

MURDER TRIAL IS DRAGGING ALONG

Repetition of Testimony Offered by District Attorney Marks Another Day

MURRAY CALLED 'STOOL'

Convict Under Death Sentence Acted as Informer Upon Others Declares Warden A. M. Dalrymple

With the state demanding the death penalty for James Willos and Ellsworth Kelley, two convicts participating in the fatal prison break of August 12, the case dragged through another uneventful day with little new testimony offered by the prosecution. The state is expected to conclude its case today. The defense, it is thought, will not be ready to rest until Saturday at least. It is believed by some that the case will carry over into next week.

The same witnesses used in the Murray trial are being placed on the stand by the state, and in practically the same order in which they appeared in the first case. The testimony of the witnesses is merely a repetition of their declarations on the stand when the leader of the escaped convicts was on trial for his life, and subsequently found guilty and sentenced to be hanged. No new evidence has as yet been presented.

Will R. King, attorney for the defendants, yesterday filed a motion with the court asking for an order issuing summons to a number of prospective witnesses he expects to call to the stand. Many of those named are at the present time, or have been in the past, employed at the state prison. Among those to be subpoenaed are Johnson Smith, former warden at the penitentiary, C. M. Charlton, J. V. Starrett, George A. White, Ernest H. Lister, John H. Durham and John H. Rigen. Leslie Newman and Mrs. C. L. Newman, and Donagan Wiggins will also be called.

By the testimony of Charlton and Starrett, the defense will attempt to show that the use of "hashish," a drug derived from hemp, influenced the prisoners in a marked degree. Lister, a resident of Eugene, is expected to show that Kelley, one of the defendants, had a "reputation for peace and quietude" from early childhood.

A. M. Dalrymple, warden of the prison, was called to the witness stand by the state during the morning session and entered the same testimony as during the Murray trial.

"Jones was the first over the wall," the warden stated. "Kelley, Willos and Murray dropped over the wall immediately after. Kelley did not join his companions in their flight, but remained near the wall for some time." The state declares that it was during this time that Kelley killed Holman with a charge from a shotgun.

Another point brought out by the warden was that Murray, sentenced to death for killing Sweeney, was an informer and a "stool," having told the deputy warden of a contemplated break by his fellow convicts. It was the defense plea during Murray's trial that the defendant feared that inmates of the prison would fabricate lies about him in order to advance

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SALEMITES VICTIMIZED

COLONISTS FIND "GARDEN OF EDEN" NOT PLEASANT

LOS ANGELES, Calif., Oct. 20.—(By Associated Press.)—Mrs. Ena M. Harper, who lives in a sumptuous home in Hollywood, was indicted by the federal grand jury here today, accused of having fraudulently used the mails in promotion of a colonization project of an island off the coast of lower California, Mexico.

Late today, after federal officers had made an unsuccessful attempt to locate the woman, her attorneys called the United States marshal's office and said that their client would surrender tomorrow.

Hundreds of colonists recruited from California, Oregon and Washington lost a total of \$500,000 in the project, the government alleges. Dozens of families are said to have gone to the island from Portland, Albany, Salem and other cities in Oregon, while in the Yakima valley, Washington, Mrs. Harper and her associates allegedly obtained more than \$200,000 in contracts.

The island, about 45 miles south of Mazatlan, was described by the promoters as a veritable "Garden of Eden" when as a matter of fact it is barren and overrun with insect pests and snakes, federal agents declare.

SEATTLE AGAIN SEEKS KIMBALL SCHOOL HERE

DR. DONEY LEAVES TO PROTEST PROPOSITION

Change From Theological Nature to Religious Education School Wanted

Dr. Carl Gregg Doney, president of Willamette university, left last night for Seattle, where he will confer in an affair concerning the Kimball School of Theology. The matter of moving Kimball from Salem is up again. There are some who want to have the theological school moved to Seattle, and to have the nature of the school changed from that of a theological nature to a school for religious education.

