

Weather forecast: Fair east and cloudy west portions; moderate south wind from coast. Maximum temperature yesterday 76, minimum 38, river 7.5, rainfall none, atmosphere clear, wind northwest.

The Oregon Statesman

"Actress plans ocean flight," reads local headline. We'll bet the lady was terribly put out when she learned that the naughty reporters had found out about it and put stories in their vile papers.

SEVENTY-EIGHTH YEAR

SALEM, OREGON, THURSDAY MORNING, APRIL 26, 1928

PRICE FIVE CENTS

FRUIT TONNAGE WILL BE LARGE HERE, BELIEVED

But Bumper Crop Not Expected; Plenty of Cherries, Van Trump Thinks

PRUNES GOOD CROP TOO

Italian Variety Will Not Be So Plentiful as Last Year; Expects All Strawberries That Can Be Marketed

You can hear almost anything you want to hear about the prospects for the coming crops in the Salem districts; especially the fruit crops.

A very good authority said yesterday that there will be a lot of prunes, and he thinks there will be plenty of Royal Ann cherries. And, in most localities, plenty of Bartlett pears. He said strawberries are late and naturally there cannot be looked for a bumper crop, taking the law of averages. But a great deal will depend on the weather, from this time on. Now, this authority is not guessing. He has examined the cherry trees, and the prune trees, and the pear trees. He has compared this year with former years when there was a good deal of rain in blossoming time. He says that last year the prunes were short on blossoms. This year the trees were literally covered with blossoms.

Another authority says there will be plenty of prunes on the vigorous, well cultivated trees in most localities. There will be few prunes on the trees that have had poor attention. The trees that have not had good cultivation have been full of thrips.

County Fruit Inspector Van Trump, who has been out in the orchards, said last night that he looks for a good crop of Royal Ann cherries in most localities. He said no one can be certain concerning the black cherry crop for two weeks yet.

He said the strawberries are not as good as he would like to report. The patches are full of grass and weeds, owing to the wet season, and it is not good to cultivate the vines too late.

He says the petite prunes are all right, and this seems to be the general verdict among fruit men.

DEMPSEY WINS IN LEGAL TILT

COURT CONTROVERSY OF YEARS FINALLY SETTLED

Jury Returns Verdict Against Jack Kearns in Half Million Dollar Action

NEW YORK, Apr. 25.—(AP)—Jack Kearns, former manager of Jack Dempsey, lost his \$500,000 suit for breach of contract and damages from the former heavyweight champion in a decision rendered by a jury here tonight.

Federal Judge John C. Knox ordered a verdict in favor of Dempsey on all counts in the suit.

Judge Knox ordered the verdict for the defendant when the jury, after four hours and 22 minutes, determined that a valid three-year contract was signed between Kearns and the former heavyweight champion in 1923, but had been invalidated in July of 1925 when the parties severed business relations and settled their joint affairs. These two questions alone were submitted to the jury by the court.

After summation of the cases throughout the afternoon by Arthur F. Driscoll, attorney for Dempsey, and Arthur N. Sager, counsel for Kearns, Judge John C. Knox charged the jury to find on but two questions of fact.

The first was to determine whether Kearns and Dempsey entered into an actual contract in August of 1923, when Kearns alleges the former heavyweight champion entered into a three-year agreement with him. The second question asked whether or not the principals in the case agreed to end their business relations or any contractual relations they might have at a conference in Los Angeles in the July of 1925.

The jury was further instructed that a verdict of no contract in answer to the first question summarized by Judge Knox would be a finding of a final settlement in Los Angeles. Judge Knox announced that in the event of a verdict for Kearns, he would determine the legality of three causes in Kearns' action which asked damages of over \$500,000 as a result of Dempsey's fight with Gene Tunney in 1926.

Nearly All Of Delegate Candidates Favor Hoover

Only One Declares for Another Republican for President; Seven at Large to Be Elected from Field of 16; Patton One of Three for Two District Envoys

Of the 16 candidates for republican national convention delegate at large in Oregon all but four announce that they favor Herbert Hoover, and only one definitely declares for support of any other candidate, it was disclosed when the list of candidates for all offices in the state primary election as certified by Secretary of State Sam A. Kozer was made public last night.

