

# The Oregon Statesman

SALEM, OREGON, WEDNESDAY MORNING, MAY 9, 1928

PRICE FIVE CENTS

Weather forecast: Generally fair but unsettled and cooler in the east portion; moderate to fresh northwest winds on the coast. Maximum temperature yesterday 74, minimum 46, river 4, rainfall none, atmosphere clear, wind northwest.

"An increase over April of last night" starts an item in a local newspaper. Typographical errors will slip by despite the best of proofreaders, but was it the reporter or the typesetter who was thing of "last night" at the wrong moment?

## SALEM INVITES LEGIONNAIRES HERE FOR 1929

Selection of This City For State Convention Held Virtually Assured

## AIRPORT BONDS BACKED

Unanimous Support of Aviation Field Measure Indicated by Members of Capital Post at Meeting

The American Legion of Oregon will be invited to hold the 1929 convention in Salem according to a motion passed at the regular meeting of Capital Post No. 9 last night, which would instruct the delegates to the Medford meeting this year to use every effort in securing the next state gathering for this city.

The decision of the post to extend the invitation came after a period of investigation in which every assurance of cooperation was pledged. The question was brought up at the meeting two weeks ago and action deferred until last night. There was no opposition and the motion was carried to the fact that the time had arrived for this city and post to serve as the hosts to the Legionnaires.

Salem is peculiarly adapted as a convention city and during the past few years has been more pronounced. Capital Post No. 9 is the second largest post in the state and has the champion drum corps. Many honors of a signal nature have come to this group in Salem and posts throughout the state have been looking forward to the time when they might come here as guests.

The consensus was that now is the time for Salem to entertain and as a result the delegates will go to the convention this year so instructed to secure the location of the post for the Medford convention will be elected at the regular meeting the second Tuesday in June.

## URGE AIRPORT BONDS

Brantley Small reported for the airport committee and stressed the importance of securing an airport for Salem. The question of a bond issue will be placed before the people of the city at the election on May 15. The measure is being issued in the amount of \$50,000, however the entire amount will probably not be needed at the present time. Offers for sites are already being made to the committee and one air firm has offered to equip the mechanism to maintain a day and night service for the privilege of using the hangars.

The growing importance of the (Continued on page 4)

## KING AND QUEEN HOLD HIGH COURT

OLD TIME REGAL SPLENDOR SEEN AT PALACE

Seven Hundred Presentations Made in Throne Room; Many Dignitaries Present

LONDON, May 8.—(AP)—The first of a series of five courts was held in Buckingham palace tonight and lacked nothing in the regal splendor which always is associated with these functions. In accordance with the custom of long standing, the diplomatic corps, the representatives of overseas possessions and of foreign countries, were especially invited to this first court of the season. Approximately 700 presentations were made in the throne room. The debutantes had a day of long ordeal, first waiting to be photographed in their court gowns at fashionable photographers, and then running the gauntlet of thousands of admiring eyes of the populace while waiting in a queue in the Mall for the palace doors to open.

The royal circle assembled in the throne room included besides the king and queen, the Prince of Wales, Princess Mary, the Duke and Duchess of York and Prince George. The room was a blaze of lights playing over the beautiful flowers plentifully displayed while the uniformed jeweled gowns fully maintained the brilliancy of the courts of former years.

The queen wore a dress of cream and gold lace, hand embroidered in cut crystal and diamonds, with a train of Irish point lace, lined with gold chiffon tissue with a decorative gold belt. She wore a diamond crown with the lesser star of Arica and her diamond ornaments included the famous Koh-i-noor.

## FINAL CONTEST JUDGES CHOSEN

BIG COMMUNITY CLUB TALENT EVENT TO BE FRIDAY

Eight Entries Who Have Qualified in District Programs Will Vie

And now for the big final contest! Persons who have been watching the progress of the talent contests staged by the Marion County Federated clubs at the Elsinore theater here each Friday night for the last four weeks, will need no "word to the wise." They know that it behooves them to get there early for the finals Friday night of this week or there will be no seats awaiting them.

