory board of the migratory bird treaty act, appointed by President Coolidge to work out federal regulations for the protection of migratory birds.

Mr. Findley is the author of several books and over 100 magazine stories of wild bird and animal life, as well as articles on the conservation of natural resources. His collection of over 12,000 still life photographs and nearly 200,000 feet of motion pictures is considered the most unique and complete natural history record ever made. This material he has used in his lectures in all parts of the country and has helped in many ways to advertise Oregon.

RATES DECLARED FAIR

PETITION OF FRUIT GROWERS DENIED BY COMMISSION

WASHINGTON, July 13.—(By Associated Press.)—The interstate commerce commission today denied the California fruit growers' petition for a reduction in freight rates on fresh fruits other than apples and on citrus products between California and points east. The petition in which the California state railroad commission and commercial bodies in the particular fruit growing centers joined, was dismissed without prejudice. Existing rates were found by the interstate commerce commission to be fair and equitable and will remain unchanged indefinitely. The forty-six producers sought reductions of from 15 to 25 per cent on deciduous fruits and citrus products on the ground of unsatisfactory economic conditions affecting the industry and on the ground that apples are carried at a lower rate than other fruits.

The present rates on fresh fruits including grapes, cherries, peaches, apricots, pears, plums and prunes, stand at \$1.73 per hundred pounds from California to points in the eastern transcontinental territory. The rate to Denver and equidistant points is \$1.62. The California growers asked for a flat rate of \$1.44 to apply to all eastward movement of fruit.

NEW SLIDE IS REPORTED

THIRD AVALANCHE OCCURS IN GROS VENTRE CANYON

IDAHO FALLS, Idaho, July 13.—(By Associated Press.)—Another landslide in the Gros Ventre river canyon, in western Wyoming was reported today. Joe Markham, superintendent of the Jackson lake water storage reservoir, said. The new slide is coming down into the canyon at the point some distance above the two reported recently, but he had no information as to its extent. It was stated by Markham that water is beginning to work its way through the early slides which caused several fine ranches to be inundated.

CHARGES ARE PLACED

OAKLAND, Cal., July 13.—

Warrants charging grand larceny on two counts were sworn to today by District Attorney Earl Warren against three Oakland business men arrested last week in connection with an alleged \$800,000 merger swindle. The men are F. O. Davis, E. F. Reeves and C. E. Peacock. Bail was set at \$25,000 on each count.

E. M. PAGE NAMED PRESIDENT OF ELKS

Salem Man Is Honored by Oregon Lodge; Eugene Chosen for Convention

PRICE MAKES ADDRESS

Social and Community Work Declared Most Important of All Activities of Lodge

PORTLAND, July 13.—Attended by more than 125 delegates from 21 lodges, the Oregon State Elks association met and adjourned today after electing E. M. Page of Salem, president, and selecting Eugene as the 1926 convention city.

A move was launched by J. G. Buch, of Trenton, N. J., for a hospital for crippled children on the Pacific coast, to work in a manner similar to the Shriners' hospitals. The convention by official resolution approved the investigation of the feasibility of an Elks hospital for crippled children and appointed a committee to continue the matter.

Grand lodge officials were present and spoke. The afternoon meeting was devoted to the business of the convention and the election of officers.

David Kuralt of Tillamook was elected first vice president, Connie Grabb of Baker was named second vice president and William Briggs of Ashland third vice president. Trustees elected were R. Alexander, of Pendleton; Gilbert Hedges, of Oregon City, and William Liljeqvist, of McMinnville.

Rev. Frederick J. Jennings of Eugene was selected as state chaplain, Herbert Buserud of Marshfield was selected treasurer and Frank D. Cohan of Portland was retained as executive secretary.

"I have found the dominant note of Elkdom expressed most

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BLISS FORMULA GIVEN

60 YEARS OF MARRIED LIFE AND NO QUARREL RECORD

SPOKANE, July 13.—Mr. and Mrs. Russell Tomlinson of this city completed 60 years of married life today, without a quarrel, they told friends. "To be happy a husband should always do just as his wife wishes," was Mr. Tomlinson's formula for marital bliss.

"My advice to young wives is always to agree with their husbands," was Mrs. Tomlinson's version.

They were married in West Bolton, Vt., soon after the Civil war, in which Mr. Tomlinson participated and was wounded and captured. They have resided here for 23 years.

