

# The Oregon Statesman

SALEM, OREGON, WEDNESDAY MORNING, DECEMBER 15, 1926

PRICE FIVE CENTS

**WEATHER FORECAST:** Unsettled with rain in the northwest portion; warmer in west portion; increasing southerly winds on the coast. Maximum yesterday, 27; minimum, 18; river, 4.1; rainfall, none; atmosphere, cloudy; wind, northwest.

**SHOP EARLY:** Only 3 shopping days remain before Christmas. Do your shopping early and avoid the rush. You will find a new delight in this early shopping and also you'll bring happiness to the merchants and the post office clerks.

## FISH BUREAU DUST WARDEN FROM OFFICE

### "Lack of Harmony" Sole Reason Offered for Commission's Action

## CLANTON RESIGNS POST

### Chairman Veatch Declares Ballagh's Work Entirely Satisfactory With Few Complaints Received

PORTLAND, Dec. 14.—(AP)—Edison I. Ballagh, master fish warden since last August, was removed from office today by the state fish commission, and R. E. Clanton, state director of fish hatcheries, has tendered his resignation as a result of Ballagh's dismissal. "Lack of harmony" was given as the reason for Ballagh's removal, which is to take effect on January 1.

The motion asking for Ballagh's removal was made by W. T. Alkin, of Astoria, and was seconded by J. F. Hayes, Tillamook. John C. Veatch, Portland, opposed the action unconditionally.

With "lack of harmony" the sole reason offered by Alkin in placing his motion asking for Ballagh's resignation, Clanton, who has been connected with the department for nearly 18 years, declared that Ballagh has been responsible for closer harmony in the commission than any man who has yet been master fish warden in the state. At all times, Clanton said, Ballagh has been willing to cooperate with the hatchery department. Clanton tendered his resignation to Chairman Veatch as soon as Alkin's motion had carried.

"If the commission wants to disrupt the work of the department at this time," Clanton said, "I do not want to be connected with it. Mr. Ballagh has performed his duties well. I don't know what is behind this, but I don't want to be a party to it."

In opposing the motion asking for Ballagh's resignation, Chairman Veatch declared the master fish warden's work had been "most satisfactory."

"As chairman of this commission," he said, "I have been in close touch with the work of Mr. Ballagh. I can say positively that since he has served as fish warden the department has had fewer complaints and less friction than it has at any other time during the life of the commission. I believe

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## CAPTAIN HOLDS MUTINOUS CREW

### COAST GUARDSMEN NOT ALLOWED ABOARD SCHOONER

### Four Tugs Despatched to Pull Wrecked Ship Off Frying Pan Shoals

WILMINGTON, N. C., Dec. 14.—(AP)—A mutinous crew demanding their captain to relinquish his command, while the skipper held them off single handed with a gun, was a dramatic incident of the sea, pictured today in reports received here as having occurred on the four masted schooner Charles A. Dean, wrecked on the Frying Pan shoals.

Coast guardsmen, summoned to the schooner's aid, had not been permitted late today to board her by the captain and, after procuring rifles at their station, returned to make another boarding attempt. No word of their second effort had been received here tonight.

When the guardsmen first approached the schooner in their boat, they said they discovered the captain, standing "at all with a gun guarding the helm, while the crew was shouting demands that he surrender."

The schooner went ashore while a heavy gale was blowing. She was described by the coast guardsmen as "hard and fast" on the shoals.

Four tugs were despatched from here and Southport, N. C., to attempt to pull the ship from the rocks. The captains of the tugs however, did not expect to reach the schooner until the high tide late tonight.

The Charles A. Dean is a 1100-ton vessel and was going from Savannah to Baltimore with a crew of 25 men.

## STATE HORT MEN IN SESSION HERE

### ELECTION OF OFFICERS WILL OCCUR THIS AFTERNOON

### Several Addresses Listed for Today, With Lloyd Reynolds Presiding

The Oregon State Horticultural society opened its 41st session here Tuesday with State Senator-elect Lloyd Reynolds, president of the society, presiding. The forenoon was taken up with committee appointments and preliminary talks.

Mayor-elect T. A. Livesley of Salem, who was to have given the welcoming address being unable to be present, C. A. Park of Salem, member of the state board of horticulture, acted in his stead, the response being given by H. Weatherspoon, member of the state board from Elgin.