Judges for this all important contest were announced Tuesday as follows: George W. Hug, superintendent of the Salem schools; Mrs. Arthur J. Rahn, president of the MacDowell club; Dr. George H. Alden, head of the history department at Willamette university.

The winner of first place for the entire county, chosen at this contest from among the winners of first and second place in the four district contests, will also appear on the grand community program in connection with National Music Week at the armory the following night.

Here are the entries for the finals who have qualified in the four preliminary contests:

Hazel Green—Clifton Clemens and Jack Parmenter.

Kelizer—Trilling Trio: Lucille Commins, Jewell Gardner and Mildred Gardner.

Mill City—High school dancing chorus, directed by Mrs. Ethel Hickey.

Bethel—Orville Beardsley, juvenile singer.

Roberts—George J. Veall, impersonator.

Woodburn—High school glee club, directed by Miss Rhoten.

Hubbard—Community band, directed by Dr. A. F. DeLessaunee.

## CHERRIANS TO PARADE

Will Enter Drill Team in Floral Procession at Festival

For the floral parade in Portland on Thursday, June 14, Rose Festival week, the Salina of Cherrians will appear with one of the spiffiest drill teams in the state.

At the monthly meeting of the Cherrians, held last evening at chamber of commerce, the invitation of the Rose Festival authorities was formally accepted and Frank Durbin, Jr., captain of the Cherrian drill team authorized to begin drilling with a specially selected team of six squads.

All Cherrians are expected to take part in uniform in the floral parade in Portland, either as members of the drill team or as guard for the colors and King Bins.

P. D. Quisenberry, King Bins, who presided, announced that all Cherrians were ordered to be prepared to go to Portland in full uniform on June 14.

The next meeting of the Cherrians will be held June 12 when final arrangements will be made for the Portland trip.

## MANY SEPARATE GRADES

Elimination of Dangerous Crossing at Clackamas Planned

Separation of grades of the Southern Pacific railroad and the state highway at the west end of the Clackamas river bridge in Clackamas county, will be considered by the public service commission at a hearing to be held in Portland May 21. Officials of the Southern Pacific have announced that they have been the scene of a number of fatal accidents. Three persons were killed on the crossing a few weeks ago when a car in which they were riding was struck by a train.

## Brilliant Concert Ends MacDowell Club Season

Florentine Trio and J. Scott Milne, Noted Baritone, Assist Local Musicians in Program Seldom if Ever Equalled Here; Many Encore Numbers Demanded

By Rosella Bunch  
Such a program as Salem has seldom heard was given last night before a large audience when the MacDowell club chorus, assisted by the Florentine Trio and J. Scott Milne, baritone, both of Portland, appeared in concert at the Capitol theater.

The evening's program which was brimming from beginning to end with the most beautiful and melodious in high class music, opened with Verdi's "Sextette from Lucia," played by Mrs. Archie Holt, organist. The brilliant melody of the sextette was in vivid contrast to the swaying, delicate Woodland sketch, "To a Wild Rose" from MacDowell, the inspiration for the founding of the club. The program was rounded off by other MacDowell club, which Mrs. Holt gave as her second number.

## MOVE STARTED TO UNITE MANY CHURCH BODIES

Methodists Seriously Considering Plan at General Conference

## EARLY VERDICT AWAITED

Definite Stand Anticipated on Proposition Within Next Few Days As Over Dozen Memorials Come In

KANSAS CITY, May 8.—(AP)—A definite stand by the Methodist Episcopal church on unification with the Methodist Episcopal church, South, the divided Presbyterian churches and the Congregationalist church within three days was predicted tonight by Dr. J. A. James, chairman of the subcommittee on unification of the quadrennial general conference of the Methodist Episcopal church here.

Dr. James, dean of the graduate school of Northwestern university, tonight said his subcommittee of 25 members already had taken action on more than a dozen memorials seeking unification, and would report tomorrow. He refused to reveal the committee's decision, although indicated he personally strongly favored unity.

Action Looms Today  
He believed the general committee on state of the church likely would take action tomorrow, and this would bring the newly-presented issue before the general conference Thursday or Friday.

