

Slightly cooler today; Humidity below normal. Max. temperature Monday 94; Min. 47; No rain; Wind -8; North wind; No rain.

SUIT AGAINST GOVERNOR OF WISCONSIN ON

Corrupt Practices Act Cited in Attempt to Oust Kohler From Office

Huge Sums Declared Spent to Obtain Nomination and Election

KOHLER, Wis., July 8.—(AP)—Papers in the civil action seeking to oust Governor Walter J. Kohler from office for alleged violation of the corrupt practices act, were served on the chief executive here today by Sheriff Harold Smedal of Dane county.

The governor smilingly accepted the papers in the proceedings from the sheriff and gave him a cigar.

The governor issued a brief statement in which he said: "The people of Wisconsin know that my record is clear and I do not intend to allow this latest move of my political opponents to interfere with the official business of the state."

The proceedings were brought by Harold M. Wilkie, Madison, and Walter D. Corrihan, special counsel, appointed January 25, by John W. Reynolds, attorney general. Reynolds made the appointments on petition of four prominent progressives, who charge Kohler with having spent more than \$100,000 to obtain the Republican nomination and election.

The four petitioners, who are joint plaintiffs with the state in the proceedings are Philip La Follette, brother of Senator Robert M. La Follette; William T. Evjue, editor of the Madison Capital Times; and C. Reis, progressive floor leader of the assembly and State Senator Glenn D. Roberts, Madison.

An answer or demurrer must be made by Kohler's attorneys within ten days.

A limit of \$4,000 is allowed under the corrupt practices act for the campaign expenses of a gubernatorial candidate.

SOUTH 12TH ROAD WORK ABANDONED

County Court Claims Residents Want Too Much for Right-of-Way

Abandonment of work this year on the proposed market road improvement from South 12th street, Salem, to a point on the Pacific highway south of Salem, was announced Monday by the county court which made its decision after a number of property holders along the proposed road had filed suit to compel the court to pay what that body deemed was an exorbitant price for right-of-way for the new route.

The court indicated in its announcement that it did not intend to be "held up" for property necessary in road improvement although it was willing to award the land owners fair compensation for property of which they would be deprived.

Rebel Paymaster Gets Money Back

NEW YORK, July 8.—(AP)—Federal Judge Thacher today ordered returned to Salvador A. Atencio, paymaster of the Mexican rebel army, \$591,000 of more than \$750,000 seized from him when he was arrested here last May.

Million Dollars Worth of Opium Found in Baggage Of Chinese Consul's Wife

SAN FRANCISCO, July 8.—(AP)—Approximately 3,000 tins of opium, declared worth \$1,000,000 at retail, were found by customs officers today in the luggage of Mrs. Ying Kao, wife of the Chinese consul.

Officials opened seven large wardrobe trunks and four suitcases in the presence of the Chinese vice consul and his wife.

Continuing investigation over the protests of Mrs. Kao's attorneys, Customs Agents John W. Smith and Robert Harris broke the seals, which under usual procedure passed the trunks through without a check by officials, and investigated the contents of the

Reinhart's Airplane Now Within One Day Of Long Hoped For Flight Record

Reinhart's Wife Leaves Salem to Join Her Husband

Mrs. R. R. (Pete) Reinhart who has been spending the past two weeks in Salem with her mother, left Monday for Culver City, Calif., to be on hand when her husband and L. W. Mendell complete their attempt to establish a new refueling endurance flight.

Reinhart graduated from the Salem high school and later was employed on the state traffic force. His mother lives in Salem and his wife formerly was a resident of this city.

PHONE LINES WILL BE PUT IN GROUND

Company Granted Permission to Run Ditch to Woodburn

Permission to run its cable alongside the Boone's Ferry market road from the Marion county line into Woodburn was granted the Pacific Telephone & Telegraph company Monday by the county court which had had the proposal under consideration for several weeks.

The franchise rights provide that the ditch for the cable will be 25 feet from the center of the highway. It will contain a cable carrying 232 pairs of wires and this will form the main connection between the Portland and Salem telephone offices.

The ditch is to be two feet in width and four feet in depth and at distances of 600 feet manholes will be provided. At every mile in the cable line a large manhole will be built.

