

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, WEDNESDAY MORNING, DECEMBER 30, 1925

PRICE FIVE CENTS

DISMISSAL ORDERED IN WHEELER ACTION

Charges of Oil Land Conspiracy Halted by Action of Supreme Court

SENSATIONAL CASE ENDS

Court Holds That Charge Against Montana Senator Failed to Prove Violation of Federal Law

WASHINGTON, Dec. 29.—(By Associated Press.)—The prosecution of Senator Burton K. Wheeler of Montana by the department of justice was halted abruptly today in the District of Columbia supreme court.

The indictment returned here against the senator alleging an oil land conspiracy was dismissed on the ground that it failed to charge a violation of the federal statutes.

Previously Mr. Wheeler had been acquitted by a jury in his own state of the charges brought against him there.

Unless an appeal is taken in the case here the decision today ends the prosecutions started in 1924 while Senator Wheeler was conducting the sensational investigation of the administration of the department of justice under Harry M. Daugherty.

WASHINGTON, Dec. 29.—(By Associated Press.)—The tax reduction measure now before congress was described as "one of the worst attempts at class legislation that has been offered since the passage of the Fordney-McCumber tariff bill," in a speech by Senator Wheeler, democrat, Montana, tonight at a dinner concluding a tariff conference called by the people's reconstruction league. Senator Wheeler, whose demerit to the oil and gas permit conspiracy indictments brought against him here had been sustained by the District of Columbia supreme court only a few hours before the dinner, received an ovation upon his appearance as toastmaster.

The federal trade commission, the tariff commission and the interstate commerce commission were declared by Senator Wheeler to be the agencies "packed for the benefit of the special interests."

Addressing the conference today Senator Wheeler, Kansas, asserted that farmers in their demand for changes in the tariff law. Saying he had voted for the Fordney-McCumber tariff measure while opposed to many of its features, he held that "taking it all in all the farmers had the short end of a protective tariff," under that act. "There is a growing feeling in the west," he continued, "that there must be a readjustment of the tariff, and this is taking definite form in what is known as the McNary-Haugen plan."

FORMER OUTLAW TAKEN

"PAT" CROWE, KIDNAPPER, ARRESTED FOR VAGRANCY

NEW YORK, Dec. 29.—(By Associated Press.)—"Pat" Crowe, 57, former outlaw, who in 1900 with "Jim" Callahan, kidnaped Eddie Cuddey, 16 year old son of the Chicago millionaire packer, and who received a ransom of \$50,000 when the boy was returned unharmed, was given a suspended sentence on a charge of vagrancy when arraigned today in the Essex Market court. He was specifically charged with begging in a subway.

Crowe held up the St. Joseph and Council Bluffs railroad train near St. Joseph, Mo., many years ago. He and his confederates secured \$92,000, and a reward of \$50,000 was at that time offered for him "dead or alive."

Crowe told reporters he had dissipated the proceeds of his escapades on "wine, women and song," that he "had done time" in Missouri penitentiary for his part in a railroad robbery and subsequently reformed. Reduced now to beggary, he said, he preferred to beg rather than steal and that accounted for his present plight.

BORAH IS GUEST

WASHINGTON, Dec. 29.—(AP.)—Chairman Borah of the senate foreign relations committee was a dinner guest tonight at the White House.

CHERRY TREE BLOOMING

WATERLOO, N. Y., Dec. 29.—(AP.)—Surviving a temperature ranging from 15 below Saturday night to zero tonight, a cherry tree in bloom on the farm of John Michaelson. It blossomed and bore fruit the past summer.