The matter, according to Dr. Doney, has been up now and then for the last three or four years. It seems that the administration of the theological school want to expand the school a great deal more, and feel that in order to do this it would be an advantage to this it would be an advantage to be in a larger city. But Dr. Doney feels that the time is not yet ripe for such a radical change, and believes the movement to be "hardly wise." He will use his efforts in an endeavor to retain the theological school in Salem.

SEATTLE, Oct. 20.—(By Associated Press.)—The advisability of moving the Kimball school of theology, now associated with Willamette university at Salem, to Seattle, will be discussed here tomorrow at a meeting of Methodist ministers and laymen from Oregon, Idaho and Washington.

SHIP AT SEA'S MERCY

RUDDER GONE, LIFE BOATS SMASHED IN STORM

NEW YORK, Oct. 20.—(By Associated Press.)—The second officer of the rudderless Italian freighter Ignazio Florio has been washed overboard to his death by high seas, the first officer has sustained a fracture of the leg and all the ship's life boats have been smashed, a radio message from the President Harding, which has been standing by all day unable to effect a rescue, reported tonight.

Two attempts by the President Harding to get boats to the Florio failed today but the ship was standing by tonight to resume rescue work as soon as possible in an effort to save the crew of 37. Fearing the Florio might capsize in the storm, Captain Brening of the President Harding had oil poured on the water but the seas were not quiet enough to permit use of life boats.

The Florio which left Montreal October 4 bound for Mediterranean ports lost its rudder in the storm. It sent out SOS calls Monday, the President Harding being the first ship to arrive. The steamer F. S. Elvin, was reported tonight on its way to assist in the rescue. Captain Brening's message said high seas were sweeping the Florio and the wind of hurricane force, although the weather was moderating slightly.

SLIDE SMOTHERS WORKER

SEATTLE, Oct. 20.—(AP)—Smothered in a 10-foot cave-in, while helping a neighbor dig a ditch, Carl Clausen, 60-year-old laborer, lost his life near his home today. His body was recovered an hour and a half later but efforts to resuscitate his failed.

FRUIT SHIPMENTS GREATER

WALLA WALLA, Wash., Oct. 20.—Seven hundred fruit certificates have been issued by Wendell P. Brown, district horticulturist, since July 1 as compared with 548 for the same period last year.

APPLE SHOW STARTS

WALLA WALLA, Wash., Oct. 20.—The annual Milton-Freewater, Ore., apple show will be held tomorrow and Thursday with the Twin Cities playing hosts to large throngs expected to view the products and improvements in the apple industry in the surrounding community.

MANY AGENTS OUSTED

HELENA, Mont., Oct. 20.—(By Associated Press.)—That one third of the federal officers formerly employed in district No. 19 were not retained, for "various reasons" was made known today by Albert A. White, assistant administrator in charge of enforcement.

BANK ROBBER SOUGHT

CRESTON, B. C., Oct. 20.—(By Associated Press.)—One of the two men who robbed the Imperial bank of Creston of \$5500 this afternoon was captured late today and \$2700 of the loot was recovered, police announced here tonight. A posse of 150 men is searching for the other man on Goat Mountain, 60 miles from here.

BORAH OPPOSED TO LEAGUE ADHERENCE

Present Tribunal Not World Court, But League of Nations Court, Said

ENTRY IS NOT FAVORED

Senator Borah of Idaho Declares America Should Not Join Until New Foundation Is Laid

CHICAGO, Oct. 20.—(By Associated Press.)—The permanent court of international justice as at present constituted is not a world court, but a league of nations court, Senator William E. Borah of Idaho, declared in an address tonight.

The senator, who is chairman of the senate foreign relations committee, opposed American adherence to the tribunal until it is divorced from the league of nations and given a foundation of international law which will declare war a crime and provide for bringing to justice fomenters of war.