"Maintaining the fertility in small fruits, cherry plantings and vegetables" were subjects upon which Prof. C. V. Ruzek of the soil department of Oregon Agricultural college, addressed the meeting. George W. Cable, OAC engineer, spoke on irrigation.

President Reynolds appointed the following on the nominating committee for the annual election of officers which will be held on Wednesday: Leroy Childs of Hood River, chairman; A. C. Allen of Medford and W. M. Elliot of Dallas. Members of the resolution committee are Kenneth Miller of Sheridan, chairman; Henry Crawford of Salem, and J. Robert McKay of Roseburg.

An address by W. H. Vlock, director of research of the California Spray Chemical company, on summer sprays was the feature of the afternoon session. H. P. Barse of OAC spoke on vegetable and cherry disease; Don C. Mote of OAC, on insects that infest small fruits, vegetables and cherries, and R. W. Gill of Portland gave a talk on seed strains.

Prof. C. E. Schuster of Oregon Agricultural college will open today's program with an address on cherries. Ray J. Glait, secretary-manager of the Woodburn Fruit Growers Cooperative association, will speak on strawberry culture. Logan Horton and raspberries will be the subject of a talk given by H. W. Strong of Gresham. Hon. Sam H. Brown of Gervais will speak on the evergreen blackberry, and Prof. Henry Hartman of OAC on harvesting small fruits, cherries and prunes.

The election of officers will be held at 1:30 p. m., after which Dr. S. M. Zeller of OAC will give illustrations on small fruit diseases. He will be followed by Prof. C. E. Schuster, who will speak on strawberry varieties.

L. M. Hatch, president of the Fuyalup-Sumner Fruit Growers' association, will close the day's program with an address on the "Economic Situation," and small fruits in the northwest.

## APPOINTED ON STAFF

### Miss Conklin Receives Honor, 50 Applicants for Place

OREGON AGRICULTURAL COLLEGE, Corvallis, Dec. 14.—Marian Conklin of Salem, a sophomore in home economics at the college, has been appointed to the staff of the Barometer, daily publication of the associated students. Miss Conklin is one of 11 persons appointed to the staff from an aspirant class of more than 50 students who have been trying out this term.

Students must show ability and interest in journalism to become members of the Barometer staff. Miss Conklin is one of the leading news-writers on the campus. She is a member of Kappa Kappa Gamma, national social sorority.

## YESTERDAY IN WASHINGTON

Associated Press

The senate passed a bill to liberalize the immigration law.

The senate took up the controversial house rivers and harbors bill.

Fall-Doherty defense pleadings reached final phase in the oil trial.

Final consideration of the interior department supply bill continued by the house.

The revised McNary-Haugen farm bill was introduced by Senator McNary of Oregon.

Harry P. Sinclair sought to have the Teapot Dome conspiracy indictment squashed.

Senator Praeger of North Dakota was invited back into organization ranks by senate republicans.

## M'NARY OFFERS MODIFIED BILL TO AID FARMER

### Measure Shorn of Objectionable Features and Brought Up to Date

## PRICE LEVEL MISSING

### Equalization Fee Remains but Assessed Against "Each Marketed Unit" of All Producers

WASHINGTON, Dec. 14.—(AP)—A new farm relief bill in last year's gown altered to fill this season's demands appeared in the senate today, but a controversy over whose name should grace it prevented its introduction in the house.

The measure, embodying the essential features of the McNary-Haugen bill, but shorn of most of its objectionable provisions, was offered by Senator McNary, republican, Oregon, father of the bill which has weathered two years of stormy wrangling and the new chairman of the senate agricultural committee.

A companion bill was turned over to Representative Purnell, republican, Indiana, and Representative Fullmer, democrat, South Carolina, with a request from senate farm leaders that they introduce it jointly, thus indicating support from the three great farming regions—far west, middle west and south. Both Purnell and Fullmer are members of the house agricultural committee.

Meanwhile, Chairman Haugen withheld final approval until opportunity for further study was afforded.

"I am certain that Senator McNary's bill is all that we hope for," he said, "but I wish to study it before I give my expression."

The bill is understood to embody the latest views of a substantial number of farm leaders in both houses.

Representative Dickson, republican, Iowa, a farm leader, said he considered the measure the most finished piece of legislation to ease the farm situation that could be devised.