Candidates for delegate at large who favor Hoover and the counties from which they filed for selection are:

PAVING PROBLEM ON 17TH SOLVED

PROPERTY SOLD, REMONSTRANCE WITHDRAWN

Karl G. Becke Now Owner of Tract; Replanted, Streets to Be Reopened

Discord that threatened to prevent the paving of North 17th street from Market street to Condit's addition, evaporated this week when it was announced that the remonstrance filed by William Brown had been withdrawn.

This came about, according to a letter received by City Recorder Mark Poulsen from Karl G. Becke, of Becke and Hendricks, local realtors, through the transfer of the property on the east side of 17th abutting on the section of the street proposed for improvement, to Mr. Becke.

Mr. Brown was alone in his remonstrance, but it threatened to be effective due to the fact that he owned more than half of the property which would be required to stand the expense of this improvement. He owned all of the property on the east side of 17th in that area, and since the streets on that side had been vacated through his efforts several years ago, his property constituted a majority.

Mr. Becke announced last night that the property has been replanted and will be known as the North Seventeenth street addition. The streets formerly vacated, Norway, Madison and Grant, will be reopened.

OLD GAG WORKED AGAIN

Seeress Gets \$2222 Away From Gallible Portlander

PORTLAND, April 25.—(AP)—Chester Widdanen today became interested in his future. The youth visited a seeress and obtained a reading. She predicted he would receive a request from a rich relative, would marry happily, and would obtain a splendid job. For this Widdanen paid \$2,222.

During the interview, the youth complained of headaches which had afflicted him for several weeks. For \$200 the woman offered to rid him of headaches for the remainder of his life. He paid her.

MAN, DEER FIGHT IN PARK

Survivor of Water Bureau Has Struggle With Animal

PORTLAND, April 25.—(AP)—A ten-minute hand-to-hand battle was fought today in Washington City park here by John W. Peters, survivor in the water bureau, and a 200 pound buck because the deer objected to the presence of a survivor in the park.

For ten minutes the two fought until park helpers and others could be summoned to subdue the deer. Three times the deer charged and three times Peters grabbed the buck by the horns and threw the animal on its back. Furiously he wrestled with the deer but the animal got away and came back for more.

Peters was badly scratched and bruised and his clothing torn by the animal's horns, which grazed him in several places, but did no serious damage.

CONVICT ORVILLE DAVIS

22 Year Old Youth Found Guilty of Murder

PORTLAND, Apr. 25.—(AP)—Orville Davis, 22 year old tribesman of the Klamath Indian reservation at Klamath Falls, was today convicted in federal court here of the murder of Lawrence Walker, fellow reservationist, on January 2 last. The verdict of first degree murder carries the death penalty. Walker was killed when he was struck on the head and shoulders with a double-bitted axe while he slept in his house. Evidence tended to show that Davis and Walker had quarreled in a drunken brawl the night before.

PAVE APPROACH TO NEW BRIDGE READY IN WEEK

South Commercial Structure One Side Completed, Inspected by Many

CONTRAST TO OLD SPAN

Complicated and Ugly Network of Timbers, Some Now Rotted, Replaced by Neat, Substantial, Concrete Pillars

The first paving in Salem this season is now being laid by the city's crew; the north approach to the South Commercial street bridge, on the east side half which is now being completed.

This half of the bridge is finished except for a little touching up on the railings, etc., and the concrete will have set sufficiently to permit of its being opened to traffic within a week. Walter Low, streets commissioner, has been informed. The exact date has not been set.

Many View Span

This will be Salem's first bridge of modern highway type construction, and much interest is being exhibited in its various features. The surface, with its broad expanse of driveway, wide sidewalk and the pleasing lines of the concrete railing, attract much favorable comment, especially at present when the west half of the old bridge is still in place, affording a basis of comparison with the appearance of that structure, which looks almost ramshackle by contrast.

Viewed From Below

But a view from beneath is still more illuminating. There are the weather beaten piles and complicated system of timbers upon which the old structure is supported, an ugly network, and the ends of the timbers, sawed off to make room for the new construction, reveal that many of these

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GOVERNOR MAY ATTEND

Convention at Kansas City After Giving Chicago Address

Governor Patterson has let it be known that he probably will attend the republican national convention to be held in Kansas City, Enroute to Chicago the governor will stop in Chicago where he will give a radio address sponsored by the Chicago Daily News. The governor's address will have to do with the scenic advantages and natural resources of the state of Oregon.