He spoke to 2,000 persons at the Auditorium theater under the auspices of the Women's Roosevelt Republican club. It was the opening broadside of his campaign against the court, and it was the first address which the club is sponsoring this fall. On Friday afternoon Senator George W. Pepper of Pennsylvania, who is for American adherence under certain reservations will speak and next month the club will be addressed by Speaker Nicholas Longworth of Ohio.

Senator Borah asserted the issue was whether the United States would enter a league of nations court or an "independent judicial tribunal." He recalled that the late President Harding, in a message to the senate, declared the tribunal should be in fact a world

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GEM SWINDLER SOUGHT

PORTLAND PEOPLE SAID TO HAVE BEEN VICTIMS

PORTLAND, Ore., Oct. 20.—(By Associated Press.)—The district attorney announced tonight that search is being made for a man, who said he was from Gladstone, Ore., and who is alleged to have swindled men and women in and near Portland out of \$10,000 in diamonds by giving them worthless checks for their gems.

Officials said the man would advertise that he wished to buy a diamond and that those who replied were given worthless checks on an Oregon City bank for their gems. When the checks were presented at the bank today, their worthlessness was discovered.

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CRIME WAVE HALTED BY DRIVE AGAINST BANDITS

GANG OF NOTORIOUS GUNMEN HELD; CLUBS CLOSED

Twelve of "Cowboy" Tressler Outlaws Taken; Jewel Theft Is Investigated

NEW YORK, Oct. 20.—(By Associated Press.)—Law gained ascendancy today in its struggle to crush the latest New York crime wave.

While the state's judicial machinery ground out indictments against members of the notorious "Cowboy gang" of gunmen and police arrested a Connecticut inventor charged with supplying them with pistol silencers, federal authorities began action to close 30 fashionable supper clubs and restaurants.

Meanwhile after an outbreak of holdups and robberies that totalled more than \$200,000 loot yesterday, the underworld was quiet. Its only advantage of the day was gained when District Attorney Pecora admitted that the thief who stole \$683,000 worth of jewels from Mrs. James P. Donahue is no nearer arrest than ever and that \$65,000 was paid for the return of the gems.

While he was conferring today with police, Eugene Reising, inventor and head of the Reising Arms company of East Hartford, Conn., was indicted by the grand jury for selling silencers to the "Cowboy gang" and was arrested. It was alleged he supplied the "Cowboy gang," twelve of whose members are under arrest, with at least sixty silencers.

Other developments in the case against the "Cowboy gang" included indictments of three members for five first degree robberies; indictment of Rose Hemeline, alleged woman member of the gang, for assault in connection with a pistol battle with police; and arraignment of six of the gangsters including the leader, "Cowboy" Frank Tressler. Tressler was held without bail while bail for the others was fixed at \$50,000 each.

Tonight Assistant District Attorney Pecora announced that the grand jury tomorrow will hear the facts in connection with the return of the Donahue jewels.

According to the statement made by Noel C. Scaffa, private detective, the jewels were turned over to him by a man who said he was "Sam Layton." The transaction in a hotel room was on a basis of "no questions asked" and police did not know of it until after "Layton" had vanished.

Scaffa's statement, made public by Mr. Pecora, asserted that an unknown man negotiated for the return of the jewelry by telephone. Scaffa represents the company that insured the jewels.

Scaffa said the insurance company offered ten per cent of the value of the gems for their return. The federal grand jury will hear the explanations of managers and waiters in the thirty alleged cases

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INTERESTING SQUIRRELS ARE AT STATE HOSPITAL

FURRY RESIDENTS CAME FROM PHILADELPHIA

Animals Play Hide and Seek or Tag; Steal Nuts From Main Fire Escape

(By H. C. Bateman.)

In a recent issue of The Statesman, Col. E. Hofer, in speaking of the beauties of Salem, not only called attention to our beautiful trees and flowers, wide streets and fine buildings, but spoke of our fruit vendors and street cleaners as valuable assets. A few words along the same line relative to our squirrels may be of interest at least to the young people.