Construction of the underground line is already under way in Multnomah county, 200 men being employed on the job. Construction work will be shifted to Marion county soon and the work will be hurried throughout the remainder of the summer. It is understood that a digging machine will be used.

Oscar Dives Off Walk to Hard Floor

"Oscar" Has Gone Crazy with the Heat

And that little mishap unsettled him still more, so that Monday afternoon he was dashing about in front of the city hall at the rate of a mile an hour, which is lightning fast for Oscar.

Firemen expressed the opinion that Oscar, who is their turtle mascot, was looking for water when he made the dive Sunday. He has been acting queerly for several days.

Unpleasantness between the firemen and police is feared in case Oscar comes in contact with "Negress," feline police mascot, in the course of his travels and hostilities result.

Oscar has been with the fire department for nearly a year, but didn't attach himself thereto voluntarily, as was the case with Negress and the guardians of the law. One of the firemen found him in another part of town.

Since teaming up with the smoke eaters, however, he has stayed close to home constantly until this week. He hibernated during the winter beneath a bush beside the fire station.

BRITISH KING AGAIN STRUCK BY ILLNESS

LONDON, July 8.—(AP)—The British public, fresh from yesterday's thanksgiving services for the recovered health of King George, relapsed into a state of anxiety today when no fewer than five doctors cancelled the monarch's projected trip to the summer palace at Sandringham.

The king's health was announced on Tuesday hours before the royal party was scheduled to leave London.

The public anxiety was only slightly lessened by announcements that an x-ray examination had been carried out this afternoon and that the king's general health was so good he was able to take his usual walk with Queen Mary in the palace grounds.

The examination was decided on after the king's regular physician had found that the sinus in the right side was not progressing in a satisfactory manner.

Salem Man Receives Word That Wife Is On Way to Greet Him When He Makes Landing

CULVER CITY, Calif., July 8.—(AP)—Eleven o'clock tonight the biplane Angelo being flown toward a new refueling endurance flight record was within half an hour of having flown continuously 160 hours, or within 15 hours of beating the new mark made last week at Cleveland, Ohio. The pilots, L. W. Mendell and R. B. Reinhart, regularly swung their plane across the lighted airport about every twenty minutes where officials said the motor still sounded "very sweet."

Mendell and Reinhart took off at 7:29:30 a. m., last Tuesday in an attempt to surpass the then-existing record of 172 hours, 23 minutes and second. Since then Roy L. Mitchell and Bryon K. Newcomb, at Cleveland, have boosted the endurance mark to 174 hours 59 seconds. To receive official recognition for having broken the Cleveland record, Reinhart and Mendell must remain aloft an hour longer than Mitchell and Newcomb did, or until 2:30:29 p. m., tomorrow.

Mendell was sent aloft to Reinhart this afternoon that his wife was on her way here from Salem, Ore., to welcome him when the flight is terminated.

A note from the pilots, dropped to the air field said: "We don't know when we'll come down."

EARTHQUAKE ROCKS LOS ANGELES AREA

One Suburban School Building and Several Residences Damaged

LOS ANGELES, July 8.—(AP)—An earthquake of considerable intensity damaged one suburban school building, several residences, and resulted in trivial injuries to four persons in Los Angeles county today. Office buildings in the city swayed and shook, but the damage was confined to suburbs fifteen miles south and east and in the vicinity of the Puente hills, where the tremor was adjudged to have been caused by a slip in one of several faults known to exist there.

Two children were slightly hurt in East Whittier by the overturning of a washing machine and two oil field workers were struck by material jarred loose from oil derricks.

One young woman about to go surfing at Long Beach as the tremor struck, fainted from fright. A squad of firemen was called to revive her.

The principal damage of the quake, which shook an area thirty miles in radius was to the east of the Whittier school. Both wings of the building, a concrete one fifteen years old, were seriously cracked while portions of the roof and walls fell.

PAPER BOARD PLANT TO BE ESTABLISHED

Company Files Articles of Incorporation With State Commission

Success in the plan announced several weeks ago to obtain capital for establishment of a paper board factory in Salem, using flax shives as raw material, was indicated Monday with the incorporation of the Western Board Products company by F. Puttaert, F. D. Thielens and James G. Heitzel.