"SPECIAL FORD AGENT" TURNS WEIRD MYSTERY

PLANNED DINNER DANCE FOR VALLEY MOTOR MEN

Unknown at Detroit, Wilmot Will Answer Forgery Charge in Eugene

W. W. Wilmot, claiming to be supervisor of the "western division of the public relation department" of the Ford Motor company, was arrested here last night by Deputy Sheriff Burkhardt and is being held in the county jail for Eugene officials on a forgery charge. A telegram received by the Valley Motor company here, in answer to a query, discredits Wilmot, says he is not connected with the Ford company and declares that no such department mentioned by Wilmot exists. Wilmot is said to have cashed a check for \$165 with a Eugene hotel. The check was made out on the Ford Motor Company of Detroit.

Wilmot attracted attention here Monday when he approached Mr. Phillips of the Valley Motor company and declared that he had made arrangements for a banquet for the 42 employees. The banquet was to have been served at a local hotel and was to have been paid for, Wilmot said, by the Ford company. Wilmot outlined arrangements for an elaborate dinner and dance. He left Salem Monday afternoon telling Mr. Phillips that he was going to Drain and that he would return the next day and complete preparations for the banquet. Phillips became suspicious, checked, and found that Wilmot went only as far as Corvallis. A short time later Wilmot called up from Corvallis, told Phillips he had been to Drain and that he would return to Salem at once.

The Salem company then began making inquiries and determined that Wilmot was apparently unknown on the coast. A telegram to Detroit brought forth the statement that he should be discredited and that he was not connected in any way with the Ford Motor company.

While in Salem, Wilmot visited newspapers and made arrangements for full page advertisements as publicity for a series of industrial motion pictures he declared would be shown at local theatres later in the week.

He also made arrangements for securing a five-act vaudeville program from Portland, to furnish entertainment during the "banquet." He is said to have informed them that if they "filled the bill," he would engage them for several weeks, intimating that he intended putting on banquets in a number of towns.

Wilmot still declares he is an official representative of the Ford company. A woman traveling with him, admits that she is not his wife and says she met him in Centralia and Chehalis.

Wilmot will be returned to Eugene this morning, officers say.

CONDITION UNIMPROVED

COL. JOHN COOLIDGE HAS LOST USE OF LEGS

PLYMOUTH, Vt., Dec. 29.—(By Associated Press.)—Colonel John C. Coolidge, the president's father, was "very, very comfortable," his physician reported late today. Colonel Coolidge sat up in his wheel chair for half an hour and was apparently not fatigued by the exertion. But he had lost the use of his legs through faulty circulation, and his physician, Dr. Albert W. Cram of Bridgewater, said the prospect of his ever regaining the use of the legs was remote.

The defective circulation, Dr. Cram explained, has prevented the proper amount of blood from reaching the nerves in the parts affected, and the result is a "sort of paralysis." The ailment is not to be attributed to the "heart blocks" from which the colonel has suffered and which caused his serious illness several weeks ago.

The poor circulation, Dr. Cram said, is due rather to old age, lowered vitality and other causes not readily analyzed.

MAN KILLED IN WRECK

PORTLANDER, 40, IS VICTIM OF AUTO ACCIDENT

TILLAMOOK, Ore., Dec. 29.—(By Associated Press.)—R. M. Briggs, 40, of Portland was instantly killed, and Harry Black, also of Portland was seriously injured today in an automobile accident on the Roosevelt highway about 35 miles south of here.

According to reports given County Coroner Hankle and District Attorney Barrick who investigated the accident, a roadster driven by Briggs plunged over a 40-foot embankment, crashed into a telephone pole at the bottom and rolled off into a field.

EINSTEIN THEORY IS IMPERILED BY TEST

Modification of Views on Relativity May Result From Observations

ETHER WAVES DISCUSSED

Scientists Declare Recent Experiments May Result in New Conception of Light Wave Theory

KANSAS CITY, Mo., Dec. 28.—(By Associated Press.)—Observations, extending over five years at Mount Wilson observatory in California have led to conclusions that may modify the famous Einstein theory of relativity.

Dr. Dayton C. Miller, professor of physics at the Case school of applied science and president of the American physical society described the experiments before the general session of the American association for the advancement of science annual convention here today. They indicate he said that ether drifts with the earth at the rate of approximately 10 kilometers per second.