Twelve governors from different parts of the United States have given these addresses.

RUMORED KOZER TO RETIRE SOON

SLATED FOR BANK POSITION AT ASTORIA, WORD

Secretary of State Declines to Deny Or Confirm Story at Capitol

ASTORIA, April 25.—(AP)—A. W. Norblad, attorney for a group of depositors in the defunct Astoria National bank and who was among those who offered Sam Kozer the presidency of a proposed new bank, announced yesterday reorganization of the closed institution and formation of a new bank was impossible. His statement would serve to eliminate all possibility of Kozer's acceptance.

Reports were current here Wednesday that Sam A. Kozer, secretary of state, would retire from public office June 1, and a month later would assume the presidency of the reorganized Astoria National Bank at Astoria. The reports were said to have originated from an authentic source.

The bank presidency was said to have been offered to Mr. Kozer a month ago, when he conferred with directors of the reorganized institution. Mr. Kozer today refused either to confirm or deny the truth of the report that he had decided to retire from public office and locate at Astoria.

In case Mr. Kozer retires from the office of secretary of state on or about June 1, he probably would be succeeded by the successful republican nominee for the office at the primary election.

Mr. Kozer's term as secretary of state expires on January 1, 1929, and under the law he is barred from seeking reelection.

Republican candidates for the office of secretary of state include H. H. Corey, member of the public service commission; Tom Handley of Portland, formerly state corporation commissioner, and Hal Hoss, until recently private secretary to Governor Patterson.

A rumor in circulation here sometime ago that Mr. Kozer would be appointed state budget director by Governor Patterson, has been denied by his friends. Governor Patterson refused to make any statement Wednesday as to who he would appoint secretary of state in case Mr. Kozer should resign. The term of the governor's appointee would expire January 1.

WHISKEY CACHE FOUND

Longview, Wash., School Lads Discover Much Moonshine

LONGVIEW, Wash., April 25.—(AP)—Gleeful shouts of a group of boys at St. Helens' school here today, as they rolled a ten gallon keg across the school yard, led to the discovery of a cache of six ten gallon casks of whiskey in bushes and weeds near the school.

The cache was discovered by the boys when they were playing during the noon hour. Other boys joined in the hunt, and in five minutes they were rolling the six kegs about the school lawn.

Earl Bennett, principal of the school, was told to "come and see what we found."

He came—and saw.

Then he called police and the hole load of 60 gallons, plus a small quantity found in a seventh keg, was carted to headquarters.

CHINA OVERRUN AS DISORDERS FOLLOW DRIVE

City of 60,000 Destroyed by Bandits; Five Thousand Slaughtered

MISSIONARY ALSO KILLED

Superintendent of Presbyterian Board Meets Death at Hands of Brigands; Nationalists Still Advance

By the Associated Press

The continued drive of the southern forces in China, with the capture of Tainan, refuge accounts from Hankow of the slaughter by bandits of 5,000 men, women and children at Kingmen, a mission station; the killing of an American superintendent of the Presbyterian board of foreign mission hospital at Tsining, and the report of another killing of an American missionary by nationalists made up the sum of tragedies as reported by dispatches from various Chinese centers Wednesday.

The drive of the southern forces has carried them another step nearer Peking. Advances from both Shanghai and Nanking tell of the capture of Tsinan, capital of Shantung, by the forces under Feng Yuhsiang. Sixty thousand rifles and 110 field guns are reported to have been seized.

City Sacked

The bandits who raided Kingmen, a city of 60,000 inhabitants in Hupeh province, were made up of army deserters and a peasant organization. Refugees reaching Hankow gave appalling descriptions of the sacking of the town and the massacre.

Tens of thousands of northerners who were driven from the city of Tsinan are trekking back along the roads, with brigandage rampant.

