state demands," Mr. King told the jury, "It wil have to be proven,

first of all, that Marray did kill

Sweeney, and second, that he

killed him purposely, deliberately,

and with premeditated malice.

Again, if it is shown that Murray

did kill Sweeney, but without pre-

meditation or malice, them you

may return a verdict of guifty in

the second degree. Self defanse

Mr. King gave a brief account

of Murray's early life, and inti-

mated that more of this is to fol-

low as the trial progresses. Mur-

raay met with an accident in his

youth, King declared, and remind-

ed the jury that it is for them to

determine whether his alleged

crime may have been laid to that.

We will show that on several

occasions, Murray escaped from

the penitentiary," defense counsel

stated. "Whether or not this was

due to a diseased brain or to hal-

lucinations is for you to deter-

mine. Early in life, the defend-

ant read many books of a sensa-

tional nature, whether or not this

had any effect upon him is also

The suggestion that Murray's

mind might have been unbalanced

as a result of being "placed in

fear for his life" while in the pen-

itentiary, was advanced by the de-

fense counsel who left it undeter-

mined whether the "fears" were

real or imaginary. According to

the defense, two shots were fired

into the "bull pen" while Murray

was incarcerated there. The shots

are said to have been fired with-

out the slightest provocation. The

treatment accorded there was

'cruel and inhuman," the defease

"We do not admit that Murray

killed Sweeney." King declared.

Eweeney is dead, but we do not

know who did it. We will at-

tempt to prove, however, that the

men who escaped from the prison

did not intend to kill. They want-

They picked a time which they

thought would be opportune in

Mr. King also declared that he

would endeavor to prove that all

the escaping convicts were under

the influence of "merra wanra."

Five witnesses were called by

the state during the afternoon

session. The first of these was

Mrs. Lucille Sweeney, wife of the

dead guard. Mr. Sweeney, his

wife said, usually went on duty

at the prison at 3:30 o'clock in

saw Mr. Sweeney alive," Mr. Car-

"I saw him alive at 3:20 o'clock

"In what condition was his

"He was enjoying excellent

"When did you next see him?"

"On Thursday morning, August

"In what condition was your

Other witnesses called were

George H. Weigel, a photographer

who identified several pictures in-

troduced by the state. Lloyd T.

Rigdon, coroner, and Earl A.

Paulson, undertaker, who testi-

'ied as to the location' and con-

dition of the bodies of the dead

mards, and Dr. W. Carlton Smith,

who produced the bullet taken

from John Sweeney's brain. The

trial adjourned at 5:30 o'clock

and will be resumed again this

morning at 9 o'clock.

health; the best in years."

"He was lying dead."

husband then?"

on August 12," Mrs. Sweeney re-

"When was the last time you

the afternoon,

health?"

to be determined."

enter into the case."

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51s2tf

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resentative here all next week. 57s11tf

BUSINESS OPPORTUNITIES 61

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over and they've taken the 'old grey mare' home, let's do a little swapping for excitement—you know that big phinpkin (not the one the Governor tried to lift), well, we have 30 acres that will raise big ones like that, worth \$7500 and the owner has gone in for society and wants a town house; or would you rather have 65 improved series worth \$4000; or 80 fine insurproved bottom acres worth \$10,000; or how would you like to trade a small house for a bigger one and 3 lots worth \$2500; or have you a good house worth \$4000 or \$5000 that you could take a couple of Portland acres worth \$1200 as part payment; or how would you trade that high priced 40 forms real ranch of 190 acres worth \$150 per acres. McGlichrist & Penn-Dirion 200 by 5: Bank Bldg. Phone NOW THAT THE STATE FAIR IS

NOW THAT THE FAIR IS OVER COME in and see us about that house you have been wanting. New 4 room stueco only \$2500; new 4 room scaled house with 2 lots only \$1400 easy terms apartment house to trade for farm; 60 acre farm to trade for house. See our large exchange list. Salem Resity Co., 462 State St. Phone 1004, 63-08

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Salem, Ly.... Newberg, Ar...... 10:25 4:25 8:25

Salem 8:45 3:55 8:00 CHANGES IN THE SALEM-DALLAS SCHEDULE Leaving Salem for Dallas: 7, 9, 11:25 Leaving Dallas for Salem: 8, 9:50 a. m. 1, 8:10, 6:15 p. m.

