

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, SATURDAY MORNING, NOVEMBER 28, 1925

PRICE FIVE CENTS

COMMENT IS CAUSED BY LIQUOR SENTENCE

Statutes Declare Both Fine and Jail Sentences to Be Imposed, Said

OREGON LAWS ARE CITED

Case of Three Men Arrested With Mt. Angel Still Is Brought Up; Fine Regarded as Insufficient

Considerable comment has been voiced by local attorneys during the past few days relative to the sentence imposed by Circuit Judge L. H. McMahan upon the three men recently convicted of possession of the huge still seized on the Joe Walker farm near Mt. Angel on April 28 of this year. The men were found guilty of the charge of "possession of a still not registered by the county clerk," and were sentenced by Judge McMahan on Wednesday. Lester Dixon and John Andrews were each fined \$500, and Henry Johnson, about 65 years of age, the third defendant, was fined \$250.

Judge McMahan, in imposing the sentence, said that the three men had already been found guilty of manufacture of liquor in the same still mentioned in the indictment, but that in the case in hand it was not necessary that the state prove that the defendants had manufactured liquor.

"In the present case," Judge McMahan said, "they are charged only with having an unregistered still in their possession, a charge that could be brought against any man who might have in his possession an unregistered still for extracting oil from mint, or for distilling water only. The law nowhere provides that in case the unregistered still shall be used for manufacturing liquor that the penalty shall be more severe than it would be if it had been used for distilling mint or water."

It has been pointed out by several attorneys, however, that in chapter 30, general laws of Oregon, 1923, section 6 expressly states that the possession of any unregistered still is a crime, the punishment for which is contained in section 13a of the same chapter. This section reads: "If any person shall be convicted of a violation of any provision of this act he shall be punished by a fine of not more than \$3,000 and by imprisonment in the county jail for not less than 30 days and not more than one year, or by a fine of not more than \$3,000 and by imprisonment in the penitentiary for a term of not less than one year and not more than three years."

It is declared that the law does not permit imposition of a fine alone, but expressly indicates that a jail or prison sentence must also accompany the fine. It is also pointed out that the 1925 general laws of Oregon amended the original statutes to expressly include the word "liquor," although the defendants in the case at issue had been arrested before that law was passed. Salem attorneys, however, say that the 1925 statute merely confirmed the intent of the previous law.

Joe Walker, on whose place the still was discovered, was sentenced to a fine of \$3,000 and one year in the county jail when he was convicted in Circuit Judge Percy R. Kelly's court.

SNOW FALLS IN NORTH

MORE THAN FOUR INCHES IS REPORTED IN SPOKANE

SPOKANE, Nov. 27.—(By Associated Press.)—Slightly more than four inches of snow fell here this afternoon and tonight and from one to four inches of snow was reported from towns and cities throughout eastern Washington. The snow is the first of the winter for Spokane.

YAKIMA, Nov. 27.—Yakima woke up this morning to find a light blanket of wet snow covering the ground for the first time this year. Snow fell throughout the morning but turned to slush in the heavily traveled streets. Many small automobile accidents were reported.

SEATTLE, Nov. 27.—Continuation of the heavy snowfall of the last 12 hours may block Snoqualmie Pass in spite of efforts of state highway officials to keep it open, it was reported here tonight.

WILBUR NOT TO RESIGN

WASHINGTON, Nov. 27.—(By Associated Press.)—Taking cognizance of rumors that Secretary Wilbur intended to resign, President Coolidge today authorized a denial that such a step was contemplated.

THOUSANDS PAY TRIBUTE TO DEAD QUEEN MOTHER

TREMENDOUS COLUMN OF SUBJECTS PASS BY CASKET

Vast Line Extends for More Than Mile and a Half in Snow Covered Streets

LONDON, Nov. 27.—(By Associated Press.)—Throughout the chill afternoon and far into the gloomy London night, Queen Mother Alexandra's subjects, moving slowly in a tremendous sorrowing column, today and tonight passed by the scores of thousands into the dusk of Westminster Abbey to pay their last respects at the bier of their departed sovereign.

The vast queue which stretched for more than a mile outside the abbey, furnished an impressive closing picture for this day of final tribute. This morning through the gently falling snow, the royal procession, proceeding without sound along the white carpeted streets, followed the Queen Mother's coffin from St. James' palace to the abbey and after the solemn funeral ceremony was held there the public began its pilgrimage past the bier.