To account for his observations, Dr. Miller declared it was necessary to make two assumptions: First, that there is a constant motion of the solar system with a velocity of 200 kilometers per second or more toward the middle of the constellation of Dragon; second, that in effect, the earth drags the ether.

Einstein, Dr. Miller said, based similar elements of his theory on ether drift experiments conducted in 1887 at Case school of applied science in Cleveland by Prof. Michelson and the late Prof. Edward W. Morley of Western Reserve university, which produced a negative result. The experiments which sought to reveal whether the motion of the earth through space affected the velocity of light, were renewed by Dr. Miller at the Mount Wilson observatory.

"The general acceptance of the theory that light consists of a wave action in luminiferous ether," Dr. Miller explained, "made it necessary to determine the essential properties of the ether, which

(Continued on page 2.)

LABOR PROBLEM GROWS

GREAT INCREASE SEEN IN UNEMPLOYED IN GERMANY

BERLIN, Dec. 29.—(By Associated Press.)—There was a sudden and remarkable increase in the number of unemployed in Germany receiving relief during the early weeks of December. On December 1 the number was 672,000, and on December 15 it had mounted to 1,057,000.

INCOME TAX TO ADD TO SCHOOL REVENUE ASKED

STATE TEACHERS' ASSOCIATION FAVORS NEW PLAN

Fifty Per Cent of Revenue Would Be Used for Education in Oregon

PORTLAND, Ore., Dec. 29.—(By Associated Press.)—A state income tax from which 50 per cent of the derived revenue shall be used for education in Oregon was favored today, by the Oregon State Teachers' association in session here. A committee will confer with the Grange and other statewide organizations which foster the tax revision to draft a bill to be placed on the ballot at the November election.

The income tax was the only one of four initiative measures to increase school funds, drafted by the committee on legislation, to receive the support of the association. The defeated recommendations were for a severance tax, a tax on the destruction of natural resources; an inheritance tax, revenues from which were to be placed in an irrevocable school fund and some phase of a luxury tax of which 50 per cent was to be placed in the current school fund.

Dr. Homer Rainey of the University of Oregon was one of those opposed to adopting the report of the legislative committee as a program for action.

C. C. Chapman, editor of the Oregon Voter, told the teachers that an enemy of their program "would only have to take its text and drive through it all the automobiles and chariots he wants to, it is so wide open for criticism."

An epidemic of protests followed Mr. Chapman's speech, several stating that teachers should not allow someone from the outside to come in and tell them how to handle their own affairs or to dictate with the stand they were to take on matters in which they were primarily interested. One of those who spoke in favor of the income tax was A. C. Hampton, superintendent of Astoria schools and a member of the legislative committee and the textbook commission.

Mrs. Suzanne Homes Carter, county superintendent of Jackson county was elected vice president of the association to succeed Dr. J. S. Landers, president of Monmouth State normal school, who will automatically succeed to the office of president. C. A. Rice, acting superintendent of schools of Portland, and J. O. McLaughlin of Corvallis were elected to succeed themselves as members of the executive committee.

IDAHO UNIVERSITY WINS

KELLOGG, Idaho, Dec. 29.—(By Associated Press.)—The University of Idaho trounced the Kellogg town basketball team 37 to 17 heretofore. The victory was the second in two days for Idaho, which defeated the Wallace All-Stars last night.

