

ALTER ATTACK ON DAUGHERTY

"Conspiracy to Defraud" Case Junked, Validity of Payment Hit

COURT CHIDES ATTORNEY

Motion to Discharge Jury Due to Prejudicial Evidence Overruled, "Conspiracy" Fades Out

NEW YORK, Sept. 14.—(AP)—The government today temporarily abandoned its attempt to show that Harry M. Daugherty and Thomas W. Miller conspired to defraud the United States and bent its efforts toward proving that the \$7,000,000 claim they paid to Richard Merton, German agent of Societe Suisse, was not valid.

Marion, the government's key witness, was bombarded with questions during the entire day—the fifth he has spent in the witness box—in an attempt by Mr. Buckner to prove that he knew the claims were false.

Daugherty, hunched in his chair, apparently took little interest in the proceedings. Even when his counsel, Max D. Steuer, jumped to his feet and moved that the jury be dismissed because he alleged Buckner had acted in a manner prejudicial to a fair trial, the former attorney general sat unmoved.

The motion to dismiss the jury followed the reading, by Buckner, of a letter Merton wrote John Foster Dulles, New York lawyer, in November, 1920. Waving the letter before the jury, Buckner asserted that the idea of showing an oral transfer of the shares of the American Metal company to the Societe Suisse had originated in information Dulles wrote in reply.

"By his gesture, by his manner of quoting dramatically, by the waving of the letter he holds in his hands," Steuer said, "Buckner makes it impossible for these defendants to have a fair trial. I move that the jury be dismissed."

"I fear," Judge Mack observed, "that you attach too much importance to Mr. Buckner's histrionic ability. Motion denied."

Patton's Book Store does superior work in Kodak finishing, hand coloring and enlarging in their plant. Try them and see the difference, 340 State St. (\*)

STUDENTS FIND CAR SCHEDULE ALTERED

the high school. This district lies along the north side of the city, taking in territory toward Wauconda and Woodburn.

Charles D. James, representing James & Bartholomew, architects for the new South Salem junior high school, was present with specifications for the new building, and a detailed examination was given them by the board.

The plans for the building as at present developed were also shown to the board for examination. About a week's work remains on them before their completion.

The board voted to permit the extension division of the University of Oregon to use the senior high school building three nights a week this winter to give courses similar to those given by the university in Portland. The university agreed to pay for light and janitor expenses.

The courses to be given are adapted principally to teachers, and include chiefly work in education and accounting. Salem is the only city in Oregon outside of Portland in which the university will give extension courses this winter.

Ruth Purdy, Pauline Rickell and Herman Kebrill were appointed to Hartman Bros. Jewelry Store.

Hartman Bros. Jewelry Store. Watches, clocks, rings, pins, diamonds, charms, cut glass, silverware. Standard goods. State at Liberty St. (\*)

Bonesteel Motor Co., 474 S. Com'l., has the Dodge automobile for you. All steel body. Lasts a lifetime. Ask Dodge owners. They will tell you.

positions as teachers. Miss Purdy and Mr. Kebrill will teach in the senior high school and Miss Rickell in the junior high schools.

Mr. Kebrill is a graduate of Willamette university. Miss Purdy of the Oregon normal school, and Mr. Kebrill of Reed college. Miss Purdy has already been a teacher in the local schools for three years.

The proposed budget for next year was referred to the finance committee. Mr. Hug stated that finances this year appeared to be in better condition than for several years back and that there was little danger of going behind.

Representatives of the Marquis Waste Fuel Burner company addressed the meeting to urge that their sawdust burner be given a trial in the senior high school building. The board said it would consider the matter later.

The school superintendent was authorized to arrange days on which the different schools can purchase books after school opens. If all the students buy books on the same day, too big a jam will be created in the book store.

A communication from Edward A. Stevens of Portland was read to the board, in which he stated that he would oppose the closing of either Thirteenth or C streets on the Parrish junior high school grounds east of the Southern Pacific tracks. No action was taken on the matter.