Several years ago there arrived at the Oregon state hospital by express from Philadelphia, Pa., a box of Eastern gray squirrels, about a dozen or more of them. Chris Peterson opened the box out on the lawn and the immigrants made for the tall timber in a hurry and were not seen again for some time. There are probably about the same number around now as were liberated then, but now they feel entirely at home. They are not the same as the Oregon timber gray squirrel, which is larger and has a tail as large as the body, but they have the same healthy appetite for nuts. They are universal pets; even the dogs have been taught not to molest them, and to be to the new patient who unwittingly frightens or injures one of them. Almost every man on the grounds has tried feeding them, but the squirrels show which are their favorites. Old Nick, the janitor, saves up acorns and nuts for them and when he sits down against a tree they need no dinner bell to call them. Old man Hicks, the sidewalk sweeper, is such a familiar object about the grounds that the squirrels are not afraid of him or his broom but

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SCHICK TEST IS GIVEN

MONMOUTH STUDENTS EXAMINED FOR DIPHTHERIA

MONMOUTH, Ore., Oct. 20.—Three hundred and fifty Normal school students at faculty members took the Schick test for determining susceptibility to diphtheria Monday. The test was given by Dr. William Levin of the state board of health, assisted by Miss Bertha Wilson, R. N. of the Oregon Normal school. Dr. Levin will return to the Normal school campus Thursday to read the test and an opportunity will be given to those who are not shown to be naturally immune by the test to take the toxin for diphtheria prevention.

One hundred and one pupils of the Monmouth training and high schools took the test at the same time and it was repeated on Tuesday morning for 140 students of the Independence training center and high school.

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RELIGION REGARDED AS HOPE OF NATION

Coolidge Says Law Observance and Religious Faith Go Hand in Hand

LAWLESSNESS RAMPANT

Lack of Respect for Civil and Moral Obligations Altogether Too Apparent, Says President

WASHINGTON, Oct. 20.—(By Associated Press.)—More law observance and more religion are needed in this country, President Coolidge told the annual council of the Congregational churches in an address tonight.

"Lawlessness is altogether too prevalent," he said, "and a lack of respect for government and the conventions of enlightened society is altogether too apparent."

"If there is any general failure in the enforcement of the law it is because there have first been general failures in the disposition to observe the law. I can conceive of no adequate remedy for the evils which beset society except through the influences of religion."

The president said there was no form of education, government or reward "which will not fail;" that "redemption must come through sacrifice and sacrifice is the essence of religion." He bespeared untold benefit through a broader comprehension of this principle by the public and continued preaching of it by the clergy.

"It is only through these avenues," he declared, "by a constant renewal and extension of our faith that we can expect to enlarge and improve the moral and spiritual life of the nation. Without that faith all that we have of an enlightened civilization cannot endure."

He asserted that, "if the people are the government, it will be what they are" and "we will be able to get out of the people only such virtues as religion has put there."

The president went on: "If society resists wrongdoing by punishment, as it must do unless it is willing to approve it through failure to resist it, for there is no middle ground, it may protect itself as it is justified in doing by restraining a criminal, but that in and of itself does not reform him. It is only a treatment of a symptom. It does not eradicate the disease. It does not make the community virtuous."

"No amount of restraint, no amount of law can do that. If our political and social standards are the result of an enlightened conscience, then their perfection depends upon securing a more enlightened conscience."

"If we are to preserve what we already have and provide for further reformation, as the clergy tell us, we must become partakers of the spirit of the Great Master. This way is outside the government. It is the realm of religion."

The government can and is aiding in solution of some of the present day problems, Mr. Coolidge said, believing that the law undoubtedly acts to deter wrongdoing and to repress crime.