TAKING NO CHANCES



FLOODS SWEEP EUROPE DAMAGE REPORTED HIGH

1925 WILL BE KNOWN AS THE "GREAT FLOOD YEAR"

Warm Winds Cause Rapid Melting of Snow in Central and Western Part

PARIS, Dec. 28.—(By Associated Press.)—The year 1925 may still be remembered in history as the "great flood year" in central and western Europe if the warm winds which have swept the highlands and caused rapid melting of the snows do not give place to colder airs soon. Already there have been many lives lost in Rumania and Hungary, while vast sections of France, Belgium, Switzerland, Germany, Austria and Czechoslovakia are inundated. The weather predictions point to continued warmth and heavy rains. The most alarming conditions are reported from central Europe. Torda (Thorenburg) Rumania, has been swept by a torrent of overflowing waters that smashed houses by the score. Direct reports from Torda report the loss of hundreds of lives along the Rumanian frontier, with the waters sweeping bodies and debris through the streets. In the Bekes district of Hungary more than 100,000 acres are covered with water; the situation is growing worse. Between Vesztoe and Okany, the huge masonry dams are threatening to give way and the whole population has turned out in an effort to avert disaster. An ice jam has added to the seriousness of the situation in the Theis river, near Tiesza Dada, and sappers have been carried to the scene with dynamite to blast it and allow the water to escape.

The river Sajo likewise has overflowed its banks and is menacing the entire Borod district. At Cluj, Transylvania, 50 houses and factories have been destroyed by the torrents. Throughout Belgium there are serious floods. The diversive quarters of many towns are submerged and people are abandoning their houses. Navigation has been interrupted on the Meuse.

"The rise in the waters of the Rhine and Moselle is becoming most disquieting. The Rhine is already over its banks at Kruesee."

(Continued on page 2.)

FOG HAMPERING SHIPPING

COAST BOATS TIED UP; MIST IS AID TO HOLDUPS

SEATTLE, Dec. 29.—A dense fog hanging over Puget Sound and the British Columbia coast since Saturday halted shipping and aided holdup men today.

Three vessels, the London Shipper, Kingswood and Slam City, anchored outside of Vancouver harbor, waiting for the mist to lift.

Eleven persons were robbed in four hours on the streets here last night.

NEW PRINCIPLES OF EVOLUTION OUTLINED

Traditional Theology and Modern Science Are Said Irreconcilable

THEORY DECLARED FACT

Evolution Has Taken Place Beside Law of Gravitation, Professor Declares to Assembly

NEW HAVEN, Conn., Dec. 29.—(By Associated Press.)—Two new principles in evolution today were announced by Henry Fairfield Osborn, research professor of zoology at Columbia university, coupled with the assertion that traditional theology and modern science are irreconcilable, and that "evolution has taken its place beside the law of gravitation."

Dr. Osborn is president of the board of trustees of the American Museum of natural history.

The principles were developed through the science of paleontology. The first proves that evolution works through an unbroken rise in new and useful characteristics in animals and plants from generation to generation, not as Darwin thought, by chance variations. The second shows that these characteristics "from the beginning" take a line directed toward their future fitness and not as DeVries thought by sudden changes in structure.

Paleontology deals with the interpretation of the fossil remains of life. America leads all nations in their science, he said.

Dr. Osborn spoke at the dedication of Yale's new Peabody museum of natural history.

Professor Osborn also for the first time formulated into what he termed five "laws" the ideas of evolution which he claimed are generally accepted by scientists as explanations of the way new species come into existence. He summarized them as follows:

First, the principle whereby every animal fits itself to new modes of life by modifying its own structure and activities, although these modifications are not inherited, as supposed by Lamarck, do mark out the future course of evolution so that each animal helps to shape the destiny of its race.

Second, the principle of development of special organs through use, the degeneration of organs through disuse, and maintaining

(Continued on page 2.)

AVOID CABINET CRISIS

RADICALS ACCEPT ULTIMATUM DELIVERED BY BRIAND

PARIS, Dec. 29.—(By Associated Press.)—Premier Briand today avoided a threatened cabinet crisis by boldly declaring that the resignation of radical ministers who threatened to leave the government if M. Doumer's financial plans were adopted would be accepted "with regret, but without despair." His plain intimation that the departure of former Premier Herriot's friends would not be allowed to disrupt the cabinet caused a sudden and complete transformation of the situation.