Although basically a McNary-Haugen bill, the new measure is different in several important respects. The "tariff yardstick" advocated by Chairman Haugen and the "fair and reasonable" price standards are missing. The new bill contains no reference to price

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## STORM WARNINGS UP ALONG COAST

### WEATHER FORECASTER SAYS RAIN OR SNOW

### Many Points in Oregon Experience Coldest Temperature in Many Years

The mercury mounted to 29 degrees shortly after midnight and a steady snow began to fall which threatened to turn to rain before morning if the moderation in temperature continues. The minimum temperature for Salem during the present cold spell was reached yesterday morning when the mercury dropped to 13 degrees at five o'clock in the morning.

EUGENE, Dec. 15.—(AP)—Shortly after midnight rain began falling and the mercury crawled up to 42 degrees.

PORTLAND, Dec. 14.—(AP)—With storm warnings flying on the coast and many points in Oregon reporting sub-zero temperatures today, some hope for warmer weather is still held out, according to Edward L. Wells, meteorologist in charge of the United States weather bureau here. A forecast at 7 o'clock tonight read:

"Unsettled and warmer Wednesday, with snow, probably turning to rain Thursday. Increasingly southerly winds."

The low pressure area which has been hovering over the Pacific coast, and not quite so rapidly along the Washington coast. Southeast storm warnings at all

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## ORMISTON WILL FIGHT REMOVAL

### WARRANTS FOR RADIO MAN ARRIVE IN CHICAGO

### Los Angeles Jury Views Clothes in "Little Blue Steamer" Trunk

CHICAGO, Dec. 14.—(AP)—Kenneth Ormiston, radio announcer for Almee Temple McPherson, at her tabernacle before the woman evangelist disappeared last summer, and sought by California officials since her reappearance, as a material witness in charges against her, will be surrendered tomorrow to Chicago officials, his attorney promised today.

Warrants for Ormiston's arrest reached Chicago by air mail from Los Angeles, and Edward H. S. Martin, Ormiston's lawyer, said after a conference with Chief of Police Morgan A. Collins, that his client would give himself up to

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## COOKING SCHOOL ATTRACTS MANY

### JEANETTE BEYER PLANS PASTRY PROGRAM FOR TODAY

### "Fruit Cake, Viennas and Women Improve With Age" Says Efficient Cook

Jeanette Beyer's cooking school in Salem which opened at the Grand theatre yesterday afternoon in such an auspicious manner will continue through today, tomorrow, and Friday. A score of surprises were in store for those who well-filled the theatre yesterday, and a like number are promised for today.

Folders of recipes were distributed early and the visitors—one row of which was of men—were allowed to choose the cake for the initial project. A Newport pound cake was decided upon and, with the aid of candied pineapple, nuts, and candied cherries was converted into a Christmas fruit cake which was sampled by those present.

The lemon-banana pie, topped with a fluffy golden meringue was awarded. Miss Beyer drew the card bearing the name of Mrs. R. J. Hendricks and presented her with the pie.

A moonshine cake made its debut yesterday on the platform at the Grand.

Miss Beyer made the making of puff paste a most intriguing process, full of geometric maneuvers. Plan crust was made as well.

Today the program will continue with French pastry confections and then branch into salads and salad accompaniments. Miss

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## HOLIDAY LIQUOR CLAIMED SCARCE

### GENERAL ANDREWS HOPES TO GET SECRET SERVICE

### Bill to Permit Manufacture of Medicinal Whiskey Ready for House

WASHINGTON, Dec. 14.—(AP)—Three prohibition pronouncements were made today by Lincoln C. Andrews, the enforcement chief, that drinkers faced no cheerful outlook for Christmas liquor through rum row; that every effort will be made to give the enforcement unit the right to use \$500,000 as secret service money, and that the government can save much money by permitting the manufacture of additional whiskey for medicinal purposes.

As to rum row, General Andrews said a check of his sources of information showed very little liquor had been smuggled through New York or other large cities and

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## SEIZURE HELD ILLEGAL, NEED TRIAL BY JURY

### Justices Brown and Coshaw Dissent, Maintain Provision Constitutional

## AUTO NOT A NUISANCE

### Property of Innocent Person Cannot be Forfeited to State, Act Void Without Jury Intervention

When the Oregon legislature in the enactment of the state prohibition law provided therein that automobiles in which liquor was being transported might be seized and forfeited to the state through an order by a circuit judge without opportunity for a trial by jury and when there had been no previous conviction of the offending person, it exceeded its authority in the opinion of the supreme court.

