

FORMER PILING BY CUSHOW AND TO STATE CASE

Application of Empire Firm Admitted as Evidence in Keller Trial

Prosecution to Rest Today Says Goldstein; Sales Staff man Heard

DALLAS, April 19.—(Special)—At the conclusion of court sessions today in the case against Frank Keller, Jr., Barnett Goldstein, special prosecutor, said he expected to complete the presentation of the state's testimony Wednesday. The court adjourned tomorrow morning but there will be no court between 12 and 3:00 o'clock tomorrow.

During the questioning of Charles Goodwin, representative of the state corporation commission who had been recalled, the defense objected to the introduction of the application for a permit to form the Empire corporation, on the grounds that the Blue Sky law under which such application was required was unconstitutional in that it placed the decision about what was required in the application in the hands of the corporation commissioner instead of definitely stating it. Judge Walker dismissed the jury while the attorneys argued this point and later overruled the objection and permitted the use of the application as a state's exhibit. In ruling on the matter, Judge Walker cited the case of State vs. Gerritsen and an opinion written by Judge O. P. Coshov to the effect that the state supreme court had found the Blue Sky law constitutional and that the U. S. supreme court affirmed this. It was also stated that Jay Stockman, another of the defendants in the Empire case had represented the state in the Gerritsen case.

Former Salesman of Company Told of Portland, brother of George Robinson the first state witness, was being cross-examined when the court adjourned. Frank Longman will resume the cross-examination tomorrow morning. Mr. Robinson said he was a salesman for the Empire corporation and of the talks he had with Frank Keller about the method of making sales and points to be stressed in the sales talks. His testimony about where the money was to be placed for safe keeping and the subscription of the principal officers merely substantiated that of the other witnesses. He said that he once heard Keller say that he and Judge Coshov were the only officers who had paid anything for their stock. Keller was said to have paid \$6000 and Coshov, \$5,000.

Robinson stated that he had sold nearly 600 shares of Empire stock and had received \$3500 in commissions although the company still owed him some money. His sales amounted to about \$80,000. In regard to the sale of "Western" stock, Robinson said that he had been told by Keller and W. R. Adams that the Empire people wanted to get control of the "Western" and that later the "Western" stock could be turned in for Empire stock on two for one basis. At the request of Keller, who said he needed some money, Robinson made his first sale of "Western" stock to S. G. Nelson of Portland. Nelson bought 40 shares and Robinson received \$200 commission for this sale. "Western" suggested that Nelson sign a letter to a man in Salt Lake City asking to buy the 40 shares of stock and after Robinson attended to this the letter was turned over to W. R. Adams. Robinson stated that he did not know whether the letter was mailed or not. Later, he said, Keller asked who the letter was addressed to and when he found that the wrong man, Keller said that it did not matter because the letter was just to protect himself and Dr. Adams.

Robinson stated that he subscribed for \$20,000 worth of Empire stock and had given a 30 day note for \$5000 and another note for \$15,000. Neither of these has been paid.

Admission After Permits Suspended

Under cross-examination by Frank Longman, Robinson admitted that he sold 30 shares of Empire stock to Frank Barber after the corporation's permit to sell stock had been suspended. He said that Dr. Clancy told him that they had secured permission from the corporation commission to make the sale.

M. J. Newland of Roseburg stated that he had taken ten shares of Empire stock and had given a check for \$50 and a "copy" bond for \$500 as a down payment. Later he and his parents took 30 shares of "Western" stock and he turned his 10 shares in on a two to one basis for 20 additional shares of Empire stock. Newland also testified that the Empire Real Estate and Mortgage company, in which he was a partner, received \$214 in commissions from the

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Stimson Joins Arms Parley; Significant Moment Recognized

First Time High United States Official has Participated in Discussions Under League of Nations Auspices

GENEVA, April 19.—(AP)—Secretary of State Stimson wrote a chapter of American history at today's session of the disarmament conference by becoming the first high ranking United States official to participate in an important international parley held under the auspices of the League of Nations and at the seat of the league.

When the secretary walked in to the meeting two hours after it had got under way there was a lively hum of excitement among the delegates and spectators. The conference hall corridors were thronged with persons to watch his arrival.

The American delegation escorted Colonel Stimson to his place at the conference table alongside Ambassador Hugh Gibson who has served as chief of the United States contingent.