Mrs. H. P. Stith, millinery. Most beautiful hats in Salem; all shapes and colors; all stock from which to make fine selections. Best quality. 333 State St. (\*)

If you want the best tires for your car come to the place where there is a large assortment at the lowest prices. Matcom's Tire Shop, 205 N. Com'l. (\*)

MOST OF HOP CROP SOLD TO LIVESLEY

23 Cents Paid for Clusters on Spot Sale; Contract Prices Vary

It was estimated here yesterday that approximately 75 per cent of the 1926 hop crop either has been sold or is under contract. T. A. Livesley, local hop buyer, recently purchased 1,000 crates of hops for which he paid 23 cents per pound.

It was reported that Mr. Livesley also has purchased virtually all of the fuggles in this vicinity with the exception of 400 bales which were contracted to other dealers. Estimates placed this year's crop of fuggles at 4,000 as against 8,000 bales in 1925.

The average price paid for clusters on spot sale was 22 cents, while the contract prices ranged from 18 to 25 cents.

It was reported today that some of the yards have suffered because of insufficient pickers. This situation was due, it was said, to the fact that a large number of schools opened before the crop was harvested. Picking will continue in Marion and Polk counties for two weeks, it was said.

For students going away to school we are showing a large selection of traveling bags, trunks, hat boxes and fitted cases. Discount prices to students this month. Hamilton's. (\*)

At Shipley's the ladies of Salem have satisfied themselves that they can get the finest fall and winter frocks, coats and dresses ever shown in this city. (\*)

CAPITALIZE STATE FAIR MESSAGE TO OREGONIANS

state fair there while in Oregon the appropriation is \$17,500.

Mrs. Wilson said that 72 drum corps from various sections of California entered the competition at the state fair there this year. The prize was \$350. There also were a large number of fraternal orders at the fair, while the bankers of California cooperated by giving \$1000 as a special prize for the best saddle horse in the night horse show.

"California this year had a wonderful fair," said Mrs. Wilson. "The crowds were larger than ever before and the spirit of cooperation was evident on every hand. Even the railroad and stage companies joined in the cooperation, by giving a round trip to the fair less than the usual one way rate."

Mrs. Wilson said that a large number of California horses are coming to the Oregon state fair which opens September 27. Some of these horses will participate in the races on Lone Oak track while others will be featured in the night horse show.

Halk & Eoff Electric Shop, 337 Court St. Everything electric, from motors and fixtures and supplies to wiring. Get prices and look at complete stock. (\*)

KLAMATH FALLS.—New \$65,000 store building to be erected at Ninth and Klamath.

U. OF O. GRIDMEN READY FOR WORK

Twenty-one Men Report, More Expected in Uniform Today

EUGENE, Ore., Sept. 14.—(AP)—Football practice at the University of Oregon will start tomorrow morning with a large number of new players on hand. An advance guard of 21 men reported today and received suits but the bulk of the squad is expected in tomorrow.

The men on hand today appeared to be in excellent physical condition, ready for the hardest early season schedule the Oregonians have encountered in recent years.

The men on hand today were: Irving Flegel, George Burnell, Merton Folts, Merrill Hagan, Cotter Gould, Rgy. Jost, Roy Herndon, Del Monte, Harold Mangum, Ted Slauson, Neil Thompson, Ira Woodie, John Warren, Frank Riggs, Dudley Clark, Sherman Smith, George Mimaugh, Cyril Hodgen, Homer Dixon, Victor Wetzel, and Lynn Jones. Smith, Mimaugh, Hodgen, Dixon, Wetzel, and Jones are lettermen.

Pomeroy & Keene, jewelers, cover fall to give 100% on the dollar. Watches, clocks, pins, charms. Standard high grade stock in all departments. (\*)

The Bake-Rite Bakery. Busy every day supplying best homes with bakery goods of all kinds; baked in a kitchen clean as your own. 345 State St. (\*)

LOS ANGELES, Sept. 14.—(By AP)—Los Angeles won its 100th victory of the season by taking a 5 to 3 verdict from Sacramento here today in 18 innings. Vincini were exceedingly wild, walking eight men and hitting two.

Score— R. H. E. Los Angeles ..... 4 7 3 Sacramento ..... 3 7 0 Crandall and Sandberg; Vincini and Koehler.