An hour after the abbey was opened to the people, the queue was a mile and a half long with people six abreast, extending back from the doors through the streets. Those who went directly to the abbey to gain entrance had to walk twenty minutes to Grosvenor road to take their places at the end of the column.

Officials of the abbey said late tonight that if it were necessary the doors would remain open throughout the night.

Early tomorrow morning a motor hearse will take the queen mother's body to Windsor, where burial will take place at 11:30 o'clock.

LONDON, Nov. 27.—(By Associated Press.)—Two prominent Londoners died suddenly today following memorial services for Dowager Queen Alexandra.

The Lady Mayress, wife of Sir William Mayres, who was installed as lord mayor of London November 9, died of heart disease shortly after returning from an evening memorial service in St. Paul's cathedral.

During the afternoon Canon Westlake, custodian of Westminster Abbey, who had been busy all day with the memorial service and in superintending the arrangements for the public to pass by the coffin, returned home ill and went to bed. His wife, sitting by his bedside, heard him murmur, "I am afraid it has been too much for me." Immediately afterward the canon died.

INDICTMENTS ATTACKED

WHEELER COUNSEL LAUNCHES DRIVE ON COURT RULING

WASHINGTON, Nov. 27.—(By Associated Press.)—Counsel for Senator Wheeler of Montana and Edwin H. Booth, former solicitor of the interior department today attacked in the District of Columbia supreme court the indictments returned here charging them and others with conspiracy in connection with oil prospecting permits in the senator's home state.

Senator Walsh of Montana appearing for his colleague insisted that the court could not conclude otherwise than that the government was attempting to bring Mr. Wheeler to trial for a second time on charges based on the same allegation of facts as that under which he was tried and acquitted in a federal district court in Montana.

The verdict there, holding Mr. Wheeler not guilty of improperly representing Gordon L. Campbell, oil operator, before the interior department was declared Mr. Walsh to have proved the allegations was untrue, and he contended, they could not be used to support the present charge.

BROTHERS ARE CHARGED

TWO YOUTHS ARE HELD FOR MURDER OF STORE KEEPER

OGDEN, Utah, Nov. 27.—Mike Noorlander, 21, and his brother Fred, 20, today were charged by Bannock county, Idaho, authorities with first degree murder in connection with the death of Walter Scadden who was beaten last Sunday night while defending his store at Inkom, Idaho, from robbers. Mike was shot during the holdup and is in a hospital at Pocatello. Fred was taken into custody near Provo, Utah, and brought here today. Fred confessed to them, local police say, that it was he who struck and fatally injured Scadden with a flashlight after the storekeeper had shot Mike.

ATTORNEYS WRANGLE IN MITCHELL TRIAL

Air Officer's Representative Clashes Hotly With Brigadier General

SHARP LANGUAGE IS USED

Reid Takes Exception to General King's Remarks That Defense Questions Are Inconsequential

WASHINGTON, Nov. 27.—(By Associated Press.)—With a wrangle over evidence at the opening of the Mitchell court martial today listened for four hours to prosecution witnesses and then recessed until Monday, closing after a row between Brigadier General Edward L. King, a member of the tribunal, and Representative F. R. Reid of Illinois, chief defense counsel.

Reports that because of the Reid-King incident, and the sharp language used, the general would resign or ask to be excused from further duty on the court failed tonight to bring any statement from him. He neither confirmed nor denied the reports.

Mr. Reid, however, set at rest other current talk to the effect that he would use the incident as the basis for a motion to have the trial reheard by another tribunal or would challenge General King's right to remain on the court.

The row was precipitated during Mr. Reid's cross examination of Major Jarvis J. Bain, a general staff officer and former assistant umpire of the recent joint army-navy maneuvers in Hawaii.

The defense counsel had changed the form of his question several times and had moved, apparently unknowingly, close in front of the bench where General King was seated. Suddenly Reid exclaimed: "No, this is not damn rot, and I object!"

"It is not damn rot in my mind, and I certainly don't think it should be so considered by any member of this court."

Mr. Reid had heard and showed his indignation over a remark by General King to another member of the court. The general hastened to apologize, explaining that he was "merely talking to another member of the court."

"I don't care who you were talking to," Mr. Reid returned hotly. "I heard what you said, and I want it in the record. This may be very tedious to you, but I consider it very necessary to this case to question the witness thoroughly. I have a right to."

PARIS WALKERS UNITE

PARIS, Nov. 26.—(By Associated Press.)—Paris pedestrians protective association sworn to break down the "tranny of 60,000 chauffeurs and taxi drivers over four million free citizens of Paris."