The secretary walked in on a discussion of the criteria of arms reductions. He heard a speech by Joseph Paul-Boncour of France, who advocated armament cuts according to the special situation of each state, and then left the meeting to take part in several private discussions.

The conference already had approved, as a general principle a proposal that disarmament be accomplished by stages with successive revisions "after this conference has taken a first, decisive step by general reduction to the lowest possible level."

BURGLARY CASE AT MILL CITY PROBED

MILL CITY, April 19.—State police were called from Salem today to investigate burglary of the Southern Pacific station and postoffice here supposedly between 2 and 5 o'clock this morning. Attempt was also made to get into the bank.

Check-up showed that the burglars got into the depot by the safe which they broke into, and that efforts to jimmy the door at the bank were unsuccessful. In the postoffice, stamps were unloosed and the money till overlocked, although they smashed the inside of compartment boxes.

Little Cash in City Treasury, Report States

Cash on hand with the city treasurer was \$50,843 on April 1 in contrast to \$140,930, a report made this week by Earl Rice to the council shows. The falling off in the cash position of the city is due to the fact that there has been no turnover of 1931 taxes from the sheriff's office the first three months of the year.

Expenditures by the city for the first three months of the year were \$210,943 and income was \$213,992, largely from miscellaneous receipts, payment on street assessments and similar incomes. Overdrafts exist in the funds of several of the departments the report shows: The bond and interest department is overdrawn \$29,738; the Bancroft interest \$91,330; the fire department \$10,263; the improvement fund \$9429; the water system \$926.

Oregon Briefs

EVIDENCE HELD POOR
PORTLAND, Ore., April 19.—(AP)—Circuit Judge Jacob Kanter today dismissed an indictment charging Mayor George L. Baker with advocating a bribe of \$5000 to each of two city commissioners for their votes in favor of a particular location for a proposed municipal market.

Dismissal of the indictment was asked by District Attorney Louis L. Langley because there was "no probability of securing a conviction" and "not sufficient evidence to justify said indictment." The mayor, however, is still under indictment for alleged malfeasance and negligence in office.

EXTENSION DENIED
ASTORIA, Ore., April 19.—(AP)—The Astoria city council has refused to extend the time limit for public dances from midnight to 1 a. m.

In a report made public today the council said that "people who work for a living ought to be able to get enough recreation by midnight."

Fear of objection by religious organizations was given as another reason for refusing the request.

DECISION DELAYED
BAKER, Ore., April 19.—(AP)—Clarence Woolery, 14-year-old farm boy charged with the murder of his foster mother, Mrs. Frank Garlock, was given a hearing in juvenile court today and Judge Charles E. Baird announced he would deliver his decision Wednesday.

Several character witnesses testified as to the boy's good reputation. Some declared emphatically that he was "an unusually good boy."

LEGISLATION QUESTIONED
PORTLAND, Ore., April 19.—(AP)—Leslie M. Scott, chairman of the state highway commission, said today the legality of the second floor of the courthouse up for selection and until the matter can be settled the commission is unwilling to sign more expense vouchers for the project.

Scott added that the commission believes it can save the people of the state \$1,000,000 by selecting another route which would be two miles shorter and would be valuable as a link in the proposed short-cut road between Portland and Salem.

Baker Case Dismissed
Dance Time Unchanged
Young Slayer in Court
Extension Plan Waits

BERRY DEAL IN BAD WAY; MAY BE BOOMERANG

Big Packers are Accused of Freeze-out Attempts; Price cut in two

Trend of matters in the Marshall strawberry deal so far this spring leads one close outside observer to declare that it looks very much like the big packers are trying to freeze the little ones out by holding the price down almost half from the figure which governed last year's opening.

Talk that the grower will receive three cents on Marshall is pretty general and with canners offering futures on the bartered market at five cents, there is little likelihood that the price will go above that mark when it is officially announced.

May be Boomerang

To future growers

However, one observer sees the present situation in a light which may prove a boomerang to the packer. This observer argues thus:

"Some of the big packers quoting out bartered strawberries freely at five cents may be all right in the face of present crop conditions and the depressed market. But to quote future sales right now at this price as freely as packers are doing now might in the end prove too bad for the packers themselves should the crop fall short of expectations."

While the strawberry acreage is estimated at 12 per cent greater than last year, and while moisture conditions are excellent, there is not yet assurance that the crop will be a bumper one, or even heavy. The almost constant rain has kept strawberry growers from the fields, and as a result weeds and grass have a prolific start in many of the berry fields. With such a lead on the grower, weeds and grass may exert harm sufficient to offset the excellent moisture conditions.