HELEN WILLS AT PARIS

Yankee Tennis Star Asked About Fashions On Arrival

PARIS, April 25.—(AP)—Helen Wills, much to her surprise, played fashion expert on her arrival today for an extended tennis invasion of Europe. The American tennis champion was all smiles as the photographers clicked away and she looked so chic in the brown tulle made suit and toque with her silver fox fur that the style writers asked her what she thought of the trend of the mode for the outdoor girl was going to be.

Seemingly surprised that Paris should ask the west such a question, Miss Wills hesitated a moment and then said:

"The present styles are worth continuing, but dresses not too short and fairly wide."

Miss Wills and her companion on the invasion, Penelope Anderson of Richmond, Va., expect to lose no time getting their hands on tennis rackets again.

MAINE HAS QUAKE TOO

City of Rumford Badly Shaken Early During Last Month

RUMFORD, Maine, April 25.—(AP)—Two sharp earthquake shocks, one following the other within a few seconds time, shook Rumford at 6:37 tonight. In the thickly settled sections of the village residents rushed from their homes into the streets and proprietors of stores reported that goods swayed on the shelves. No damage was done, so far as known. The shocks also were felt at Lewiston, more than 30 miles distant.

FAVOR FIVE DAY WEEK

Resolution Passed by Trades and Labor Council Here

A five day week for all lines of industry was advocated in a resolution adopted by the Salem trades and labor council at a meeting held here. Copies of the resolution will be sent to the state federation of labor and to the Oregon delegation in congress.

It was pointed out at the meeting that increased use of machinery has speeded up production to the extent that the labor market is glutted and thousands of men have been unable to find employment.

BENNETT DIES OF PNEUMONIA

TRADITION OF AIR UPHELD BY YANKEE AVIATOR

Noted Flyer Passes at Quebec Due to Sudden Attack of Pneumonia

QUEBEC, Que., April 25.—(AP)—Floyd Bennett, North Pole flyer, died today upholding the finest tradition of the air.



Floyd Bennett

He died because he put the welfare of others before all thought of himself and went to the aid of airmen in distress though he himself was wracked with sickness.

He did not even know the men he gave his life for, but they were comrades of the air and so he went to their relief despite all obstacles.

Bennett died at 10:50 o'clock this morning in Jeffrey Hale hospital of double pneumonia contracted after he had flown through feverish hours from Detroit to Lake Ste. Agnes in an effort to carry assistance to the marooned trans-Atlantic flyers on Greely Island.

He was brought here by airplane from Lake Ste. Agnes on Sunday but the most expert treatment failed to loosen the hold that sickness had taken on him.

At 10 o'clock this morning, the New York specialists who had come to Canada to tend him, announced that all hope was gone.

Bennett, they said, was in a coma from which he would in all likelihood never rouse. At 10:50, with his wife, who had herself left a sick bed in New York to come to him, and Commander Richard E. Byrd, his closest friend, at his bedside, he passed quietly away.

Everything possible was done in the effort to save Bennett's life, when he became so ill at Lake Ste. Agnes that Brent Balchen, his copilot in the relief expedition, had to push on without him.

The New York World arranged for his transport to Quebec in a news reel plane.

The New York World and the North American Newspaper Alliance which sponsored the relief expedition, engaged Dr. A. L. Barach, noted specialist in the treatment of pneumonia, to go to Quebec with assistants and take charge of Bennett.

Yesterday the Rockefeller Institute in New York offered its aid and Colonel Charles A. Lindbergh flew to Quebec from New York with two kinds of serum with which it was hoped Bennett's life could be saved.

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BYRD TO PICK NEW FLYER

Antarctic Hop to Be Made as Originally Planned

(Text)

QUEBEC, April 25.—(AP)—Commander Richard E. Byrd will go to the antarctic this fall, as planned, and will name his expedition the Floyd Bennett expedition to the South Pole, in honor of the man who was to have been his second in command had he not died today, the commander announced today.

MARATHON DANCE ENDS

Honors Divided Between Two Remaining Couples

OCEAN PARK, Cal., April 25.—(AP)—The marathon dance contest here was halted by the management at 12:45 p. m. today, with the two remaining couples declared joint winners.

Norris Scott and Evelyn Torrance, number 13, and Horace Dunn and Violet Pompi, number 20, were the joint winners of the contest which began last Thursday. Both couples are from Ocean Park.