In an opinion written by Justice Rand reversing the decree of Judge C. M. Thomas of the Jackson county circuit court in the case of the state of Oregon vs. Nona B. Heffling, the supreme court yesterday held unconstitutional and void that portion of the search and seizure law, although declaring that the remainder of the act should stand.

When the husband of Nona B. Heffling was arrested in Jackson county for transporting liquor the automobile in which he was riding at the time, a Studebaker touring car of 1923 model, was seized. Heffling was bound over to the grand jury which later refused to indict him. His wife then put in her claim for the automobile as owner, demanding a trial by jury to establish her claim. The jury trial was denied as also was a motion to dismiss the case because of lack of evidence, and after hearing testimony Judge Thomas issued an order forfeiting the automobile to the state.

"Like other property which may be and ordinarily is used for lawful purposes, an automobile is not a nuisance per se," the opinion of the supreme court holds. "This act, unlike the national prohibition act, does not declare that an automobile or any other vehicle in which intoxicating liquor is be-

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## VESSEL AND CREW LOST

### Lloyds Report Steamer Balholm Wrecked in Bay in Iceland

LONDON, Dec. 14.—(AP)—Lloyds report the wreck of the Norwegian steamer Balholm in Faxa bay, Iceland, with the loss of all hands.

Advices from Oslo, the Norwegian capital, say the Balholm's crew numbered 17, including two Englishmen, the others Norwegians. It is believed that a few Icelanders were passengers on board.

The Balholm was bound from Akreyri, north coast of Iceland, for Hafnarfjord.

## DYER LISTED IN WILL

### Local Man Will Receive \$5,000 From Estate of Cousin

PORTLAND, Dec. 14.—(AP)—W. Connell Dyer of Salem, a cousin, is listed for a bequest of \$5,000 in the will of Mrs. Mary E. Barlow, aged Portland resident, who died November 28. The will makes O. G. Barlow, widower, 80, executor, and specifies that a number of bequests, including that to Dyer, are to be paid, subject to Barlow's discretion. The estate includes \$50,000 in government bonds and \$20,000 real property.

Mrs. Nero to help put over grand opera in Salem. The Wolfsohn Musical Bureau of New York has released Mrs. Chloe Nero for this week and Monday, to help in making Salem's first grand opera engagement a success.

## The Statesman Christmas Cheer Fund

Some place in this community, some little kiddies may arise on Christmas morn and find an empty stocking. The spirit of the season will be ruined for him—and it should not be. Santa Claus wants to pay a visit to every worthy youngster, but he won't be able to unless he has more help.

Join the Cheer crowd and help the good old Santa in his work. Send money contributions to the Christmas Cheer editor of The Oregon Statesman and clothing and food supplies to the Salvation Army. The Salvation Army is cooperating with The Statesman in the Christmas Cheer work.

## OLD SANTA SEEKS CHRISTMAS HELP

### CHEER FUND GROWING EACH DAY; TIME NOW SHORT

### Send Contributions to The Statesman; Clothing to Salvation Army Relief

Right around Salem there are many fathers and mothers who almost hate to think about Christmas being so near. It is not because they do not believe in what the day stands for, but rather conditions are such that they are not able to bring the real spirit of the time into their home. In other words, they are afraid that Santa Claus will not visit their home this year and so the kiddies will face a big disappointment on Christmas morn.

Santa Claus knows about a good many of these people and so he is seeking the cooperation of others in order to bring cheer to the needy ones. He does not know about all of them, however, so he wants their names reported to The Statesman Christmas cheer editor and all such reports will be treated confidentially. Also, the youngsters may address their letters to Santa Claus, care of The Statesman Christmas Cheer editor and they will be given to the right party.

Santa Claus is facing a big task. He realizes it, and so has enlisted the aid of The Statesman and the Salvation Army in his work of spreading the real spirit of the season. All contributions of money should be sent to the Christmas Cheer editor, in care of The Oregon Statesman, while clothing and food may be left with the Salvation Army, who are cooperating to the fullest extent in this work.

The Cheer fund is growing slowly each passing day. Each passing day means that Christmas is that much nearer, and in order to bring happiness to every worthy kiddie there should be a better response. Why not join the cheer crowd now and make sure that when every worthy child arises on Christmas morn he will find something in his stocking? What a sad day it will be for the kiddies who find nothing but an empty stocking. It should not be.

