

The Oregon Statesman

SEVENTY-FIFTH YEAR

SALEM, OREGON, THURSDAY MORNING, JANUARY 21, 1926

PRICE FIVE CENTS

GUNMAN TAKEN IN POLICE NET

Martin J. Durkin, 26, Notorious Slayer, Is Captured in St. Louis

THREE DEATHS CHARGED

"Prince Charming" of Bandit World Taken at Last After Untiring Efforts of Nation's Police

ST. LOUIS, Jan. 20.—(By Associated Press.)—Trailed three months by department of justice agents, one of whose number he had slain, Martin J. Durkin, 26, notorious Chicago criminal, was captured here today.

The much sought slayer, described in police circulars as "very dangerous, quick to draw," fell into a trap prepared by department agents, city detectives and railroad employees and was overpowered in the drawing room of a Frisco Katy train upon arrival from San Antonio at Webster Groves, a suburb. A revolver, an automatic pistol and a belt of cartridges were lying on a card table in the drawing room.

"I would have shot it out with you if you had given me a chance," Durkin told his captors. "You got me too quick."

With Durkin was an attractive woman, his bride since December 4. They were married in East St. Louis. She said she was formerly Miss Irma Sullivan, 21, of Cornell, Ill., and had no idea her husband was wanted by the police. She did not become suspicious, she said, until her husband abandoned an automobile at San Antonio.

Durkin, who gave his name as James Durkin of St. Louis, in applying for the marriage license, has been variously called the "sheik robber," and "Prince Charming." He continued to smile after his arrest and nonchalantly admitted his desperate escapades. It was noticed he had shaved his tiny moustache since leaving his Chicago home.

The couple waived extradition and Durkin was taken under heavy guard on a Chicago & Alton train leaving late today for Chicago.

Durkin is charged with the murder of Edward C. Shanahan, department of justice operative who was shot to death at Chicago last October 11, when he attempted to arrest Durkin for automobile theft. He is also charged with murder of Police Sergeant Larry Grys, who was fatally wounded October 29, when he encountered Durkin in a Chicago house, only to have Durkin shoot his way out.

Lloyd Austin, a civilian, was killed in the exchange of bullets. The capture of Durkin was accomplished neatly. Durkin and his bride had been trailed by government agents through an automobile license from East St. Louis to Los Angeles and then to San Antonio, where he yesterday engaged a drawing room on the train for St. Louis, intending to obtain employment here.

Three traps were arranged in and around St. Louis, including the one at Webster Groves. H. L. Scott, James J. McLaughlin and Edward Dowd of the department of justice and 15 city detectives, crack shots of the department, went to the outlying station.

As the train pulled in at 11:05 a. m., four detectives took positions on either side and the others boarded the coaches. Dowd knocked on the drawing room door. It swung open and Durkin stood before them.

Detective Sergeant Leonard Ising, a wrestler and expert in jiu jitsu sprang at the fugitive and clamped a wristlock on his right

WAGE INCREASE WILL BE ASKED BY RAIL WORKERS

RAISE WOULD RANGE FROM 6 TO 10 CENTS AN HOUR

Clerks, Freight Handlers and Station Employees Would Be Affected

CINCINNATI, Ohio, Jan. 20.—(By Associated Press.)—Railroads will be asked to grant wage increases ranging from six to ten cents an hour for 250,000 railway clerks, freight and station employees, it was announced tonight at a meeting of general chairmen of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.

Approximately 100 railroads would be affected. Voting of the wage requests followed the refusal today of the grand executive council of the brotherhood to comply with the ultimatum of the American Federation of Labor ordering the express drivers in its membership to be surrendered to the International Teamsters Union.

The proposal for higher wages is based, the general chairman said, on increased cost of living in different sections of the country. The general chairman also decided to ask the American Railway Express company to increase the wages of their employees, represented in the brotherhood, 11 1/2 cents and 12 cents an hour.

The highest proposed increase will be ten cents an hour in the eastern region. The demands are scaled down for employees in the south and midwest and the minimum increase of six cents will be asked of roads in the western region.

Decision of the executive council to retain express drivers in the brotherhood membership may result in the American Federation revoking the charter of the organization. The council declared it acted solely for the welfare of the 4,000 express drivers involved and that it hoped the federation would not impose the penalty of suspension as provided for failure to obey orders.