Small Growers Out

But to revert to the "freezing out" process suggested by a local observer, should the three-cent price to growers hold—and there is even hint that the figure may drop slightly below this—three cents to be little doubt but that two or three of the small canneries will fall by the wayside. This is because contracts written for two and three year terms, ending this and next year, bind the canners to pay six cents a pound for Marshall. If growers hold smaller contracts, it is intimated some plants can scarcely avoid going to the wall.

Contracts on Betterburgs run slightly higher, at six and seven cents, but these do not cut so much figure as the Marshall.

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WINTER ASCENT OF KATMAI REPORTED

Father Hubbard's Party in Serious Danger but is Finally Rescued

SEWARD, Alaska, April 19.—(AP)—A special dispatch to the Seward gateway from Chignik on the south shore of the Alaska peninsula related today how Father Bernard Hubbard, professor of geology at Santa Clara university, California, with two companions, successfully climbed Katmai volcano across from Kodiak island the first time it has been conquered in winter.

Father Hubbard's party was landed on Katmai beach March 24 after crossing Shelikof strait. Kenneth Chisholm and Jack Morton, students at the university, are members of the group.

The trip almost ended in disaster because of the lateness in starting. The party was held up three weeks waiting for a dog team from the interior. The Katmai river ice broke up suddenly and the explorers had to pull their sleds and supplies over moving ice blocks, floundering waist deep at times in the icy water while struggling back to Shelikof strait.

Most of the food was lost but a photographic and scientific data was saved. The boat which was supposed to call for them did not come. Two weeks later the crew of the motorship Polar Bear saw smoke signals of the marooned party on Katmai beach and rescued the men and dogs.

VETERANS PROTEST PAUPER OATH IDEA

Protest of proposed congressional acts requiring world war veterans to take a pauper's oath before receiving compensation, and cutting down veterans' aid, will be telegraphed to Senator Charles H. McNary and Fredrick Stettin and to Representative W. C. Hawley today. The executive committee of Capital Post No. 9, American Legion, met yesterday to authorize this action.

The telegram, according to Adjutant William Bliven, will read somewhat as follows:

"Executive committee on record protesting against omnibus bill of house, special economies committee, which it is proposed to attach as rider to appropriation bill. Capital Post is specifically opposed to any new (pauper) clause and protests against any movement to repeal any provision of world war veterans' act as now exists."

This action was recommended by Carl Moser, state Legion adjutant, at the post meeting Monday night.

Rats and Aged Chimney Cause 2 Fire Alarms

Rats' nests and an overheated 60 year old fire resulted in the fire department's being called out to the small house at 555 South Commercial street within an hour and a half yesterday evening. Rats, apparently, had stacked a large quantity of paper shreds and other debris around the chimney.

On the first call, at 6 o'clock, firefighters of the courthouse with chemicals for having trouble in getting at the chimney. The blaze rekindled, however, and they were called back at 7:15 o'clock.

Registration to Set New Record Boyer Believes

Marion county's registration of voters this spring is probably the largest on record, U. G. Boyer, county clerk, reported last night after the registration records were closed at 8 o'clock.

A line which stretched from the second floor of the courthouse up the steps to the clerk's office formed in the closing hours of registration. So great was the rush that the clerk's deputies were busy for a half hour after closing time registering the late comers. Republican voters will far outnumber democrats, Boyer indicated, but it will be several days before the totals on the 1932 registration will be available.

Late Sports

SPOKANE, April 19.—(AP)—Ted Thye, Portland's aged master, tossed Joe Stocco, Trieste, Italy, heavyweight, two straight falls to win a rough and tumble wrestling match here tonight. Thye weighed 195 pounds and his opponent 175 pounds more.

Peace Speaker To Come Today



ELEANOR D. BRANNAN

WAR PREVENTION SPEAKER COMING

Miss Brannan Slated to Talk First Church Meet on Thursday Night

Second of the prominent speakers on world peace to be brought to Salem by the local chapter of the national council for prevention of war is Miss Eleanor D. Brannan, associate secretary of that organization, who will attend a dinner and round table discussion at the Y. M. C. A. at 6:15 o'clock tonight and speak in the First Methodist church at 8 o'clock tomorrow night.