Santa Claus wants your help to make such a thing impossible. He wants to remember everyone.

Join the Christmas Cheer fund crowd and help spread the spirit of the season. Help bring joy and happiness into the lives of people, who would otherwise be sad on this joyous day.

## CHERRIANS ELECT WEBB

### Long List of Officials Chosen at Annual Meeting

Carl B. Webb was elected King Bing of the Cherrians for 1927 at the annual election held last evening at the chamber of commerce.

Other officers elected to serve next year as the Council of Nobles for the Cherrians are:

Ralph Cooley, Lord Governor Wood; Bert T. Ford, Chancellor of the Rolls; Frank Durbin, Jr., Keeper of the Orchard; P. D. Quisenberry, King's Jester; H. B. Worth, Duke of Lambert; Les Canfield, Queen Anne's Consort; T. A. Rafferty, Margus of Mars; schibo; George Graves, Archbishop of Kieckrahl; Dr. O. A. Olson, Earl of Waldo.

Ladies will be invited to the annual banquet, initiation, and crowning of the new King Bing, to be held at the Marlon hotel Tuesday evening, January 4.

As usual for years past, the Cherrians will decorate with electric lights the large fir tree in the southwest corner of the court house lawn.

King Bing Harley O. White was authorized to name a committee to arrange for the annual banquet and the entertainment.

## PRUNE MARKET JOINT CONTROL PLAN DEVISED

### Growers, Packers and Dealers to Cooperate in Proposed Program

## TO STABILIZE INDUSTRY

### Leading Men in Salem Advocate Plan Now Being Used in California, Coast Wide Organization in Sight

A plan is being proposed in California for the orderly marketing of prunes that will no doubt command a great deal of attention from now on. The Statesman is able, through the kindness of a Salem friend in the industry, to give a sketchy outline of the plan.

The plan owes in largest part its inception to Joseph M. Parker, general manager of the California Prune and Apricot Growers association (the California prune cooperative), and it has been talked over extensively in that state, with both growers and packers of prunes.

Taking in All Parties The cooperatives have set up the idea of both a grower production and marketing of prunes, leaving out of the picture the packers and dealers.

The new plan proposes a joint control and working out of the marketing problems. Under the plan proposed, the prune growers and the packing distributing group will each elect its own board of directors, out of each of which it is then arranged to name a joint executive committee composed of four, or an equal number from each board, the ninth or odd member of the board to be an appointed outside chairman by the thus combined executive committee. This idea is expected to, and would probably, if the personnel is proper, result in an equitable control and satisfactory adjudication of the positions resulting out of the two different points of view. The compensations and returns to be made by the packing-distributing group are worked out on such a basis as it is thought will avoid destructive price competitions but retain selling enthusiasm.

To Stabilize and Promote California prunes as such would be advertised and promoted under this arrangement, in competition

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## OIL JURY HEARS FINAL SPEECHES

### ARGUMENTS RANGE FROM WHISPERS TO SHOUTING

### Witnesses Either Initiated in Anasias Club or Called "Forgetful"

WASHINGTON, Dec. 14.—(AP)—Six hours of vitriolic argument took the Fall-Doherty case today to the threshold of the jury room.

Tomorrow, under present plans, the jury will retire, probably about 2 o'clock, to deliberate its verdict convicting or acquitting Albert B. Fall, former secretary of the interior, and Edward L. Doherty, leasee of the Elk Hills, Cal., naval oil reserve, on trial for conspiracy to defraud the government.

The crashing finale of acrimony and left-handed bouquets today between Owen J. Roberts, government prosecutor, and Frank J. Hogan, chief defense attorney, electrified the thronged court room as few anti-climaxes of dramatic evidence have done.

The argument ranged from whispered earnestness directly into the faces of the 12 young jurors to high pressure oratorical acrobatics.

Practically everyone called to the witness stand in the four weeks' trial was either initiated in the Anasias club or put down a most forgetful fellow.

Mr. Roberts said Mr. Hogan did not call the most important witness, and Mr. Hogan called Mr. Roberts "a Philadelphia lawyer."

Roberts ended his five-hour plea for conviction shortly before noon with the direct charge that, in November, 1921, "Albert Fall knew that this \$100,000 loan (from Doherty) was dirty business."

Hogan began his argument with

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