A synthesis of the memorials, which came from all the church's leading theological schools and many prominent educators, editors and churchmen, has been prepared, Dr. James said. Virtually their only differences, he revealed, were in language and number of other denominations recommended for unity.

Goal Held Distant  
The Northwestern dean who himself had signed a memorial brought in today asking for unity with the Presbyterian church of the United States of America, believed the ultimate goal is years distant, just as it was in Canada where he said unification was reached only after 25 years of effort.

"But we are on the right track," he said. "I regard with great optimism the speed with which this issue has come upon us here. It augurs well for eventual success."

A resolution on the issue was presented to the conference secretary by the Rev. Allen of Hornell, N. Y., and bore the signatures of more than 50 leading Methodist educators and editors. It will go to a committee for discussion.

Fundamentalists Lose  
Dr. Daniel Marsh, president of Boston university, where the church's largest theological school is maintained, led the group of signers who urged "the overtures be at once made looking for early organic union."

Fundamentalists suffered another set back today when the committee on education refused by a vote of 123 to 6 to entertain a resolution that bishops be excluded from the commission which formulates the required course of study for student ministers.

Dr. Sloan asking that appropriations to theological schools be withheld until the courses of study on theology could be checked up, was rejected by the committee on education.

## PLANS HOTEL ON COURT

Hal Patton Goes South to Interview Interested Investor

Before departing last night for San Francisco, Hal D. Patton, local merchant and city councilman, made it known that his trip had to do with the possibility that a new modern hotel may be erected in the near future on the site of his home on Court street at the corner of Sumner street.

Mr. Patton will interview in San Francisco a man who is interested in investing in such a project, and who has already secured reports on conditions here and the prospects for success of a hotel at the site mentioned.

It is planned to obtain part of the capital for building the hotel through a bond issue to be offered for sale to Salem people.

## CATCHES SALMON; DIES

60 Year Old Man Falls Over Dead While Fishing

PORTLAND, May 8.—(AP)—The extreme of hooking a large salmon placed to great strain on the heart of David Middleton, 60, and he dropped dead today in the boat from which he had been fishing. He was about to land the big fish when he collapsed.

He was fishing in the Willamette river at Oregon City, two weeks ago another angler died under similar circumstances.

## SALMON STOCK SAID LOW

Bare Market Awaits This Year's Pack; Announcement

SEATTLE, May 8.—(AP)—Stocks of canned pink salmon on hand May 1 were 150,000 cases compared with 1,935,000 cases on hand May 1, 1927, the association of Pacific Fishermen reported here today. The 1928 pack will come upon a bare market, the association announced. Supplies of canned salmon are said to be the lowest since 1918.

## HUGE PROMOTION SCHEME NIPPED

FEDERAL OFFICERS INTERRUPT ROSEATE PLANS

Trio Arrested at Portland and Vancouver Charged With Using Mails to Defraud

PORTLAND, May 8.—(AP)—With arrest here today of A. E. Downing and W. C. Gunther and E. R. Anderson, at Vancouver, Wash., the government took its second step in action against those charged with the use of the mails to defraud in connection with the promotion of stock in the South-west Silver Lead association of Portland.

Dr. Herbert Porter Collins, alias Collins, is under arrest at Phoenix, Ariz., as a fourth member of the association.

All are under indictment returned by the federal grand jury here May 1. Bail on Collins is set at \$10,000 but was reduced today on the three defendants brought in here to \$3,000 each.

Visions of fabulous wealth, of a life of economic ease and security and stories of the richness of mining property in Arizona and New Mexico, were shaken by the report of the federal grand jury, which returned secret indictments against the quartet, charging them with the use of the mails to further a scheme to defraud.

These men, the government charges, perpetrated one of the most gigantic mail fraud schemes in recent years, and their literature, which brought to them funds of hundreds of investors, from all walks of life, is the basis for the indictment.

The arrest of Gunther, Downing and Anderson was held in abeyance until government agents apprehended Dr. Collins. In a statement made following his arrest, Dr. Collins denied knowledge of any fraud perpetrated by the company, and placed the blame for any violation of law, if there was any, upon his associate, Downing.