The radicals accepted the finance minister's measures without a dissenting voice and the decisive issue between the government and the coalition of the left, which seemed imminent for the past ten days, has been put off at least until the regular session of the chamber on January 12.

"The spirit of Locarno has been introduced into the cabinet," was the way M. Briand described his victory over the recalcitrant ministers after the meeting. There was a disposition in political circles, however, to regard the premier's success as temporary. The radical ministers, it was argued in the lobbies of the chamber had been outgeneraled but not subdued. They preferred to remain in the cabinet rather than furnish a chance for the head of the government to enlarge his majority in the chamber by putting representatives of other groups in their places.

HUGE METEORITE FALLS

FLAMING MASS SEEN SPEEDING THROUGH SKY

OTTAWA, Ont., Dec. 29.—(By Associated Press.)—What is believed to have been a huge meteorite sped through the sky and fell near Kingsmere Hills, near here, tonight. The Rev. E. G. May, Anglican rector at Chelsea, Que., and other residents of the district said they saw the flaming mass fall.

JOHN L. McNARY TELLS OF GREAT OREGONIANS

COL. JAMES NESMITH AND G. H. WILLIAMS NAMED

Governor Presented With Picture of Self and Grown White-Faced Cat

John H. McNary told Salem Kiwanians at their luncheon Tuesday noon of two of "Oregon's greatest men." These he named as Col. James W. Nesmith and George H. Williams, both of whom have been United States senators from Oregon.

Colonel Nesmith was born in Ireland of Scotch parents. He was reputed to love his friends and hate his enemies. He was noted for his wit.

When only a child he crossed the ocean with his parents and settled in Missouri. He came to Oregon with the famous Applegate party in 1843. He became a lawyer because he had shown wit as a lawyer in a moot court held on the nights of the tedious journey overland as a form of entertainment. His wit and clearness of judgment appealed to his friends, who persuaded him to "set up his shingle" when he arrived in Oregon City.

Williams was the first man from the Pacific coast to be elected to a cabinet position, having been named as attorney general by President Grant.

An interesting revelation of petty jealousies among ladies of state was made by McNary in relating the way in which Williams was defeated in another nomination for a cabinet position.

At that time ethics in Washington required that wives of cabinet men should pay first visits to ladies of the senate—wives of senators, was all that meant in those days. Mrs. Williams could not see it that way. She called a meeting of the ladies in Washington and endeavored to have the ethic ruling changed.

But the senators' wives were not in favor of her proposed change. She, however, was stubborn, and refused to pay the first

(Continued on page 2.)

MT. MCKINLEY ERUPTS

STEAM AND SMOKE SEEN; SHARP QUAKE FELT

ANCHORAGE, Alaska, Dec. 29.—(By Associated Press.)—A large volume of smoke and steam was plainly seen here today issuing from Mount McKinley, 100 miles north of here and the highest peak on this continent. Reports were received that smoke has enveloped the far side of the mountain.

The vapor seemed to come from the peak with little force behind it, drifting slowly away north-east. A sharp earthquake was felt here last Tuesday.

McKinley is 20,300 feet high. The next loftiest peak of North America is Mount St. Elias, 18,024. St. Elias is 300 miles east of here.

Mount McKinley, which is described as an extinct volcano, has never erupted in the knowledge of white man, but Indians of the region tell of days long ago when the mountain belched flames and smoke. The peak, which rises almost from sea level, is almost inaccessible because of the enormous glacial fields which surround it. The south peak, the highest point on the mountain, was scaled for the first time by Archdeacon Stuck and Harry Karstens in 1913. Dr. Frederick A. Cook, whose announced "discovery" of the north pole is generally discredited, also claimed to have ascended Mt. McKinley. Other explorers have declared his claim fraudulent.