The company will have \$50,000 capital. Mr. Puttaert plans to ship his plant here from San Francisco, where he operated it several years ago. Lack of raw material there and the high cost of water, caused operations to be discontinued.

The paper board will be useful principally in manufacture of trunks, suitcases and similar articles. The flax shives, which will be the principal material used, have been utilized only for fuel in the past. Agreement for their purchase has been reached with the officials in charge of the state flax industry.

Capital for the new venture has been obtained principally in Portland, but the plant will be in Salem because the raw material is here.

LINDY HEADS WEST PILOTING FLAGSHIP

WINSLOW, Ariz., July 8.—(AP)—Colonel Charles A. Lindbergh, inaugurating the air-rail passenger service of the transcontinental air transport, brought the "City of Los Angeles," flagship of the T. A. T. airplane fleet, lightly to earth here at 2:01 p. m., today, completing a flight of four hours and twenty minutes from Glendale, Cal.

The flagship and a second plane, "The City of San Francisco" which followed Lindbergh here from the Pacific coast terminal, proceeded on to Clovis, N. M., where the passengers were to board sleeping cars.

Lindbergh and his bride, the former Anne Morrow, remained here for the night.

8 MEN EFFECT JAIL DELIVERY ONE IS CAUGHT

Harvey Bice, Ringleader, Returned to Lane County Bastile at Eugene

Capture Made Near Brownsville Late Monday Afternoon

EUGENE, Ore., July 8.—(AP)—Harvey Bice, alleged here to have been the ringleader in jailbreak from the Lane county bastille this morning, was captured late this afternoon near Brownsville by Deputy Sheriff Julian Strahl after a three-mile chase. Seven other prisoners, who escaped at the same time are reported by other deputies to have left an easily followed trail behind them and their early capture is anticipated.

Prisoners in the jailbreak included Bice, who was awaiting trial under the habitual criminal act; William Gillen, serving six months for check-passing; Cecil Dunham, who had two months to serve on a forgery conviction; Frank Anderson, awaiting grand jury investigation; Edward Miller, confined for a statutory offense; Steve Hamstreet, with only a few days remaining on a term for larceny; Gustav Fick, who had completed all but six days on a burglary conviction; and C. G. Moss, serving 30 days in a liquor case.

LEGION WILL ELECT DELEGATES TONIGHT

Fourteen Members of Local Post to be Chosen at Regular Meet

Fourteen delegates to the Oregon department convention of the American Legion will be elected at tonight's meeting of Capital Post No. 9, officers of the post announced Monday. In addition, 14 alternate delegates will be chosen.

Delegates generally "go places and see things," but those elected by Capital Post will do only the latter as the convention is to be held right here in Salem. Nevertheless, a lot of interest is being taken in the election, as the real work of the convention is done by the delegates. A long list of nominations is already on file, and opportunity will be given tonight for additional nominations.

In addition to the election and discussion of convention details, a program of entertainment is scheduled for tonight's meeting. The nature of the program has not been revealed by the committee in charge of arrangements, members of which are Frank Cain and John Brady.

After tonight's meeting, there will be but one more prior to the convention, and that meeting will be a big "whoopie" session at the armory.

Legionnaires who have been traveling about the state, report that interest in the convention is high, and that every spot visited promises a big crowd of visitors here August 8, 9, and 10.

TWO BLACK CHERRY DEALS TO OPERATE

Young and Wells Turns Over Contracts to Growers Association

There will be only two black cherry deals in Salem this year, Young & Wells, finding it would not pay them to operate their Salem plant, have turned over their contracts to the Marion County Cherry Growers association, of which O. E. Brooks is manager, at the usual place, in the rear of the Pacific Fruit & Produce Co. building. The Royal Ann tonnage was turned over to the Paulus plant for canning, and the Bings, Lamberts and Black Republicans will be with the association shipments.

The association commenced packing Bings yesterday, with a fair sized force, and a straight car of these cherries, of fine quality, will be ready to ship today or tomorrow, and Lamberts will begin to come in a day or two, also Black Republicans soon. Mr. Brooks expected about 10 cars in all; but this new tonnage will likely run it up somewhat higher; perhaps a good deal higher. The quality looks good, and the market for such shipments in the big eastern cities is now brisk, and high.