William O. Russ, also under indictment, has not been apprehended.

Those here had no statement to make, they said, following their arrest.

There were to be 1,000,000 shares in the company promoting the mine, the indictment declares, which were to be sold at \$1 a share. Just how many of these shares actually were sold the indictment does not say.

## MISSING CHILD FOUND

Six Year Old Son of Dr. M. F. Lewis Starts Tour of City

Edward, the 6 year old son of Dr. and Mrs. M. F. Lewis, 1105 South Liberty street, who had been missing since 4 o'clock yesterday afternoon, causing his folks much worry, was located by Officer Putnam about 11 o'clock last night when he was roaming the streets of the city and just then heading east on State street. His parents, police officers and neighbors had combed the town for him in the evening during which time no trace of the boy could be found.

He had been noticed missing about 4 o'clock when police officers were notified. The boy had decided to see the city thoroughly before returning home, but as has been the case in many juvenile tours, his travels were halted by a police officer.

## PRINCESS' NOTE FOUND

Mysterious Message Found in Bottle at Rhode Island

WESTERLY, R. I., May 8.—(AP)—In a bottle described as having been picked up on the beach at Watch Hill tonight and brought here by Morrell K. Barr, was a message purporting to be signed by Princess Lowenstein of the plane St. Raphael which was lost on an attempted nonstop flight from England to Canada in the latter part of last year. The message was as follows:

"Captains Hamilton and Minchen had a quarrel over the course, struck water and sinking fast. Can see light in distance, which will be his only call north of the bay city.

Chairman Plummer spoke enthusiastically of the Jones shipping bill, which he referred to as "this new legislation of ours."

## MISSIONARY RELEASED

L. C. Osborn Set Free by Nationalists, Telegram Says

TIENTSIN, May 8.—(AP)—L. C. Osborn of the Nazarene mission at Changhai, western Shantung, who was seized in the national advance, has been released, he telegraphed here today. Mr. Osborn comes from Columbia, Ohio, said he had reached Kaifeng, capital of Honan province, safely.

## CAROL PREPARES FOR DEPARTURE

RUMANIAN PRINCE ACCEPTS INVITATION TO LEAVE

Destination Not Announced As Exiled Father of Boy King Packs Baggage

LONDON, May 8.—(AP)—Prince Carol, father of Rumania's six year old King Michael, was packing his baggage tonight and preparing to say goodbye to England, where he is not wanted.

The British authorities, taking cognizance of the former crown prince's reported intrigues against the present regime in Rumania, firmly invited Carol to seek sanctuary elsewhere.

A fellow countryman, M. Joneescu, at whose pleasant Surrey country home Carol has been staying, described his guests as surprised and unhappy at the enforced termination of his brief visit. It was indicated that Carol would leave within a few days, probably before the end of the week but his destination was not announced and the confused state of the exile's household made it appear that the choice of his next stopping place constituted a big problem.

A police official, in notifying the former crown prince of the government's attitude, declined to give the reason. But the home secretary, Sir William Joynson-Hicks, announcing in the house of commons that Carol had been requested to depart, explained that the young Rumanian, in coming to enjoy English hospitality, was under obligation to avoid any act which might involve Great Britain with a friendly nation.

Carol's imputation that the British government action today was due to Rumanian representations as refused when he learned official quarters that no communication had been received from Rumania regarding him.

Joneescu tonight told newspaper men that while Carol had not decided yet whether he would go, he has no intention of visiting America.

Prince Carol with Mme. Lupescu visited London today and on their return to Godstone immediately sought sanctuary in Joneescu's house and refused to see anyone.

## WALSH ARGUES HICKMAN CASE

CALIFORNIA SUPREME COURT HEARS APPEAL

Constitutionality of Law Under Which "The Fox" Was Convicted Attacked

SACRAMENTO, Cal., May 8.—(AP)—Jerome K. Walsh, Kansas City counsel for the slayer of Marian Parker of Los Angeles told the California supreme court here this afternoon that the name of William Hickman is a mere incident to the hearing of his case on appeal. Walsh declared that while it might be expedient to uphold the law under which Hickman was tried and sentenced, the rights involved were so precious the court must permit no encroachment upon them.