EX-CONVICT IS ARRESTED

FRED SPRINGER, THOUGHT DEAD TO BE RETURNED

Fred Springer, ex-convict, who was reported to have been killed while staging a holdup in Canada a few months ago, yesterday was arrested at McAlester, Oklahoma, according to a telegram received at the Oregon state penitentiary yesterday. A prison guard will leave here today for Oklahoma in quest of the prisoner.

Springer was received at the state penitentiary here from Baker county in the year 1915 to serve a term of from 10 years to life for assault and robbery while armed with a dangerous weapon. He was pardoned from the prison in 1919 with the understanding that he would not leave the state. Reports received at the penitentiary indicated that he later was married and divorced.

CONDITION UNIMPROVED

CARDINAL MERCIER DISPLAYS UNUSUAL RESISTANCE

BRUSSELS, Jan. 20.—(By Associated Press.)—Though his recovery is deemed well high hopeless, Cardinal Mercier continues to display unusual resistance to the ravages of disease, surprising even the attending physicians by the manner in which he has withstood pain, lack of nourishment and recurring heart attacks.

AUTO CRASH KILLS

WALLA WALLA, Wash., Jan. 20.—(By Associated Press.)—Walker S. Barnett, 64, prominent farmer was instantly killed tonight about four miles west of Walla Walla on the state highway when the automobile in which he was riding along skidded in the soft dirt alongside of the pavement and went into the ditch.

DRINKING INVESTIGATED

KANSAS CITY, Mo., Jan. 20.—(By Associated Press.)—Charged with investigating reports of widespread drinking among Kansas City boys and girls of high school age, the Jackson county grand jury met here today and organized for the inquiry.

WILL VIEW RUBBER FIELD SEATTLE, Jan. 20.—Harvey S. Firestone, Jr., arrived here today en route to inspect rubber developments at Singapore, in the Straits Settlements.

APPORTION SCHOOL FUNDS OLYMPIA, Jan. 20.—The January apportionment of state school funds amounts to \$413,327, of which \$115,900 represents high school bonuses.

KIMBALL MOVE IS DECIDED ON

Trustees Vote to Move the School of Theology From Salem to Seattle

TO OPEN FOR 1927 TERM

Change Will be Made in Time to Permit Institution to Open in Seattle by September of Next Year

PORTLAND, Jan. 20.—(By Associated Press.)—Kimball School of Theology, for many years located on the campus of Willamette university at Salem, will be moved to Seattle as a result of action taken at a meeting of the board of trustees of the school here today. The action taken was in accord with recommendations made at previous meetings of ministers and laymen of the Oregon conference and by a similar group in Seattle.

The move will be made so that the school can be opened in the Seattle location in September, 1927, it was decided.

Action was taken providing for the appointment of a number of committees to work out various details of the proposed move and the future policy. Dr. E. C. Hickman, president of the school, was authorized to leave next Wednesday for Chicago where he will confer with the Methodist Episcopal board of education with reference to the proposed change. That board is expected to assist in financing the new program.

According to the plan the budget required to carry out the work will be \$25,000, of which \$6,000 is to be furnished by the board of education, \$6,000 by the Puget Sound conference of the Methodist Episcopal church, and \$5,000 from the Oregon conference of the same church, and the balance from various sources.

The school at its new location in Seattle will be housed in the new educational structure to be built by the University Methodist Episcopal church of Seattle.

TWO BURIED ALIVE

CHICAGO, Jan. 20.—(By Associated Press.)—Two workmen were killed and two were injured today when a huge hopper collapsed and buried them under tons of sand and gravel in the basement of a north side building under construction.

SEATTLE BANKER DIES

SEATTLE, Jan. 20.—News of the death of George S. White, former member of the Seattle branch of the Bank of California, was received here today in a cablegram sent by his brother from Madras, India.

DAWES OFFERS APOLOGY FOR RADIO STATEMENTS

ANGER OF TWO SENATORS IS AROUSED BY ADDRESS

Reed and Copeland Take Exception to Charges By Vice President

WASHINGTON, Jan. 20.—(By Associated Press.)—Vice President Dawes in his campaign for a change of the senate rules, found himself in a position today where he felt it necessary to issue a public apology.