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SUPER-PRODUCTION IS CHAUTAUQUA OFFERING

'THE MIKADO' DELIGHTS MONDAY NIGHT AUDIENCE

Concert Trio on Program Today; Captain T. Dinsmore Upton Is Headliner

PROGRAM FOR TODAY

9:00 o'clock—Junior Chautauqua.
2:30 o'clock—Freelude—Charles Mitchell Mixer Concert Trio.
8 o'clock—Lecture—"The Player in the Shadow"—Captain T. Dinsmore Upton.
Wednesday
9:00 o'clock—Junior Chautauqua.
2:30 o'clock—Special Children's Feature—Margaret Byers and Assisting Artists.
8:00 o'clock—"Daddy Long Legs"—New York's Great Success.

By AUDREY BUNCH

One of Chautauqua's super-productions took the form last night of Sullivan's masterpiece "The Mikado" with a singing cast of eight persons. Season ticket holders alone almost filled the tent when the general sale opened at 7:30 o'clock. Throughout the performance, extra chairs jammed the aisles, with a rim of people standing all around the tent.

The story of "The Mikado," presented in Salem a number of times previously, is well-known, but each song, each characterization, is new after a dozen repetitions. A string of paper lanterns, lovely fluttering fans, colorful costumes of luscious hues and materials give the proper background for the enactment of the disguises, the flirtations, the executions, the festivals and would-be casualties. Choruses, quintets, trios and duets were full of exuberance and variety, the lines of this exultant comic opera carrying through in every instance. Perhaps, a violin would have added an agreeable fullness to the accompanying that the best-played piano, stone, cannot give. But, otherwise the musical setting seemed complete. The voices were especially suited to the character of song each was called upon to sing. The notable tenor of R. W. Conron who carried the role of Nanki-Poo was of especial delight to the audience, as was Miss Grace Bernhardt's lilting soprano, Miss Bernhardt, taking the role of Yum Yum. Miss Betty Bickel, as Katisha made herself the direct effigy of the original. Of course, it was Ko-Ko (Fred Frear) whose sheer ridiculousness convulsed the applauding audience from first to last.

Record afternoon crowds seem to have become an established fact, and a large audience exulted over the sheer pleasure which Ro-

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NEARLY 400 ELKS HOLD FINAL DRESS REHEARSAL

GRAND DOWNTOWN PARADE STAGED LAST NIGHT

Visiting Delegates Entertained Sunday; Many Stores to Close Thursday

The Salem Elks held final dress parade last night preparatory to their appearance in the grand parade at the national Elks' convention at Portland Thursday.

As the local organization, nearly 400 strong, swung up State street to the blare of a 30-piece Cherrian band and the American Legion drum corps of 28, resplendent in their new purple and white uniforms purchased especially for the occasion, they made an imposing figure. Lyman McDonald, Jr., lieutenant, had charge of the marchers. Oscar Steelhammer is director of the band, and Carl Hinges drum major for the drum corps.

Approximately 300 visiting Elks enroute to the convention at Portland were entertained for a few minutes on the state house grounds Sunday. Refreshments were served the visitors by the local order of Elks.

Little business will be transacted in the city Thursday, Salem day at the national convention, when the big parade will be staged. Thousands of visiting Elks from every state in the Union, many accompanied by their bands, will be seen in formation. Following this the bands will compete at Multnomah field, the director of the winning band to direct a huge musical organization consisting of all bands at the convention.

FRANK IS SURE UNLUCKY

DRUNK NABBED WITH SHOTGUN AND PAIL OF MASH

If you don't believe that the 13th possesses a mystic influence just ask Frank Deay—or wait until he is sober.

Deay was making his way down the street in such a manner as to attract attention of the police. Not only was he drunk, according to the police blotter, but he was in possession of intoxicating beverages.

But these are only two of the charges booked after his name. For in one hand he carried a pail of mash and in the other a loaded shotgun.

Deay is slated to appear in the police court today and explain the matter to the judge.

STATE GETS LAND TITLE

OLYMPIA, July 13.—(By The Associated Press.)—

The state has just received title to 36,583-77 acres of land in Okanogan county from the federal government to reimburse the common school grant for school lands located within the boundaries of national forest reserves, it was announced here this afternoon.

TWENTY LIVES ARE TAKEN BY WEATHER

Death Toll Mounts as Heat Continues in Middle Western Sections

MANY ARE PROSTRATED

Heat, Lightning and Fires Cause Deaths; Property Damage From Storms Is Declared Large

CHICAGO, July 13.—(By The Associated Press.)—Hot weather, lightning and drownings took a toll of upwards of a score of lives in the middlewest during the past 24 hours while dry weather in some sections and severe storms in others caused a crop and property loss of several hundred thousand dollars.

With temperatures ranging from 90 degrees to more than 100, Omaha and vicinity reported three deaths, St. Louis and vicinity seven, and at Shelby, Mo., three farmers were killed by lightning. Lightning also killed two in the northwest.