He informed the court that the common law right to trial by jury cannot be whittled away in the slightest way without violation of the state and federal constitutions.

If the California statute were upheld, permitting separating hearings on crime and mental condition, it would be possible to split up other defenses. There might be an indefinite number of hearings over an indefinite period of time he said. There could be hearings on presence at the scene, hearings on identification, hearings on mental condition.

Walsh quoted Webster to the court to the effect that everything that might pass the process of legislation is not to be considered binding law.

## PORTLAND MAN CHOSEN

Frank L. Shull Placed on Board of Directors of U. S. Body

PORTLAND, May 8.—(AP)—Continued representation of Oregon on the board of directors of the United States chamber of commerce was assured today when Frank L. Shull, president of the Portland chamber, was elected director in the department of domestic distribution. Shull was elected at the annual meeting of the national chamber now in progress at Washington. D. C. His opponent was A. M. Pratt of Orlando, Fla.

## PTOMAINE VICTIMS MANY

Fourteen Suffer Sickness As Result of Restaurant Meal

LITTLE ROCK, May 8.—(AP)—Fourteen victims of ptomaine poisoning were in hospitals here tonight and several others were reported to have suffered slight attacks after they had eaten at a lunch counter in a downtown store. Those in the hospitals included 12 women and two children. Some of the cases were considered serious, physicians said.

## PLAN NEW AIR BEACONS

Sites to be Selected in Near Future, Announcement

SAN FRANCISCO, May 8.—(AP)—Plans for the installation of three additional aviation beacons at San Diego, Portland and Seattle were announced by the Standard Oil company of California today. They will be similar to the ten million candlepower lights recently installed at Mt. Diablo and in the Merced hills. Actual sites will be chosen by department of commerce experts.

## MONTANA UNINSTRUCTED

County Delegates Go to State Convention Free

HELENA, Mont., May 8.—(AP)—Returns from most of the larger Montana counties tonight indicated that republican and democratic county delegates to the state convention, selected in 1927, were mostly uninstructed.

## War Clouds Gradually Grow Darker in China

Formal Declaration by Japan Against Nationalists Appears Probable in Near Future as Ultimatum Turned Down; Actual Hostilities in Shantung Continue

TOKYO, May 9.—(Wednesday)—(AP)—The Japanese government has decided to send two cruisers, the Abukuma and the Jintsu to Shanghai from Kure to reinforce the present naval fleet in Chinese waters.

SHANGHAI, May 8.—(AP)—In all save a formal declaration of war, Japan was at actual hostilities today with the nationalist government of China. Actual fighting was once more in progress and the foreign diplomats at Tokyo have been notified by the government of the course it is pursuing.

According to the latest advice from Tsingtao, Japan presented demands to the nationalists in the form of an ultimatum which has been refused.

These demands included, first, withdrawal of nationalist troops to a distance of seven miles on each side of the Shantung railway between Tsingtao and Tainan; second, punishment of commanders of the troops responsible for recent "murders" of Japanese at Tainan;

## RAND CLEARED UPON CHARGES AFTER INQUIRY

Special Committee Gives Findings in Official Report Yesterday

## GEORGE JOSEPH FLAYED

Investigating Group Takes Side of Supreme Court Chief Justice as Sensational "Trial" Concludes

PORTLAND, May 8.—(AP)—There is no justification for any of the charges made against the integrity of the Oregon supreme court or against its chief justice, John L. Rand, Such was the finding of a special committee which investigated charges by George W. Joseph, Portland attorney, in an open letter published in a Portland newspaper.

The Joseph's charges grew out of a suit brought by Judge E. W. Wickley to break the will of the late E. Henry Wemme of Portland. The contest over the million dollar estate went to the supreme court and Joseph charged that Justice Rand who heard the appeal, Judge Wickley and Thomas Mannix, Wickley's attorney, were all parties to a mine option in eastern Oregon and that they therefore had common interests.