Hurst, Root & Co., at the north room of the Terminal Ice & Cold Storage company's plant, began taking in Bings yesterday, and got a fair start. They will take in also Lamberts and Black Republicans. Their deal at The Pales is now about finished, a large one, and they will be on the deal here personally from now on.

Low Wants Weeds Cut He Asserts

The big idea, says Walter Low, street commissioner, is to get the weeds cut, and he doesn't care who cuts them.

Low is slightly wrathful, because his good intentions in the matter of weed cutting have been misconstrued by a few persons who have been notified to cut their weeds and tall grass.

The street commissioner has delegated a man to interview these property owners, and his representative has suggested that in case they have no one to do the work, Mr. Low will supply a man to do it.

The intimation has followed that Mr. Low has a personal axe to grind in making this offer, to which the street commissioner has ready a short and ugly answer.

Rockefeller Turns 90 Years

Golf remains the favorite pastime of this world-renowned man who in the heyday of his life was reputed to be the world's wealthiest citizen.

Born—July 8, 1839, at Richmond, Toga County, N. Y. Son of farmer-doctor in moderate circumstances.

Ten—Tracks turkey hen to stolen nest, recovers chicks, sells them in fall. Puts off first \$50 savings at interest.

Twenty—Had saved \$1,000, borrowed \$1,000 from his father and bought partnership in produce firm of Clark & Rockefeller, at Cleveland, Ohio.

Thirty—Had bought out partners in oil refining business for \$72,500 and merged three companies as Rockefeller, Andrews & Flagler.

Forty—Head of Standard Oil Company of Ohio, with millions of borrowed money used in purchase of other refineries, and development of pipe lines.

Fifty—Head of Standard Oil Trust against which independent producers were beginning to protest with appeals to State Legislatures.

Sixty—Head of Standard Oil Company of New Jersey, combining twenty companies controlling petroleum industry, feared and hated, under continuous attack by press and politics, known as richest man in the world.

Seventy—Standard Oil Company of New Jersey had been dissolved by government. Rockefeller still in control of separate interests. Had given \$35,000,000 to University of Chicago and distributed other large sums. Health failing rapidly and given short time to live.

Eighty—Retired golf enthusiast showing remarkable vitality. Influential but inactive in business. Devoted to philanthropy.

Ninety—Still enjoying daily game of golf and good health. Has given away more than \$500,000,000. Generally regarded as benefactor.

John D. Is Past 90th Birthday

TARRYTOWN, N. Y., July 8.—(AP)—Entirely in accordance with the rules for sage and simple living which he advocates, John D. Rockefeller, Sr., today passed his nineteenth birthday.

The only deviation from the daily routine at Pocantico hills was the presence on the dinner table of a big birthday cake. Members of his family assembled in the mansion as is customary on his natal days.

"Sane and simple living" to Mr. Rockefeller means among other things privacy. To avoid the camera man he remained away from church yesterday, and today a group of reporters and photographers, who gathered outside his big estate hoping to be invited inside, were disappointed, as usual.

Mr. Rockefeller's only public observation of the occasion was a brief and formal statement, issued last night, in which he said he had "every reason to be grateful on his nineteenth birthday because everybody had been so kind and good to him all the year."

"With perfect health and full of hope and cheer for the future, I have nothing but kindness and good will for everybody," the statement concluded.

TRUCE SOUGHT IN STREET CAR STRIKE

NEW ORLEANS, July 8.—(AP)—Activities in the street car strike was transferred today from street to ferryboat, men meeting around conference boards as efforts were made for a truce between the company and the strikers.

With the full pressure of virtually every civic organization in the city behind them, the city commission council today dispatched a statement from the carmen's union to the New Orleans Public Service, Inc., with the demand that the Union's proposal be accepted.

The union agreed to send its men back to work if the company would immediately recognize the union and arrange for negotiations for a new working contract. Public service officials agreed to submit the proposition to its board of directors.