LOS ANGELES, Sept. 14.—Elmer Phillips, young cast-off hurler from the Los Angeles club, held Seattle to two hits and pitched Hollywood to a 3 to 0 victory here today.

Score— R. H. E. Seattle ..... 0 2 2 Hollywood ..... 3 2 0 Elliott and Jenkins Phillips and Cook.

SAN FRANCISCO, Sept. 14.—Portland hammered out an easy 9 to 1 victory over San Francisco today behind the excellent pitching of Bill Hughes, newly acquired finger from the Sacramento Senators.

Score— R. H. E. Portland ..... 9 13 1 San Francisco ..... 1 7 1 Hughes and Wendell; Mitchell and Smirch.

OAKLAND, Sept. 14.—Shucks Pruett won a southpaw pitching duel over Bert Cole here this afternoon when the Oaks defeated the Missions 4 to 3.

Score— R. H. E. Missions ..... 3 9 1 Oakland ..... 4 6 0 Cole and Murphy; Pruett and Pool.

Acclimated ornamental nursery stock, evergreens, rose bushes, fruit and shade trees at Percy Bros. in season. We have our own nurseries. 178 S. Com'l. (\*)

PHILADELPHIA, Sept. 14.—(AP)—The Phillies took the final game they will play with the Chicago Cubs this season, by a score of 5 to 4 "Hack" Wilson, star outfield and leading home run hitter of the National league sustained a possible fracture of the mastoid bone when Carlson hit him behind the left ear with a pitched ball in the sixth inning.

Score— R. H. E. Chicago ..... 4 10 0 Philadelphia ..... 5 10 1 Jones, Milstead and Gonzales; Carlson and Wilson.

The Peerless Bakery, 170 N. Commercial. Sanitary, up to date. Prompt delivery. Bakers for those who appreciate the best. Increasing patrons tell the tale. (\*)

The Pontiac Six vs outculling—because it is Built to Outlast. It displays unflinching sturdiness and dependability. See it on display at Vick Bros. (\*)

AIMEE ADMITS PAYING FUNDS TO MRS. SEILAFF (Continued from page 1.) could obtain evidence in clearing up my case.

"We gave her considerable money with the understanding that it would be returned to us providing she did not obtain the facts as she represented."

Counsel for Mrs. Seilaff announced that affidavits and statements prepared by Mrs. Seilaff and published recently as confessions that she acted as agent and under pay of the evangelist to clear up the identity of the begoggled woman at the Carmel cottage would be submitted to the district attorney and that Mrs. Seilaff would lay the whole matter before the county prosecutor.

Other developments of the day included a statement by Mrs. McPherson to the effect that she and her mother, Mrs. Minnie Kennedy, had listened to Mrs. Seilaff and sought to give her an opportunity to verify her statements about the Carmel cottage after Attorney Woolley, representing the temple, had refused to approve or sanction Mrs. Seilaff or her activities.

"Attorney Roland Rich Woolley from his first contact with Mrs. Wiseman (Seilaff), which was at Salinas, took a consistent and decided attitude against her and her story," the statement of Mrs. McPherson set forth.

"Woolley at no time expressed his approval or sanction either of herself or her activities. He warned us repeatedly that she was 'fire' and that we should have nothing to do with her."

"We have pursued the policy of listening to everybody with the hopes that they could bring to us

a grain of truth concerning the various attacks that have been made on us. In many other instances we have found ourselves imposed upon and found that there was some subtle motive back of the story told—but still we hoped that the right person involved in the Carmel matter would come forward. It was this policy which we adopted that has unwittingly led us into this subtle and apparently carefully prepared net.

"We will have to frankly acknowledge that we were utterly fooled and made a tremendous mistake in not heeding the counsel of our attorney and following his instructions concerning this woman."

"Mrs. Wiseman's story and personality certainly never occurred to us but evidently not our attorney. Mr. Woolley never set his seal of approval upon her or her word and opposed at every angle our giving her any consideration."

Pacific Coast Results

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A CAREFUL, CRITICAL COMPARISON WILL JUSTIFY THE ABOVE ASSERTIONS.