PORTLAND MAN DROWNS

Earl Simons Tumbles Into River Due to Accident

PORTLAND, April 25.—(AP)—Earl Simons, 40, drowned in the Willamette river today when the rowboat from which he had been fishing filled with water and sank. A companion was rescued by other boatmen. Simons' body sank before rescuers could reach him.

PRIMARY VOTE SHOWS HOOVER LEADING FIELD

First Fight of 1928 Campaign Easily Won by Commerce Secretary

OHIO FIELD OF BATTLE

Returns Indicate Western Man, Outstanding Contender For Republican Nomination For U. S. Presidency

COLUMBUS, Ohio, April 25.—(AP)—Herbert Hoover came out of his first primary fight with 31 of Ohio's delegates to the Kansas City convention, and he also rolled up an overwhelming lead yesterday in the preferential vote.

In the democratic primary, which was rather tame because contests were lacking, Governor Smith of New York romped away with honors in the preferential count. The state's delegation of 48, however, with the exception of one anti-organization member committed to Smith, will line up for former Senator Alton Pomerene on the first ballot at Houston.

Belated primary returns, nearly complete tonight, showed that the commerce secretary had captured all seven republican delegates at large and 24 others from 12 populous districts in the state. The best the Willis slate could do was to win 20 convention seats by carrying 10 districts.

Antis Lack Home

Where the strength of the anti-Hoover delegates will be thrown at Kansas City remains to be seen. Originally pledged to Senator Frank B. Willis, who died while campaigning for the presidential nomination, they are now virtually unattached.

Some look with favor on Vice President Dawes, who is a native

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SHS MUSICIANS GO TO TOURNEY

FIVE GROUPS IN ADDITION TO SOLOISTS ENTERED

State Tournament to Be Held at Forest Grove Friday and Saturday

Five groups from the Salem high school, in addition to soloists will participate in the fifth annual state music tournament in Forest Grove Friday and Saturday of this week. The more than 20 students who will go from here are pupils of Miss Lena Belle Tartar, music director at the school.

Miss Tartar, Miss Gretchen Kremer, music teacher at Leslie, and Miss Ola Clark of the senior high will accompany the entrants to Forest Grove, the trip to be made by bus.

The groups entered in the contest are: mixed chorus, girls' glee club, boys' glee club, girls' quartet and boys' quartet. The tournament will commence at 10:20 Friday morning, with the mixed choruses and girls' glee clubs to be heard that morning. The other ensemble numbers will be heard Friday afternoon. In this order: boys' glee clubs, girls' quartets and boys' quartets.

Miss Tartar will have entrants in each of the solo events, which occur Saturday beginning at 8:20 in the morning with the piano solo and followed in order by violin solo, number one, violin solo, number two and soprano solo, afternoon, tenor solo, contralto solo and baritone solo.

Thirty-two students will make the trip, 13 boys and 19 girls. There will be 28 voices in the mixed chorus, 12 in the boys' glee and 15 in the girls' glee. Two accompanists, Doris Ross and Lois Plummer, are included in the number.

Students who will enter for Salem are: boys, Kenneth Abbott, Lawrence Alley, Gwinn Bagham, Donald Barnard, Charles Bier, Norval Edwards, Francis Gamble, Clinton Lovell, Stanley Maves, Mariano Rodriguez, Glen Savage, Cleo Seelye and Wayne Smith. Girls: Virginia Berger, Elizabeth Boylan, Bertha Carl, Doris Clarke, Elizabeth Clement, Lucile Cummings, Mabel Cupper, Joan Evans, Marjorie Marcus, Frances Martin, Myrtle Murphy, Bernice Rickman, Jeannette Scott, Mary Trindle, Ethel White, Mildred Gardner and Edith May Jenks.

Elsinore Manhattan Players

Today and Saturday. This is the name of the new stock company. After the community club talent contests are over, this excellent stock company will come to the Elsinore each Friday and Saturday.



In the limestone jar (above) was found a magnificent turquoise mosaic, said to be one of the finest examples of aboriginal American art. It was uncovered in an ancient buried temple at Chichen Itza by excavators for the Carnegie Institution. Below is shown Earl Morris, who made the discovery (in front) carrying the precious find to a safe place.