Call 696 for further information.

MURRAY BELIEVED LIFE THREATENED (Continued from page 1.)

This also, was brought out by the ed to escape without shooting. state's atorney. In outlining the program of the defense, King first summarized this regard. Oregon Jones led in he verdicts that it is impossible the shooting, and he, himself was for the jury to return. "If you killed. Murray did not shoot, and are to return a verdict of guilty he had ample opportunity to do

in the first degree, such as the so before, if he had wanted to." ADMINISTRATOR'S NOTICE OF APPOINTMENT

Notice is hereby given that the a drug derived from the flax County Court of Marion county. plant, when they made their Oregon, did on the 21st day of break for fredom. ptember, 1925, by order duly made and entered of record appoint Edward Harr administrator of the estate of Ralph Harr, deceased: that said administrator has du'y qualified therein and hereby notifics all persons having claims against said estate to present same to him at the law office of C. M. Inman in the Breyman building at Salem, Oregon, within six months from the date son asked. of first publication of this notice.

to-wit, September 24, 1925. EDWARD HARR.

s 21; o 1-8-15-22 Administrator. NOTICE OF SALE OF GOVERNMENT GENERAL LAND OFFICE Washington, D. C., September 23, 1925.

Notice is hereby given that subject to the conditions and limitations of the sets of June 9, 1916 (39 Stat., 218), and June 4, 1920 (41 Stat., 758), and sursuant to departmental regulations of April 14, 1924, (50 L. D. 376), the times the following lands will be said November 16, 1925, at 10 a.m., at public auction at the U. S. land office at ortland. Oregon, to the highest bidder at of less than the appaised value as show by this notice, sale to be subject to the approval of the Secretary of the Inter or. The purchase price, with an additional sum of one fifth of one per cent hereof, being commissions allowed, must be deposited at time of sale, money of the returned if sale is not approved, otherwise patent will issue for the time. ber, which must be removed within ten vears. Bids will be received from citizens of the United States, associations f such citizens, and corporations organized under the laws of the United States or any State, territory, or district there of only. Upon application of a qualified surchaser, the timber on any legal subdi orchaser, the timber on any legal subdi-vision will be offered separately hefore being included in any offer of a larger unit. T. 2 N., R. 2 W., Sec. 3, fractional NE¹/₄ NE¹/₄ fir saw timber 1600 M., cedar saw timber 50 M., cedar logs 100, NW M. NE¹/₄ fir saw timber 2300 M., cedar logs 150, none of the timber on this section to be sold for less than \$2.00 per M., for the fir and cedar saw timber and \$1.00 each for the cedar logs. T. 7. S. R. I. E. Sec. 27. NW4 NE4 standing fir 2150 M., down fir 50 M., none of the timber on this section to be sold f less than \$2.00 per M., for the standing fir and \$1.00 per M., for the down fir. T: 4 S. R. 3 E., Sec. 31, NW4, SE4, fir 835 M., T. 2 N., R. 3 W., Sec. 1. NW4, NW4, fir 680 M., cedar 45 M. SW 14 NW 14 fir 640 M. cedar 30 M. nor of the timber on these sections to be sold for less than \$2.90 per M. T. 3 N., R. 3 W., See, 21, NEW, NWW, fir 1250 M. cedar 75 M., NW% NW% fir 1075 M.