Kansas reported that its corn crop is suffering from excessive heat and lack of moisture while more than a score of forest fires were started by lightning, and heavy storms in the northwest which brought temporary relief from the heat, did damage to crops and property. Hair accounted for much of the damage.

While the rest of the middlewest sweated, with no immediate prospects for relief, Chicago, which had been suffering from the heat, today enjoyed moderate summer weather due to a veering of the wind which blew over the city from Lake Michigan.

OMAHA, Neb., July 13.—(By The Associated Press.)—Three deaths in the past 24 hours and nearly a dozen prostrations was the heat toll in Omaha and vicinity. So protracted a torrid spell has not been recorded here in several years and the average to date for the month, 86, has not been exceeded since 1901.

Outstate points recording higher temperatures today included North Platte with 104, Aurora 103, Valentine 102, O'Neill 100, and Lincoln 97. These points represent practically every section of Nebraska. More than an inch of rain fell at Crete in southeastern Nebraska, in a distinctly local shower.

A heavy rain accompanied by a severe electrical disturbance struck Omaha just before midnight, sending the thermometer down several degrees. A heavy wind brought reminders of disastrous storms early in the summer, but no serious damage was reported.

DES MOINES, Iowa, July 13.—(By The Associated Press.)—Two deaths were reported in Iowa today as torrid temperatures continued throughout the state. The weather forecast for tomorrow promised slight relief for the western portion and continued warm in the east. Temperatures today ranged from 93 at Sioux City to 92 at Keokuk.

George Hunt, caretaker at St. Josephs academy, was found dead in his room today. Physicians attributed his death to the heat. No prostrations were reported here today. One death was reported from Council Bluffs. Waterloo reported one prostration.

HOQUIAM, Wash., July 13.—Rains which fell intermittently Sunday and all day today, though light in character, aided greatly in subduing forest fires in this section, and no dangerous blazes were reported in the county tonight. The fire which Saturday threatened several small towns in the west end of the county was brought under control Sunday and traffic over the Olympic highway was reopened. Those who visited the fire scene could see places where the fire had approached to within 10 feet of buildings at the towns of Linde and Stearnsville, and the intense heat had seared the leaves of trees even beyond the actual fire area.

WOMAN KILLED BY PLANE

RESIDENT OF JEFFERSON MEETS DEATH AT NEWPORT

NEWPORT, Or., July 13.—(By Associated Press.)—Mrs. S. B. Thurston of Jefferson, Or., was killed accidentally here today when an airplane landing on Nye Beach struck her.

Mrs. Thurston was passing the summer here with her husband, son and daughter.

PLANS FOR REBUILDING MILL TO BE DISCUSSED

STOCKHOLDERS OF CHERRY CITY PLANT MEET TODAY

Loss Estimated at \$135,000; Is Two-Thirds Covered by Insurance

With blackened embers still smoking from the Sunday night fire which destroyed the Cherry City Milling company plant at Church and Trade, announcement was made yesterday that a meeting of the stockholders will be held today to discuss plans for replacing the old frame building with a modern fireproof building. The plant, contents and equipment, valued at \$135,000, was a total loss, and only two-thirds covered with insurance, according to P. W. Geiser, manager.

With a sudden roar the structure burst into flames shortly before 8 o'clock Sunday night, the noise of the explosion being the first intimation of the conflagration received by residents of the district, who were sitting on their front porches.

Flames from the structure could be seen for miles and hundreds of people were attracted to the scene of the fire. All available police were summoned to help keep the crowd back.

Fortunately there was not a high wind, but even as it was, the residence and property of Fred E. Wells, across the street, was badly damaged; embers ruined the big Chautauqua tent on the Willamette campus, making it necessary to send to Portland for a new tent. This arrived in time for the afternoon program. A dozen small fires demanded instant attention

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POSITIONS ARE SOUGHT

SCORES SEEK BERTHS IN DRY ENFORCEMENT GROUP

WASHINGTON, July 13.—(By Associated Press.)—A deluge of appeals, suggestions and demands for appointments under the reorganized federal prohibition enforcement program was waiting tonight to break over the desk of Assistant Secretary Andrews of the treasury upon his return tomorrow from a brief vacation.

With the approach of the effective date of the reorganization August 1, the list of men advanced as "available" for the limited number of executive assignments has mounted rapidly. A considerable number of these names have been presented by members of the house and senate despite the announcement that the treasury desired, through the reorganization to eliminate to some extent the question of patronage as one means of increasing efficiency in the service.

Mr. Andrews has said that he hoped to determine within another week the personnel of the enforcement organization, and the last week half a dozen members of the senate prevailed upon him to advance the claims of certain constituents. Some of them have gone away apparently convinced that their particular patronage has been cared for.