"By this," he held, "reaches its highest application only when

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FRENCH QUASH REVOLT

REBEL TRIBESMEN OVERCOME WITH ARTILLERY

DAMASCUS, Syria, Oct. 20.—(By Associated Press.)—An open revolt of the Moslem sections of Damascus into which bands of rebel Druse tribesmen had infiltrated was put down by the French late today, but only after artillery, armored cars and heavy damage done to the insurgent quarters of the city. Moslem insurgents after 24 hours of fierce resistance offered to surrender to General Sarrail, the French high commissioner, and then later accepted his terms. This included a heavy fine and the delivery of several thousand rifles.

Bands of the Druses who have been fighting the French regime in Syria for the last three months had filtered into the southern part of Damascus. There they were joined by the local population and at 9 o'clock last night suddenly attacked the French occupants.

The French troops managed to retain possession of the public utilities, public buildings and military establishments, against which the insurgents kept up a continuous rifle fire. The rebels set fire to many stores and private houses, erected barricades and carried on a vigorous resistance to the French counter action.

HEILIG ELECTRIC SIGN DECLARED TO BE SAFE

ATTACK BY CITY COUNCILMEN IS SAID UNJUST

Theatre Is Pronounced Safer Than Ever Before by Fire Chief Hutton

The attack made in the Salem city council meeting on Monday night upon the management of the Heilig theatre caused some checking up yesterday.

The claim was made in the council meeting that the new Heilig electric sign weighs a ton and a half. Nelson Bros., who made the sign, say it weighs 900 pounds. They also say there is not a more firmly anchored sign in Salem—that, in fact, it is absolutely safe.

As to the safety of the Heilig theatre from fire hazard, H. R. Hutton, Salem's fire chief, has examined it thoroughly, and says the house is much safer from risk to patrons than it has ever been—safer than when it was new.

The exits have been increased and they have been equipped with the most up to date appliances. The Heilig management has been working with the state fire marshal's office, and is still doing so. While the house is safer to the public now than it has ever been, this is not sufficient for Mr. Hutton. If there is the least idea that it is still not safe enough against any sort of fire hazard, he wants and expects to make still further improvements.

SERIES ADVANCE ASKED

WEATHER WOULD BE MORE FAVORABLE SAYS LANDIS

CHICAGO, Oct. 20.—(By Associated Press.)—Kenesaw Mountain Landis, baseball commissioner, favors concluding the 1926 campaigns of the major leagues a week earlier than heretofore to avoid conflicting with the opening of the football season and also disagreeable weather for the world's series. He believes the last Sunday in September is the proper time for the teams to finish the season, starting the world's series two or three days later.

"This question will be among the chief subjects for discussion at the joint session of the American and National leagues next December," Commissioner Landis said tonight. "I understand the schedules can be arranged so the season can be finished the last week in September without inconvenience to anybody, and without scheduling too many doubleheaders."

"The president went on: 'If society resists wrongdoing by punishment, as it must do unless it is willing to approve it through failure to resist it, for there is no middle ground, it may protect itself as it is justified in doing by restraining a criminal, but that in and of itself does not reform him. It is only a treatment of a symptom. It does not eradicate the disease. It does not make the community virtuous.'

GAGGING THOUGHT HOAX

WOMAN THIRICE FOUND TIED, BELIEVED TO BE FAKING

SEATTLE, Oct. 20.—(By Associated Press.)—Belief that Mrs. Carl Harder bound and gagged herself at her apartment here today in an effort to create sympathy was expressed by police here tonight following an investigation. Neighbors found Mrs. Harder lying on the floor, unconscious with a gag in her mouth. Her hands were free and a bathrobe cord not tied was wrapped around her ankles. This is the third time this month that Mrs. Harder was found bound and gagged.

STEAMER IN DISTRESS

BOSTON, Oct. 20.—(By Associated Press.)—The coast guard today received a request for assistance for the British steamer King City, disabled 15 miles east of Boston lights. The cutter Tampa was directed by radio to proceed to her assistance.