DIALECT IS LONGLIVED

QUAINT SPEECH TO ALWAYS LIVE IN LITERATURE

CHICAGO, Dec. 29.—(By Associated Press.)—Bits of quaint dialect expressed by characters in James Fenimore Cooper's "Leather Stocking Tales" will be alive when "so's your old man," and other current bits of slang are dead and buried.

So declared Dr. Louise Pound of the University of Nebraska, and editor of "American Speech," a speaker today at the annual meeting of the Modern Language association of Chicago.

Dialect, she said, is deliberate speech while slang is but transient in standard usage. She stated as super archaic but still living expressions "git" for "get," "how be you" for "how are you," and "used to could" for "was able to."

American literature, Professor Fred L. Patton of Pennsylvania State college said "cannot help but be great for literature is a reflection of life and the story of development of America is the greatest romance in the world."

ARBITRATION TERMS REFUSED BY MINERS

Markle Plan for Settlement of Anthracite Coal Strike Is Rejected

OPPOSITION EXPRESSED

Representatives of Mine Workers Declare They Will Continue to Oppose Arbitration Agreement

NEW YORK, Dec. 29.—(By Associated Press.)—The joint conference of miners and operators adjourned at midnight without agreeing on a plan of settlement of the anthracite strike.

Adjournment was taken until 1 p. m. tomorrow when discussions will be resumed on various plans of settlement submitted to the conference.

NEW YORK, Dec. 29.—(By Associated Press.)—The plan of settlement of the anthracite strike proposed tonight by Alvan Markle, chairman of the joint wage conference, was opposed by the mine workers on the ground that it contained an arbitration feature.

The miners stated they were as much opposed to arbitration today as they were four months ago and will continue their opposition.

All the various peace plans offered since the suspension began September 1 were placed before the joint conference and discussion of them continued tonight.

The principal points in the Markle plan were:

The contract and working conditions which were operative up to the time of calling the strike shall be continued for one year.

Creation of a fact finding commission consisting of three operators, three miners and three impartial citizens, representing the public, the latter to be selected by the president of the United States. Adoption of the principle of collective bargaining "resting upon reason and not endurance."

Provision that the award of the anthracite coal strike commission and subsequent agreements be ratified and continued until September 1926, subject to renewal every 10 years thereafter.

Selection of a firm of reputable certified public accountants with authority to investigate and report promptly on every phase of the industry. This committee of nine shall meet as a whole to reach an agreement as to wages and possible changes in the contract. The public representatives shall not be entitled to vote unless the operators and miners fail to agree.

Then a majority vote shall rule. Should the committee be delayed in fixing rates through unforeseen circumstances until after September 1 in any year there shall be no lockout or strike. Any decision rendered afterwards shall be retroactive as of September 1.

WHEAT PRICES BOOSTED

NEW HIGH LEVEL FOR SEASON REACHED IN CHICAGO

CHICAGO, Dec. 29.—(By Associated Press.)—Wheat prices soared to a new high level for the season on the board of trade today after reports that flour prices had been boosted past the \$10 a barrel mark.

During the late trading a spirited fight between longs and shorts developed and prices were shipped about at a mad rate with the rates soaring to new high peaks during the last minutes of trading. Late trading also developed strength in the corn market.

Wheat went up 1-3-4c to 6 1-2c, May closing at \$1.83 1-2 showing the greatest gain. Corn showed a rise of 3-1-8c to 4 1-8c and oats were also up slightly at the end of the day.

FATHER SEROSKI HURT

LEG IS BROKEN IN HEAVY FALL FROM A LADDER

Father Charles Seroski, priest of the Catholic church of Gervais sustained a broken leg when he fell from a ladder Tuesday evening. He had been working in the tower of the church, and was descending by means of a ladder. He slipped when but three rungs from the floor, the fall resulting in the broken leg.

Father Seroski was brought to Salem by the Golden Ambulance of this city, and taken to the Salem hospital where he is being taken care of. Last report from the hospital is that his injury is painful but not serious.