Acting Secretary Winston of the treasury objected today, however, to statements that politicians were making inroads into the new organization.

PARENTS MAY GET LOANS

DEPENDENTS OF SOLDIERS ARE AIDED IN OPINION

Dependent fathers and mothers of Oregon soldiers who died in the service are eligible to state bonus loans if they return the cash bonuses accepted by their sons, according to an opinion by Attorney General Van Winkle.

The opinion is based upon the bonus and loan act of the last legislature and points out that to deprive parents of soldiers, who took the cash bonus instead of the state loan would be discriminatory in favor of those who have not yet filed their applications for relief.

If the opinion is upheld by the courts it is estimated that not less than 1000 parents may take advantage of the loan. The opinion may necessitate additional bonus loan bonds by the state.

HARVEST IS GUARANTEED

STATE PLEDGES \$2.50 AN ACRE TO WHEAT MEN

Further aid to wheat farmers in eastern and central Oregon was given yesterday by the state board of control which will guarantee harvesting expenses not to exceed \$2.50 an acre in the most devastated sections. The money will probably be supplied by eastern Oregon banks, with the state acting as guarantor.

Reports indicate that every cent of the \$1,500,000 loan authorized by the 1925 legislature will be repaid. The 530 loans made up to and including June 4, aggregated approximately \$500,000.

JAPANESE RUMPUS AT TOLEDO PROBED

Investigators Report That Situation Will Adjust Itself in Future

DELEGATION SEES PIERCE

First Hand Information Relative to Sunday Demonstration Is Given Governor By Citizens' League

Belief that the rumpus at Toledo arising from the employment of Japanese laborers by the Pacific Spruce corporation has subsided and that the situation would adjust itself was expressed last night by William A. Dezell, private secretary to Governor Pierce and C. H. Gram, state labor commissioner, sent to Lincoln county to investigate the situation.

A delegation representing the Citizens League of Toledo, headed by Mrs. Rosemary Schenck, wife of the chief of police, called at the governor's office yesterday to explain conditions that have threatened to disrupt the community. The matter was also taken up with United States Senator Charles L. McNary.

Employment of the Japanese on the green chain gang at the rate of \$2.40 a day while white labor had been receiving \$3.60 for the same work was the basis of the discussion, the delegation said. While there were a few fist fights Sunday arising from a crowd of citizens taking guns away from an armed guard at the corporation's mill, there was no violence offered the Japanese, who were notified that they would be escorted to Corvallis and given sufficient money to get them to Portland. This was done and the "deported" laborers shook hands with the Toledo men who brought them to Corvallis by automobile. Nearly 40 Japanese including two families, were moved out of the community.

On May 12, according to papers left with the governor, both the Toledo Business Men's league and the Toledo Chamber of Commerce adopted resolutions protesting against the employment of the Japanese. By resolution the first action was rescinded on May 26. This action, the delegation claimed, was not taken until after W. G. Yde, manager of the State Chamber of Commerce had visited the community and brought pressure to bear upon the business men. Yde, the delegation charged, distributed much pro-Japanese propaganda around Toledo.

Specific charges of "stealing" the school election to impress the community with its power were made against the spruce corporation by the delegation. Two mill men were put in the field against the local candidates, who had lived in the community all their lives, and employees directed to vote on the company's time, only those voting to receive pay for their absence. The corporation held this election as a whip over the community, the delegation said, in order to show the power possessed.

Men protesting against the employment of the Japanese were fired, the governor was told. The

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GIRL'S FUNERAL TODAY

PYRL HILL KILLED BY FILIPINO BRIDEGROOM

Funeral services for Pyrl Hill, 18 year old Salem girl who was slain by her Filipino husband in San Diego, will be held from the Terwilliger funeral parlors at 19 o'clock this morning with Rev. J. J. Evans officiating. Interment will be made in the City View cemetery. The body laid in state from 6 o'clock until 9 o'clock last night.

A brother-in-law of the dead girl will leave for California tonight to investigate her death. The Filipino, after taking her life, turned the gun on himself.

The girl disappeared from Salem several weeks ago under the pretext of visiting a married sister in Portland. A girl friend, who married a sailor about a year ago and who later became acquainted with the Filipino, is said to have been the medium through which she met the man. The friend after a row with her soldier husband on account of the Filipino, effected a reconciliation. Pyrl wrote several letters to the Filipino through the girl friend.

GIRL IS RIVER VICTIM

STEVENSON, Wash., July 13.—

Hanna Pederson, 15, was drowned last night in the Columbia river at Skamania, 12 miles west of here. While bathing with a group of other young persons, she stepped into a deep hole.