SUGAR PRICE DROPS

SAN FRANCISCO, Oct. 20.—Refined sugar to wholesalers at the refineries declined 10 cents a hundred pounds today, making the new cane base \$5.25 and the new beet base \$5.05.

WILL KEEP JUTE MILL

WALLA WALLA, Wash., Oct. 20.—That the county farm bureau will leave nothing undone in its effort to retain the jute mill machinery at the state penitentiary is evinced by the plan of the organization, following the lack of official information from Olympia on the matter.

ASTORIA VOTES TAX CUT

ASTORIA, Or., Oct. 20.—Some 400 city taxpayers jammed the court house here tonight to vote a recommendation for a straight cut of \$15,000 in the city budget operations expenses. The meeting was scheduled for the city hall but was adjourned to the court house when the crowd could not be accommodated in the city council chambers. Not a dissenting vote was cast on the reduction motion.

MILITARY TRIAL IS ORDERED BY CHIEF

Mitchell Court Martial Is Scheduled to Take Place on October 28

RANK THOUGHT HIGHEST

Officials Believe Court Will Be Highest Ever Assembled for Trial of Officer of U. S. Army

WASHINGTON, Oct. 20.—(By Associated Press.)—What is believed to be the highest ranking court martial ever assembled for trial of an army officer in the grade of colonel today was ordered by direction of President Coolidge to convene in Washington October 28.

On that date or as soon as possible, Colonel William Mitchell, storm center of the air service controversy, will be brought before the court on charges specifying violation of the ninety-sixth article of war.

Under the provisions of this article, conviction would in the discretion of the court, be made punishable by dismissal from the army, Presidential approval, however, would be required before such a verdict could be put into effect.

Secretary Dwight F. Davis is credited with having picked the members of the court himself. All of them are senior in point of service and rank to Colonel Mitchell, and all hold medals of honor or distinguished service crosses or medals.

The court was composed by special effort only of officers free from duties connected with the war department and general staff administration.

Mr. Davis' action today came as the culmination of several years of disagreement between Colonel Mitchell and war department officials and general staff officers over policies connected with the administration of the air service. It precipitated, however, by the recent statement in which the colonel, then on duty with the eighth corps area, headquarters at San Antonio, Texas, sensationally charged that the conduct of the war and navy departments in certain air service functions had been "almost treasonable" and criminally negligent.

While the war department withheld specifications of the charge from publication tonight it is probable that Colonel Mitchell will be prosecuted for having conducted himself "to the prejudice of the good order and military discipline."

Under the charge it is unlikely that he will be allowed to introduce any discussion involving the Shenandoah disaster or the PN-9 No. 1 failure.

The court of 13 members will be headed by Major General Charles P. Simmerall, commanding the second corps area, New York. Within its membership are included four other corps area commanders having headquarters at Columbus, Ohio, Baltimore, Md., Chicago, Ill., and Omaha, Neb. The remaining members, with the exception of Colonel Blanton Winship, law member of the court; all are brigadier generals.

EXPLOSION VICTIM DIES

MAN IN FEVERISHLY MANGLED WHEN COMPRESSOR BURSTS

OREGON CITY, Or., Oct. 20.—(By Associated Press.)—E. A. Leisman, 30, of Willamette, died in the Oregon City hospital here today after he had lost his right arm and both legs as the result of the explosion of an air compressor on a rock crusher owned by him, near Willamette. Mr. Leisman started the machinery preparatory to getting the rock crusher under way, when, without warning, the compressor near which he was standing, exploded, terribly mangleing him.

FOREST FIRE REPORTED

BLAZE COVERS 100 ACRES IN SIUSLAW TERRITORY

EUGENE, Or., Oct. 20.—A forest fire covering 100 acres or more was reported today from the Scottsburg section of the Siuslaw national forest. The fire is burning in second growth timber, according to word received at the office of the forest service here. Men have been sent out from the ranger station at Gardiner to fight it and unless it is checked more will be sent out tomorrow, it was stated.