School-boy Peanut Butter 1 lb. cans..... 25c

Brazil Nuts 17c New crop, lb..... 17c

3 lbs. Mexican Beans for..... 25c Standard Eggs 40c dozen

Calumet Baking Powder, 5 lbs. for..... \$1.00

Cider Vinegar 30c 40 grain, gallon..... 23c Log Cabin Syrup, small (Medium 44c)

Shrimp, "Dun-bars" 15c (Two for 28c)

Terminal Flour, highest grade hardwheat, none better and few equal to \$2.10

Sweet Taters 25c 5 lbs. for..... 25c Oysters, 5 oz. 25c cans, 2 for

Damon's 899 N. Commercial St. Phone 1-2-6-3

285 feet parking space UNITED GROCERS OF OREGON STORE NO. 100

REHEARING DENIED TWO FACING DEATH

Ellsworth Kelley and James Willos Lose Chance for Court Appeal

The state supreme court yesterday denied a petition for rehearing of the case involving Ellsworth Kelley and James Willos, who are under death sentence for the part they played in the state penitentiary break here on August 12, 1925.

The break was one of the most sensational in the history of the prison and resulted in the deaths of Milton Holman and John Sweeney, guards, and Bert (Oregon) Jones, convict. Tom Murray, another convict who was involved in the break, committed suicide a few months ago by hanging himself in a death cell in the penitentiary.

Following their capture Kelley, Willos and Murray were tried on charges of first degree murder in the Marion county circuit court and were convicted. They later were sentenced to be hanged.

Other opinions handed down in the state supreme court yesterday follow: Tisha Belle Jenkins, appellant, vs. Thomas E. Jenkins, appeal from Union county; petition for appeal for purpose of modifying divorce decree. Motion denied in opinion by Justice Brown.

Stark-Davis company, appellant, vs. Wilbert B. Wilson et al; appeal from Multnomah county; appeal from order of circuit court dismissing complaint. Opinion by Justice Brown. Judge George Roseman reversed.

Marjory Ross vs. Willamette Valley Transfer company; appellant; appeal from Lane county; suit for damages. Opinion by Justice Burnett. Judge G. F. Skipworth reversed.

H. W. Sitton, trustee in bankruptcy of estate of General Supply & Repair company vs. M. L. Goodwin, appellant; appeal from Multnomah county; petition for rehearing denied in opinion by Justice Burnett.

Petitions for rehearing denied

in Carnes vs. Manning, Bloech vs. Hyland Homes company and Wilcox vs. Bolech.

Motion to dismiss overruled in Sargeant vs. Pendleton Auto company.

C. F. Brethaupt, florist and decorator, 123 N. Liberty. Phone 330. Flowers, bulbs, floral designs for all occasions. Pioneer and leader in Salem. (\*)

Slate surface roofing applied over your old shingles. We have over 200 jobs in Salem, Nelson Bros., plumbers, sheet metal work, 355 Chemeketa. (\*)

LATE FIGHT NEWS

VERNON, Cal., Sept. 14.—(AP)—Ed "Strangler" Lewis, claimant of the world's heavyweight wrestling title, scored two straight falls to win his match with Wayne ("Big") Munn, Nebraska grappler, here tonight.

SAN FRANCISCO, Sept. 14.—(AP)—Leo Lomski, Aberdeen, Wash., light heavyweight, punched his way to a technical knockout over Joe Roche, San Francisco, in the fourth round of a scheduled 10-round bout at Recreation park here tonight.

PORTLAND, Sept. 14.—(AP)—Ernie Owens of Los Angeles and Harry Dillon of Winnipeg fought a 10-round draw in the main event of a feature card here tonight. The big feature of the card was made by Ralph Moore, Marshfield, 135 pounder, who knocked out Harold Reese of Portland in the second round after he had been knocked down twice in the first round to the count of nine by Reese.

Tyler's Big Z Cold Capsules will cure your cold. If you don't believe it try it for yourself. Tyler's is the only place to get them, 157 S. Com'l.