Taken to task in the senate by Senator Reed, democrat, Missouri, for his radio speech last night criticizing senate procedure, the vice president disclaimed any intention of assailing the Missouri senator explaining that his reference had been to "senator from New York."

This aroused the ire of Senator Copeland, democrat, New York, who declared the reference in the radio speech about the reading of a magazine article in senate record was "inaccurate," as applied to him. He pointed out that several newspaper clippings offered by him for the record yesterday had been accepted without reading.

Later the vice president, explained privately that he meant another senator and then issued a public apology to Senator Copeland.

Since Senator Reed in his address against the world court yesterday had caused the senate clerk to read a long magazine article written by Andrew Carnegie 33 years ago he assumed the vice president was referring to him in his radio address about dilatory tactics in the world court debate.

Declaring "every man had his own code of honor," he told the senate when it convened that, although Mr. Dawes had attacked him on the air when he had no opportunity to reply, he would not attack the vice president on the senate floor where that official had no opportunity to reply.

It was then that Mr. Dawes interrupted to say that he not referred to Senator Reed but to the "senator from New York."

Senator Copeland was absent from the chamber, but upon his return shortly afterward, he told the senate that he had "no disposition to debate my rights and duties as a United States senator," but did "resent the inaccurate statement made by the vice president this morning in his reply to the senator from Missouri."

TICKET WINDOW ROBBED

VANCOUVER, Wash., Jan. 20.—(By Associated Press.)—A robber reached through the opening in the ticket window of the USA theatre here tonight, grasped a pile of currency believed to contain around \$200, and made his escape after being pursued two blocks by John P. Kiggins, owner of the theatre who was attracted by the cashier's screams.

OFFICERS INSTALLED BY MARION COUNTY GRANGE

ALL-DAY PROGRAM ENJOYED BY MANY MEMBERS

Governor Walter M. Pierce and Fred J. Tooze Address Meeting

Marion county Pomona Grange met all day yesterday in Union hall, Salem. Officers installed were W. A. Jones of Macleay, master; W. H. Stevens of North Howell, overseer; H. C. Batam of Salem, lecturer; Mrs. W. A. Jones, secretary; L. S. Lambert of Stayton, steward; Mr. Townsend of Turner, assistant steward; Mrs. Townsend, lady assistant steward; Mr. Farin, chaplain; Mrs. Simpson, Ceres, and Mrs. Van Trump, Flora.

After a sumptuous dinner served by the ladies of the grange, Governor Walter M. Pierce gave a brief resume of the tax situation, noting the reduction in the amount of state taxes during his administration.

He favored the income tax as a means of further reducing the tax burden on real property. After an excellent program, seven new members were initiated into the degree Pomona.

Fred J. Tooze, candidate for the republican nomination of state school superintendent, delivered an address to the members of the grange. In it he emphasized conditions educational, and urged that the schools be retained at the present high standard of efficiency.

He urged at the same time that conditions of thrift be emphasized. He also discussed the present conditions regarding taxation, and urged that the federal government surrender to the state of Oregon her rights in matters of her natural resources. He stated that 53 per cent of land in Oregon is now owned by the federal government, and pays no taxes.

Mr. Tooze expressed the belief that there should be work for the inmates of the state penitentiary and reformatories. Boys and girls in the reformatories, he stated, should be given the opportunity to learn productive work that will be of use to them when they are let out into the world to shift for themselves. Prisoners at the penitentiary should be taught how to support themselves amply and honestly.

Seymour Jones, who has been mentioned as candidate for the republican nomination for governor, told of the progress made by the

ACCEPT NORMAL BUDGET

REGENTS OF STATE TEACHERS SCHOOLS HOLD MEET

Members of the board of regents of the Oregon state normal schools held a conference here yesterday and approved the budget of the Ashland normal school, which will open in June of this year.

The plant of the Ashland normal school is now under construction.

MEXICAN NOTE DRAWS REBUKE

Kellogg Takes Direct Issue With Statement From Foreign Minister

LAND LAWS DRAW FIRE

New Statutes Declared to Be Plainly Retroactive and Confiscatory; Secret Agreement Denied

WASHINGTON, Jan. 20.—(By Associated Press.)—Secretary Kellogg took direct issue today with the statement issued to the press yesterday by Mexican foreign minister Aaron Scaenz, reiterating the position of the Washington government that the new Mexican land and petroleum laws "are plainly retroactive and confiscatory."