As president of the Twin City Milk Producers association, Schilling has had considerable experience with cooperative associations dealing with the production and marketing of dairy products. The post of spokesman for the dairymen was offered last week to W. S. Moscrip, secretary-treasurer of the Twin City association, but he declined.

YANK AVIATORS IN PATHFINDER WINGING EAST

Williams and Yancey Take Off Despite Heavy Fog at Old Orchard

Mechanic Weeps as Orders Given to Reduce Load of Gasoline

OLD ORCHARD, Maine, July 8.—(AP)—Two American aviators, twice prevented from starting across the Atlantic by the wrecking of their plane as they attempted a take-off, tonight were believed over the ocean driving the monoplane Pathfinder towards Rome.

Roger X. Williams, pilot, and Lewis A. Yancey, navigator, determined on the takeoff even though heavy fog covered the beach and held visibility to less than a quarter of a mile.

The only report of the plane, which took off at 7:49 (E.S.T.) was from Lieut. L. M. Melke, of the coastguard, who accompanied the Pathfinder in an amphibian. He lost sight of the Rome-bound plane an hour after, 75 miles off Portland Lightship. She was then going "fine."

Friends Not Discouraged As Word Falls to Come

Lack of reports of the progress of the silver and green plane did not discourage friends nor Mrs. Gertrude Yancey, wife of the navigator. The fog which caused Williams to have a line of lime poured down the beach to mark his takeoff, was general all along the coast.

The plane had 445 gallons of gasoline—55 less than the scheduled 500—to carry it the 4,700 miles to the eternal city. Reduction of the load was ordered at the last minute, apparently because the fliers feared they could not get the heavily loaded ship off the sands.

For a time it was thought the plane might return in a few hours as Yancey told Ben Zebora, mechanic, that if a check of the fuel used showed there was not enough to carry through the Pathfinder would be brought back.

Zebora Weeps When Gas Supply Ordered Reduced

Zebora, who had worked on both the Pathfinder and the Green Flash, which was wrecked on its second attempted take off on June 13, cried when Yancey ordered him to remove eleven of the five gallon cans of gasoline. He said he felt it might mean the difference between success or failure on the flight.

The aviators must get through to land or alight near a ship if forced down or there will be but little hope of their rescue. They carried no flares, no life boats, no radio—only two air cushions.

The normal cruising speed of the Pathfinder—100 miles an hour—would bring it to the Italian capital about nine o'clock, Eastern standard time Wednesday morning. Reports of favoring

OIL FOR ALL MAIN ROADS IS GOAL SET

It is only a matter of time until oiling on market roads throughout Marion county will be a matter of common practice according to J. E. Smith, county commissioner, who said Monday that he felt that marked advantage would come from this practice. "Not only would the roads be better for travel due to the virtual elimination of dust but the roads wear much longer," Smith declared. "When roads become dusty and the surface is swept by the wind, much material is blown away," the commissioner declared. "Clackamas county now has two trucks for oiling its roads while Lane and Washington counties each have one. Eastern Oregon and Washington highways are frequently oiled."

MINNESOTA MAN IS PUT ON FARM BOARD

WASHINGTON, July 8.—(AP)—President Hoover's task of selecting the members of the federal farm board neared completion today with announcement that William F. Schilling, of Northfield, Minn., had accepted appointment as spokesman for the dairying industry.

Six of the board's eight places have now been filled and Mr. Hoover looks forward confidently to filling the two remaining vacancies before next Monday, at which time the board will gather at the White House for its first meeting. All of the appointees have notified the president that they will be present.

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Kearns today appeared with two badly swollen eyes and a bruised jaw, while Delaney's features were marked by a nose of "unusual size."

Jack Kearns and Stage Actor Pat On Genuine Fight

LOS ANGELES, July 8.—(AP)—Today the Evening Express said that Jack Kearns, one-time manager of the famous heavy weight boxing champion, Jack Dempsey, and manager of Mickey Walker, middle-weight champion, had postponed a trip to New York because of bruises received in a fist fight. The fight is said to have occurred on July 4 at a fashionable Los Angeles country club with Charles E. Delaney, star of the legitimate stage, opposing Kearns in an impromptu ring.

Kearns today appeared with two badly swollen eyes and a bruised jaw, while Delaney's features were marked by a nose of "unusual size."