O. J. Hull Auto Top & Paint Co. Radiator, fender and body repairing. Artistic painting adds 100% to the appearance of your auto. 267 S. Commercial. (\*)

White House Restaurant, 362 State St., where hundreds of people prefer to eat. All you want to eat for less than you can eat at home. Quality and service. (\*)

Parker & Co., 444 S. Commercial. Don't fail to see Parker about repairing your car. Expert mechanics at your service. All work guaranteed.

H. L. Stiff Furniture Co., leaders in complete home furnishings, priced to make you the owner. The store that studies your every need and is ready to meet it, absolutely.

Army and Outing Store. Biggest bargains in clothing, shoes, underwear, hosiery, gloves, valises and suit cases. The working man's store, 189 N. Commercial. (\*)

What do you need in the hardware line? Mechanics' tools, household goods and cutlery, anything you wish. Quality at a low price. Square Deal Hdw., 220 N. Com'l. (\*)

A. H. Moore, 235 N. High St. apartments, and store where you can get high quality furniture and furnishings for every room in your house. (\*)

OREGON CITY.—Sale of 75 imported Jerseys brings \$587 per animal, with top price of \$2,075. (\*)

TILDEN ERRATIC BUT WINS MATCH

Strained Knee Handicaps "Big Bill" in Tourney at Forest Hills

FOREST HILLS, Sept. 14.—(AP)—Exhibiting the most erratic brand of tennis he has shown since becoming national champion six years ago, William T. Tilden limped to his second victory today in the title tournament in the West Side club.

"Big Bill" still favoring his strained knee, had as much difficulty overcoming one of his young proteges, Neil Sullivan of Bethlehem, Penn., as he did yesterday in disposing of John Van Ryn, Princeton youth. The title holder, finding few of his strokes in consistent working order, dropped the first and was given a lively tussle before he gained control sufficiently to pull out the match at 4-6, 6-4, 6-2, 6-1.

With Tilden off form and his bid for a seventh championship fading, the other 15 tournament survivors reached the third round in a series of hard fought matches that produced numerous upsets.

The most conspicuous of these eliminated Japan's two foremost threats. Takeichi Harada, Nipponese ace, was overpowered by the fiery attack of Dr. George King of New York in straight sets, 6-4, 8-6, 8-6.

Tsumio Tawara, another Japanese Davis cup performer, was put out by Arnold W. Jones of Providence, R. I., in five sets, 2-6, 6-4, 2-6, 6-3, 6-1. By his victory Jones gained the right to oppose Tilden tomorrow.

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M'BRIDE PRAISES BILL OF RIGHTS

"Might as Well Eulogize Bible as Constitution," He Declares

"The United States Constitution is the greatest and most comprehensive charter of human freedom the world ever saw," according to Thomas A. McBride, chief justice of the supreme court of Oregon, who spoke on Constitution day at the Kiwanis club luncheon yesterday noon. "It is the first one that attempted to give liberty of action, speech and religion."

"All the amendments to it are generally observed and enforced, except the 18th, which is still on trial. It is our duty to submit and acquiesce to it, however, whether it agrees with our peculiar notions or not. Although there may be clauses, some citizens do not like, the Constitution should be supported."

The history of the Constitution from its origin at the constitutional convention in Philadelphia in 1787 was traced by Justice McBride. He stressed the fact that it contained no bill of rights at first, and that all states instructed delegates to the first congress to arrange one, the first 10 amendments comprising the bill.

"I might just as well eulogize on the Bible as on the Constitution," he said.

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Advertisement for H.L. Stiff Furniture Co. featuring a portrait of a man and text: "Don't Forget the Place and Date Fairgrounds Pavilion Tuesday Sept. 21, 1926"

Herb Wiedoft and his Famous Brunswick Recording Orchestra of the Cinderella Roof Garden of Los Angeles, Calif., will play at the New Fair Grounds Pavillion Tuesday, September 21. Don't miss it. After you have heard this famous orchestra you will want to hear their records They record exclusively for Brunswick. A complete line of Brunswick records at

Advertisement for H.L. Stiff Furniture Co. with logo and text: "H.L. Stiff Furniture Co. COMPLETE HOUSE FURNISHERS"