Joseph continued his charges in a verbal personal attack on Rand in urging his defeat in his campaign for re-election.

Mannix subsequently petitioned the state bar association for Joseph's disbarment.

In making its report today the committee of 11 attorneys investigating the charges said: "Our conclusion is that no justification whatsoever exists for any of the charges made by Mr. Joseph against Justice Rand."

The report coincides with the declaration that Joseph's attack on Rand was "absolutely unjustified," and that "Mr. Joseph's law firm has for three years past been before the federal courts and the state courts, upholding the very decision of Justice Rand which Mr. Joseph is now attacking."

The hearing took four days and rose to a climax when Rand, Joseph and Mannix engaged in an aborted free-for-all in which fists flew. The committee and a deputy sheriff prevented the attorneys from damaging one another.

It was the first time that a chief justice of Oregon has had his record placed under a microscope by an inquisitorial body.

Regarding the assertion of Joseph that Justice Rand was disqualified from sitting at the hearing of the Wemme case, October, 1927, because of his alleged business relations with Wickley and Mannix, the committee found that Wickley was neither a party nor attorney in the case, and his interest in the outcome was not known to Rand when the case was argued. When Justice Rand discovered Wickley's interest he withdrew from further participation in it.

Business transactions between Mannix and Judge Rand had no connection with the litigation, the committee found. The option on the mine was given to Mannix two years after Judge Rand's decision against Mannix's contentions in 1923.

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## SHIP BOARD MAN VISITS

Vice Chairman of Body Arrives in Portland Yesterday

PORTLAND, May 8.—(AP)—Colonel Edward C. Plummer, vice chairman of the United States shipping board, arrived here today from San Francisco. He came to Portland as a guest of Jefferson Myers, Oregon member of the board. He will leave for San Francisco tomorrow night. No special purpose was attached to his visit, which will be his only call north of the bay city.

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While Governor Moody's faction which wanted a delegation uninstructed as to candidates for president by name but instructed for a prohibition plank and a candidate favorable to it, scored heavily, that faction of the party led by former National Committeeman Thomas E. Love of Dallas will have a large and powerful representation in the state convention.

Mr. Love has repeatedly declared he did not differ greatly from Governor Moody on the question of prohibition and favored him for the post of leader of Texas' forty delegates, but wanted a delegation instructed to vote only for a candidate known by his record to be bone dry.

BIRMINGHAM, Ala., May 8.—(AP)—Three candidates of the (Continued on page 5.)

## WATSON TAKES PRIMARY LEAD

HOOPER LOSES

Late Indiana Returns Show Secretary of Commerce Dropping Behind

INDIANAPOLIS, May 8.—(AP)—The battle for the republican preferential vote at today's Indiana primary developed into a close race between the two contestants, Herbert Hoover and United States Senator James E. Watson, as returns filtered in slowly tonight.

Returns from 1,167 out of 3,618 precincts for president give: Watson 60,366; Hoover 57,325.

INDIANAPOLIS, Ind., May 8.—(AP)—Herbert Hoover, secretary of commerce was given an initial advantage in his contest with United States Senator James E. Watson for the Indiana presidential preference vote when 48 precincts including 20 in Allen county gave him 5,932 votes to 2,660 for Watson in today's primary.

Fort Wayne, the county seat of Allen county, is the home of Oscar G. Foellinger, Hoover's state campaign manager.

"Other Races Close"  
The meager returns indicated no decided trend in the races for governor and United States senator on either the republican or democratic tickets.

Evans, Woodlawn, Indianapolis banker whose name appeared alone on the democratic ballots as a presidential candidate, was accorded a good complimentary vote.

In sixty-eight widely separated precincts United States Senator Arthur R. Robinson, candidate for renomination, was leading his two republican opponents but he was without the majority that is required by law to make the primary vote effective. The vote was Robinson 3,743; Solon J. Myers 2,116 and L. William Curry 634.

Returns from 157 out of 3,618 precincts in Indiana for president give: Republican, James E. Watson 8,322; Herbert Hoover 12