FRENCH CABINET AT LAST SELECTED; BRIAND LEADS

REPEATED EFFORTS MADE TO ORGANIZE MINISTERS

Briand Delivers Ultimatum to Old Left Coalition; Difficulties Are Seen

PARIS, Nov. 27.—(By Associated Press.)—Repeated attempts to institute a cabinet since the Painleve ministry resigned almost a week ago have at last met with success and the names of the ministers probably would be made known officially tomorrow.

Aristide Briand, already accustomed to the duties of premier, having served in that office a number of times, heads the cabinet. For the second time within a week he was requested yesterday to form a ministry, and tonight he announced that a new cabinet was virtually complete.

Louis Loucheur has been named minister of finance, decided tonight to accept the portfolio.

The formation of the combination went along smoothly today until early afternoon. Just about the time M. Briand was to meet President Doumergue, he found it necessary to sidestep difficulties placed in his way by disgruntled elements of the old left coalition

OFFICIALS HELD BRIBED BY CONFIDENCE WORKER

CALIFORNIA GOVERNOR REVOKES HUTCHINGS PAROLE

Executive Declares Private Investigation Revealed Police Corruption

SACRAMENTO, Cal., Nov. 27.—(By Associated Press.)—Governor Friend W. Richardson announced today that he had revoked the parole of E. A. Hutchings, alias "Big Hutch," convicted Los Angeles confidence man, and issued a requisition for his return from New York where he is now on parole. Following revocation of the parole, the governor said:

"I went to Los Angeles to investigate this case, but found the doors to information blocked, and it was clearly evident that some felt that Hutchings might tell too much if he were returned to California. I was anxious to know the truth and so proceeded by private investigation. These investigations have required considerable time, owing to the obstacles placed in the way. The results show the following startling revelations: That during the years 1918-1919 a number of bunco men operated in Los Angeles city; that there were at least eight separate gangs; that these bunco men paid from 15 to 25 per cent to certain officials for protection; and that citizens were robbed of more than a million dollars.

"Hutchings was convicted of buncoing one Norris, a retired Illinois farmer, out of \$51,000. Hutchings and his confederates in the Norris case paid 15 per cent for protection. Most of the crooks escaped punishment. The corrupt officials escaped punishment. Hutchings while indicted for only one offense, was a noted book-maker, race track tout, and confidant of bunco men.

"Hutchings was sentenced to a term of from one to ten years under the indeterminate sentence law. A former prison board fixed his term at seven and a half years. With credits allowed by law, seven and a half years imprisonment became five years and 15 days actual time. This time was further reduced by work on the state highway. On August 7, 1925, Hutchings was released on parole to go to New York for employment by the American Press association. If Hutchings had continued his highway work and his good behavior, he would have been released on April 7, 1926."

TWO KILLED IN CAVEIN

ANOTHER IS INJURED WHEN BLAST DISLODGES DIRT

MOSCOW, Idaho, Nov. 27.—(By Associated Press.)—Two men are dead and one injured as a result of a cavein today at the clay pit of the Moscow Fire Brick & Clay Products company at Joel, six miles from here. D. M. Kienholz, 26, and P. J. Komp, both of Moscow, were killed and Carlo Cirrucci was injured.

Thomas Hall, president and general manager of the company, said that a blast had been set off on one wall of the pit to dislodge sufficient clay to work with today. After the explosion the three men started moving the clay when, without warning, the side of the cliff caved in, catching the trio at work.

Mrs. Komp, widow of Mr. Komp, is in Portland where she was called a few days ago by the illness of her father.

PARENTS VOICE PROTEST

PETITION ASKS THAT INDIAN CHILDREN BE REMOVED

MOUNT VERNON, Nov. 27.—(By Associated Press.)—Aroused over the petition which 200 residents of La Connor have signed asking that Indian children attending La Connor schools be transferred to the Tulap Indian school, the Indians decided at a meeting today to fight the change.

The La Connor residents said they were unwilling to have their children attend school with "unhealthy Indian children."

REGULATION APPROVED

WASHINGTON, Nov. 27.—(By Associated Press.)—Reasonable regulation is necessary for the successful operation and continued growth of the vast new radio industry, D. B. Carson, navigation commissioner, said today in his annual report to Secretary Hoover.

SECRET BILL RETURNED

YAKIMA, Nov. 27.—One secret true bill was returned late this afternoon by the county grand jury, which has been sitting since last Monday.