Miss Cherry's Platform

Curfew Law a Plank in

CEDAR RAPIDS, Iowa .- An effort to protect the morals of the young will be made by Miss Effic Cherry, old time member of the once famous "Cherry Sisters" vaudeville team, if she is nominated and elected mayor of Cedar Rapids next spring. She so announced in her platform. Miss Cherry would enforce a

curfew law and do away with

the bathing beaches on the theory

that such steps would make for

better morals, and she also said

she is in favor of men and women, especially the married ones, being home earlier at night. She said: "The bathing beaches are shocking. I will not tolerate them. The morals of the young folks must be protected." Miss Cherry has tried for mayor before, missing nomination by

elections are non-political. Miss Cherry is an enthusiastic advocate of the nolicies of Schator Smith W. Brookhart of lows. She believes that if the senator should be unseated it would be a "calamity for lowa,"

about 1,000 votes in 1924. City

There is a controversy in this and other cities in lows over the teaching of art in the public schools. Miss Cherry is opposed to it. "Do we want a generation of ar-

tists?" she asked, in discussing the subject. "When I went to school we had none of these highfalutin ideas. We learned how to read, write and spell. There was no painting of pictures. And wa got along just as well." Confidence of the street of the street of the and delined

BEFORE SHE

IS IN A POLICE

STATION BEING

"GIVEN "THE

THIRD DE

GREE" BY

THE CAPTAIN

KNOWS IT FLO

EPISODE 24 of Struggle

LEAVES THE NIGHT CLUB IN A HUFF. VOWING VENGEANCE

COME CLEAN LADY, AN

YOU'VE GOT A CHANCE

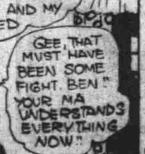
TO SAVE YOURSELF "

I'LL FIX HIM SOME WAY - THE CHEAP PIKER " HE'S GOT TO PAY ME SOME THING AFTER THE RISK I TOOK M AT THAT !!

FATE STEPS IN THE PER. SON OF SAM POSSUM. BEN'S TRAINING PARTNERS







ON GAMBLER, 1 JACK CARDMAN

I'LL TT-TELL YOU

EVERYTHING!

FEW HOURS LATER , JACK CARDMAN FINDS HMSELF BREAKTAST

HIS FIGHT, GOES BACK TO THE FARM TO SEE HIS MOTHER AND BEE GOODE THE DANCER

TO MORROW THE HURRY CALL WILL BE SHOWN HERE

FOR BALE-FIRST AND SECOND Mort F YOU HAVE PROPERTY TO SELI gages, Trust Deeds, Contracts on house.

Will net 6% to 30%.

BECKE & HENDRICKS or if you are looking for a home, farm or business droperty, see us. Heilig Bldg., 189 N High St. REPAIRING ARM LOANS-PLENTY OF MONEY TO loan on good farm security. ALVIN B. STEWART CITY LOANS-We are 347 Court St. dential Insurance Company money o UMBRELLAS, CUTLERY AND KEYS. city residences and business property, at 5½%, plus a commission. Hawking & Roberts, Inc., 205 Oregon Building Lawnmowers, rapor blades, scissors, knives and tools sharpened

month. Reasonable rates. Cess pools cleaned and dead animals removed. Phones Office 85 or 979. Res. 2058.

ing and shoes. Reat prices paid. Cap ital Exchange, 342 North Commercial. Phone 1368 W. STOVES AND STOVE REPAIRING TOVES REBUILT AND REPAIRED

40 years' experience. Depot National fence, sine 26 to 58 in. high. Paints, oils and varnishes, etc., loganberry and hop books. Salem Pence and Stove cedar 25 M., none of the timber on this ection to be sold for less than \$1.3 Works, 250 Court street. Phone 124.

oet 6-n8-inc. Acting Commissions By ED WHEELAN

ONE ? ARE Y'SURE ?

TEVELLED

MINUTE MOVIES

A CITY SERIAL FILMED BY ED WHEELAN RETRIBUTION'

E LO JAZZBERG

ON THE SCENE

(All rights protected by The George Mathews Adams Service-Trade Mark Registered U. S. Patent Office)

BEN HAVRICK AFTER WINNING