Mr. Kellogg used 156 words to answer the 4000 word public declaration of the foreign minister, dismissing the Mexican statement as containing "no facts or arguments which have not been fully dealt with" in official changes.

The secretary's statements issued before the Mexican government replied late today to the formal representations made by the United States against retroactive features of the two laws.

The Mexican note handed to Ambassador Sheffield in Mexico City late today did not reach the state department tonight nor had the department been advised of its delivery to Mr. Sheffield. It was said to the department no agreement to withhold the two notes from publication had been made with the Mexican City government which would apply after the Mexican rejoinder had been received.

The department also announced that it had transmitted in reply to the resolution offered in the senate by Senator La Follette, republican, Wisconsin, all the information it had bearing on agreements which preceded the diplomatic recognition of Mexico and also on the negotiations for the refunding of Mexican external debt.

This information is contained in the minutes of the joint Mexican-American commission which met in 1923 in Mexico City, so far as recognition is concerned. The debt refunding negotiations were conducted by an international banking group, which had no connection with the Washington government, and of the 1923 commission have already been published in full.

TO STUDY FLAX PLANTS

QUINLAND LEAVES ON INSPECTION TRIP TO CANADA

J. J. Quinland, engineer at the Oregon state penitentiary, left here last night for points in Eastern Canada where he will investigate a new system of retting and drying flax. In event the system in use there is found to be satisfactory it may be adopted in connection with the operation of the state flax plant here.

Mr. Quinland also will go to Stillwater, Minn., where he will inspect the jute mill operated in connection with the Minnesota state penitentiary. The flax plant owned and operated by Henry Ford near Detroit, Mich., also will be inspected by Mr. Quinland prior to his return to Salem.

PLAN HUGE MEMORIAL

SHRINE TO AMERICAN MOTHER IS TO BE ERECTED

CHICAGO, Jan. 20.—(By Associated Press.)—Selection of Albuquerque, N. M., as the site of a \$37,000,000 memorial to the "services, sacrifices and patriotism of the American mother," was ratified today by the legislative committee of the War Mothers' memorial association. The project, which provides for a hospital of 48 beds and combined capacity for 4,800 patients, is backed by a score of service men's and other patriotic organizations. The hospital will care for tubercular dependents and dependent descendants of former service men. It is to be financed by veterans' contributions.

CUSTODY OF INFANT IS DETERMINED BY MOVIES

JUDGE HAS PICTURES TAKEN SECRETLY IN COURT

Woman Who Cared for Child Awarded Custody Instead of Natural Mother

DETROIT, Jan. 20.—(By Associated Press.)—Moving pictures today delivered a four-year child to its mother when Judge Vincent Brennan in circuit court awarded custody of little Mabel Irene to Mrs. Irene Goosen. In doing so he denied the habeas corpus petition of the child's natural mother, Mrs. Julia Przybyla.

The child has been under Mrs. Goosen's charge since a few weeks after birth. In an effort to arrive at a just decision on the petition of the natural mother for the return of her child Judge Brennan had the two women and the child stand before him last Saturday when he announced that the child was to be sent to an institution. Concealed moving picture machines showed the reaction of the two women to this decision.

Judge Brennan and several psychologists yesterday viewed the film. He said today he was giving custody of the child to Mrs. Goosen because the film showed a much more biological emotional reaction on her part, and also because of the willingness of the real mother to permit the child to be sent to an institution.

MAY ADD TO GAS TOLL

ADDITIONAL CENT FOR COUNTY ROADS IS PROPOSED

PORTLAND, Jan. 20.—(By Associated Press.)—Automobile owners of the state will be assessed another tax of one cent per gallon on gasoline for county road purposes if action at today's annual meeting of the state county judges and commissioners' association should become effective.

Sentiment was in favor of such a tax on the ground that the present state gasoline tax of three cents a gallon reverts to the state, and that the counties, as such, derive no direct benefit therefrom.