MOVING VAN FILLED WITH USED CLOTHES

"Greatest Help Given at Any One Time," Says Charities' Worker

CHILDREN PACK THEATRE

Oregon Statesman-Oregon Theater Used Clothes Party Unqualified Success; Will be Annual Affair

With a line of children extending three deep from the box office of the Oregon theater on down State street to High, and around the corner; with police called to keep the children from being hurt by traffic; with a capacity house three-quarters of an hour before admission was to be charged, the Oregon Statesman-Oregon theater "used clothes party" was declared an unprecedented success yesterday afternoon.

Half an hour before the box office opened more than 300 children—fat little girls, skinny little boys, overalls boys and dressed-up girls, bending under the weight of the bundles for the poor they were carrying, waited patiently for the opening doors.

Officer W. F. Thompson, ten years on the staff, arrived from police headquarters to help keep the children from being hurt. He brought a bundle of clothes, too. "Where's your bundle?" he asked a sad little lad standing to one side. "I haven't any," replied the youth. "Well, here, you take mine, I can't go today."

Of the generosity of Salem children, and the thoughtful guidance of their parents, too much cannot be said.

LOCARNO TREATY PASSED OVER HEAVY OPPOSITION

GERMAN REACTIONARIES TO FIGHT RATIFICATION

League Measure Is Finally Adopted by Reichstag by Vote of 291 to 174

BERLIN, Nov. 27.—(By Associated Press.)—Chancellor Luther and Foreign Secretary Stresemann reaped victory today in their parliamentary fight for ratification of the Locarno treaties and German entry into the league of nations. By a final vote of 291 to 174 the reichstag adopted the bill legalizing the security pact drawn up at Locarno and the supplementary treaties with France, Belgium, Poland and Czechoslovakia. Approval also was given to the arrangement whereby Germany is to apply for membership in the league.

Parliamentary sanction came after a stubborn partisan battle lasting six weeks. The outcome was never really in doubt, but the chancellor and foreign secretary were confronted with unrelenting opposition by reactionaries. The security pact and the treaties were ratified by a separate vote 300 to 174, while the question of joining the league was affirmed, 278 to 183.

By a rising vote the reichstag adopted a motion submitted by the three middle parties, whereby the government is required to use every effort in the time intervening between now and Germany's formal admission to the league to obtain from the allies against their measure from alleviation from the Rhineland and other concessions than already granted.

Motions of nonconfidence in the government proposed by the nationalists and communists were defeated by a heavy vote, as also was a nationalist motion proposing the date of enforcement of the treaties.

COLLEGE HEADS GATHER

EXTENSION OF STUDENT-GOVERNMENT SYSTEM FAVORED

ALBANY COLLEGE, Albany, Ore., Nov. 27.—(By Associated Press.)—Further extension of self government privileges not only in the student body affairs, but in the affairs that concern the college, the system of instruction and other campus matters with relation to the college students, was advocated by Norman F. Coleman, president of Reed college, in his address before the presidents of the independent colleges of Oregon here today.

Dr. Coleman argued in favor of the extension of such government and said that he believed the colleges were gradually working toward a more liberal view as regards the student participation in the government of the institutions.

What voice the students may have in the affairs of the colleges would be tempered by the faculty in whom final action would be vested, as at present, he said.

L. G. Nichols, director of the Oregon institute of technology; J. Ham, of the same institution, and C. W. Greene, president of Albany college, were on the program this afternoon and tonight President Doney of Willamette university spoke. The conference will close tomorrow after a morning session of two addresses and business meeting.

SCHOOL HEAD ELECTED

J. LYMAN STEED, PHILADELPHIA, COMING HERE

J. Lyman Steed, of Philadelphia, was elected superintendent of the Oregon school for the deaf to succeed O. L. McIntyre, who left Thursday for Council Bluffs, Ia., to take over the management of the Iowa school for the deaf, at a meeting of the state board of control Friday. Mr. Steed is expected here January 1. T. A. Lindstrom, a graduate of the Washington State school, and Gallaudet college, Washington, D. C., and an instructor in the Salem school, will have charge until Mr. Steed's arrival. Mr. Lindstrom and Mr. Steed were classmates.

Mr. Steed is a graduate of St. Charles high school, St. Charles, Mo., was a student at St. Charles college, is a graduate of Westminster college, Westminster, Mo., of the state teachers' college at Warrensburg, Mo., and of Gallaudet college for the deaf, and has taken many special courses and had a wide experience. He has the college degrees of bachelor of letters, bachelor of pedagogy and master of arts.