Discussion ended with adoption of a motion to refer the question to the association's committee on roads, report from which will probably be submitted at tomorrow's meeting.

The county judges and commissioners adopted unanimously a resolution looking to congressional reimbursement of Oregon-California land grant counties for taxes lost by withdrawal of such lands from the tax rolls by the government.

GLEE SINGERS ON TOUR

WILLAMETTE CLUB TO LEAVE FEBRUARY 1 ON TRIP

Willamette university glee club put on their first outside performance of the year last night in the Stayton high school before a large audience. The duet and quartet numbers proved the most popular. Don Heath and Willis Hathaway sang the duet numbers. The quartet was composed of Heath, Hathaway, Dan Schreiber and Hobart Kelly. Negro spirituals, classical and semi-classical numbers were offered.

VETERANS AID BONDS UP

\$2,000,000 WILL BE SOLD HERE ON FEBRUARY 3

World War veterans state aid bonds aggregating \$2,000,000 will be sold here on February 3, according to announcement made yesterday by the state bond commission. Approximately \$21,000,000 of these bonds previously were sold by the state.

EUGENE MAN IS KILLED

HARRY THIENES ACCIDENTALLY SHOT BY BROTHER

EUGENE, Or., Jan. 20.—(By Associated Press.)—His intestines punctured in 12 places by the accidental discharge of a rifle in the hands of his brother Earl, proved fatal to Harry Thienes, 25, when the latter died at a local hospital today. The accident occurred during a hunting trip Tuesday near here. Thienes is survived by a widow and a month-old child.

KOWITZ CALLS VOTE ILLEGAL

Holds Fred A. Williams Was Not Legally Elected as City Attorney

REFUSES TO VACATE JOB

Takes Position That Member of a Body Cannot Take an Office Conferred Upon Him by That Body

Chris J. Kowitz will not vacate the office of Salem city attorney and turn over the records of the office to Fred A. Williams, who was elected to that position by the city council at the Monday evening meeting.

Mr. Kowitz holds that Mr. Williams was not legally elected; that a member of such a body cannot take an office conferred upon him by the body itself.

The remedy at law would be quo warranto proceedings to compel the giving up of the records. But this might take a long time, clear up to the supreme court; and in the meantime Mr. Kowitz would insist upon performing the duties of the office, and in drawing his salary.

It is not likely, however, that there will be any such delay in this case. Mr. Williams resigned his seat in the council immediately after his election to the office of city attorney.

So he is not now a member, and the council will likely elect him to the position at its next meeting. Then there could be no question about the legality of his election.

Problem of selecting a city attorney has kept the council in a quandry for weeks. First vote was taken on January 4, when Mr. Kowitz and Mr. Williams ran neck and neck, despite the occasional appearance of other names, through four distinct ballots, ending in deadlock.

With other pressing business to be transacted, choice of attorney was postponed until the next meeting on January 18.

Again the first ballot was indecisive, but the second showed Williams receiving 7 votes and Kowitz 4, giving Williams the majority necessary to elect.

City council thought the question settled at last. Just before adjournment, Alderman Williams submitted to the mayor and common council his resignation as alderman. It was accepted. Mr. Williams then despatched to the office of City Recorder M. Poulsen and was sworn into office.

That was Monday night. Wednesday Chris Kowitz refused to relinquish his office on grounds that the election was illegal. Now city council faces the question of who is city attorney, and why.

City council will meet next on February 1.

IS LIQUOR SATANIC?

TWO JARS OF MOONSHINE GROW PAIRS OF HORNS

WASHINGTON, Jan. 20.—(By Associated Press.)—There may be something, after all, in this notion that liquor is a concoction of the devil.

Two half gallon jars of moonshine, being held as evidence in the prohibition laboratory here, have grown pairs of horns.

The chemists who analyzed the firewater attempted no explanation. They merely point out on the zinc cover of each jar, a perfect little pair of horns, just the same as used to adorn the head of Beelzebub in the woodcuts in the old family bible.

They think the liquor was highly acid, became volatile; that the fumes as they way through the zinc tops and as they passed off into the air formed the little crystalline horns by a combination of the metal and the acid.

However, the chemists are not surprised by any of the magic tricks of bootleg.

The other day a pint of it ate a white, ragged scar in a concrete floor.