WILBUR NOT TO ATTEND GAME

WASHINGTON, Nov. 27.—(By Associated Press.)—Secretary Wilbur will attend the Army-Navy football game in New York tomorrow, leaving Washington in the morning and returning immediately after the contest.

CHINESE SITUATION IS NOT UNDERSTOOD

Officials Mystified Over Turn of Events; Feng Declares He Will Fight

MUKDEN LEADER DEFIED

Fall of Chang Dynasty Is Indicated by Mengre Dispatches Received by Washington Officials

WASHINGTON, Nov. 27.—(By Associated Press.)—A sudden whirl of unexpected developments in China has left officials here and apparently in Peking completely mystified as to what new turn to expect in the political-military struggle of the three great provincial war lords. The fall of Chang Tso-Lin, Manchurian dictator for many years, and heretofore regarded as the most strongly placed of the trio was indicated in meager advices received today from Minister MacMurray at Peking, but no explanation was included in the dispatch.

The revolt at Mukden, followed by the breaking away of provincial chiefs, approximately allied with Chang in Tientsin and elsewhere, came out of a clear sky.

On the heels of that, press cablegrams from Peking added to the puzzle, saying that Feng Yu-Hsiang, the "Christian General," and a doubtful adherent of Chang, had joined the anti-Chang movement and warned the Manchurian leader that he must retire from public life or meet an attack from his troops. The last official report as to the relations between these two leaders was a telegram a week ago stating they had signed an agreement virtually neutralizing Peking and its vicinity. Today's reports indicated that Feng was so certain of Chang's downfall that he regarded the agreement as already scrapped and had marched his troops into Peking.

The most probable explanation of the revolt in Chang's ranks as seen by informed officials here, is that he is regarded as an outlander by the Chinese whenever he passes to the south of the great Chinese wall, which was built long ago to prevent Manchurian incursions.

The conquest of Manchuria by a leader from China would be a much easier thing to visualize in the Chinese popular view, than a Manchurian should exercise power south of the wall.

PEKING, Nov. 27.—(By Associated Press.)—The Christian general Feng Yu-Hsiang today served public notice on Marshal Chang Tso-Lin, once all powerful ruler of Manchuria, to quit politics or fight. Feng sent the Mukden leader a message urging him to retire, otherwise he declared he would attack.

Chang remained outwardly calm in spite of this culmination of the spectacular march of events, which has made the anti-foreign Feng virtually master of Peking and threatens to eliminate Chang from the political arena.

The chief executive, Marshal Tuan Chi-Jui, still remains in Peking, in spite of his desire, expressed to the cabinet, to resign and free himself of the imbroglio into which northern China has been thrown. He is understood to have

BOMB RING INVESTIGATED

GRAND JURY TAKING ACTION IN CHICAGO CASE

CHICAGO, Nov. 27.—(By Associated Press.)—A special grand jury will assemble Monday to investigate the activities of an organized ring of bombers, the existence of which has been confessed by four operatives, including a 23-year-old woman caught in the act of "planting" one of the explosives in a doorway.

The bombings were executed for \$200 to \$500 per job, according to the confession of Fred Wamquist, alleged leader of the ring. Churches, residences, barber shops and many other places of business have been damaged and three policemen have fallen victims.

CHICAGO OFFICER DIES

ANOTHER IS NEAR DEATH, RESULT OF GANG BATTLE

CHICAGO, Nov. 26.—(By Associated Press.)—Two more Chicago policemen today became targets for robbers' firearms. One James H. Carroll, died soon after a shooting affray with three men who entered a tobacco shop on the south side, presumably to rob it. James Henry, another policeman, was near death from wounds. Carroll's death brought the number of policemen slain on duty this year to nearly a dozen.

ALIMONY RULING MADE

SUPPORT MONEY TO BE REFUSED CHILDLESS WIVES

CHICAGO, Nov. 27.—(By Associated Press.)—Superior Court Judge Harry Lewis hereafter will not order alimony payments to childless wives, he announced in hearing an alimony case today.

"There is no reason in this age of equal rights why a young working man should be forced to pay alimony," said the judge, who has heard hundreds of divorce cases. "Most of the women who come before me for divorces have positions of their own and earn almost, and sometimes as much as their husbands."

"When childless couples separate they perform no service to the community or nation. There is no reason why a husband who is not a father should be burdened with the support of his wife for the rest of her life."

He added that the husbands generally fall behind in their payments and the wives institute contempt proceedings to collect the amounts due them. These contempt cases clog the courts and waste the judge's time and the county's money.