Miss Brannan, reported to be a well-informed, forceful speaker, will talk tomorrow night on the subject, "America at the Crossroads." She will explain what she considers a constructive program for solving European problems and remedying world conditions.

At the church meeting, Mrs. C. A. Kells will preside, Dr. B. B. Laughlin of Willamette university will talk on "The Responsibilities of the Community to the Peace Program," and Miss Edith Findley, pianist, will give special music.

All persons interested in the local peace movement are being invited to attend tonight's dinner meeting. Registration should be made at the Y. M. C. A. by 11 o'clock this morning.

Miss Brannan will speak at the Willamette university chapel Thursday morning and on Friday at Linfield college, McMinnville.

Miss Mary Eyre Chosen to Head Teachers Again

Miss Mary E. Eyre, Salem high school history instructor, was re-elected president of the Salem Teachers' association at the annual meeting held at the high school yesterday afternoon.

Other new officers and their schools are: Ada C. Ross, first vice-president, senior high; Mildred Christensen, second vice-president, senior high; Laura B. Eaton, third vice-president, Englewood; Gladys Tipton, financial secretary, Parrish junior high; Ruth Goodrich, secretary, Garfield; Ruth Smith, treasurer, senior high; Violet T. Swanson, press correspondent, Leslie junior high.

Balanced Budget For Britain Now Up For Approval

LONDON, April 19.—(AP)—Chancellor of the Exchequer Neville Chamberlain introduced another hard times budget in parliament today. Balancing the British national revenue and expenditure during the coming year at £766,000,000 (currently \$2,887,250,000) and providing a small estimated surplus of £756,000 (\$2,000,000).

Borah Declares Smith Proposal Is Cancellation

WASHINGTON, April 19.—(AP)—The Smith-Roosevelt flap over demagoguery and class prejudice was passing through a cooling off stage today when Senator Borah, Republican of Idaho, stirred up a side issue by branding former Governor Smith's 20 year debt moratorium proposal as a "cancellation" plan.

There was still some factional feeling evident among the democrats, but for the most part the reaction to Gov. Franklin D. Roosevelt's St. Paul speech was a silent one with harmony advocates not wishing to stir up things again by comment one way or another.

BATTLE LINES ARE DRAWN IN BONUS TUSSLE

LaGuardia, Simmons Assail Currency Expansion as An Unwise Policy

Both are Veterans; Hines Is Next Opposition Witness Called

WASHINGTON, April 19.—(AP)—Three veterans of political and world war battles today launched the counter attack which administration leaders hope will block the two billion dollar bonus payment.

Representatives LaGuardia of New York and Simmons of Nebraska, formerly of the air service, and Representative Johnson of South Dakota, once an infantryman, assailed the currency expansion plan to cash the bonus certificates.

All three republicans favored changes in the existing law, a point immediately stressed by Representative Patman (democrat, Texas), who is leading the bonus fight. But none favored the \$2,400,000,000 cash payment. Brigadier General Frank T. Hines, veterans administrator, is the next opposition witness scheduled.

LaGuardia, independent leader, led off for the opposition, demanding national employment insurance instead of the bonus payment.

"If a secret vote were taken on this bonus plan in the house, there would not be 30 votes for it," LaGuardia said. "I am here this morning in behalf of six million unorganized unemployed who have no means of reaching congress and can't understand why congress doesn't do something."

FIRE DEPARTMENT SLASH IS LOOMING

Decision as to which city firemen will lose their jobs as the result of the council's vote to close the north and south stations probably will be made within a week by the fire committee, Chairman W. H. Dancy stated yesterday. The 33 men to be retained on the force will nearly all be of several years' standing in the department.

Whether or not some arrangement might be worked out whereby eight or ten of the 13 men would be dropped, Mr. Dancy would not say, leaving the matter up to his committee.

If tentative plans materialize, but one of the fire engines will be taken entirely out of service. The old engine in the east station will be replaced by the new pumper from north station, and be stored. The new south station pumper probably will be housed near the central station where it may be brought out on emergency.

Al Smith Found Valuable Asset To Republicans

NEW YORK, April 19.—(AP)—William Allen White, editor of the Emporia (Kansas) Gazette, sees Alfred E. Smith as a "republican asset" who is doing his best to make the rural west vote republican this fall.

The militant republican editor, scrawling written answers to questions in an interview, said Smith's tossing of his hat in the presidential ring was "the first ray of hope we republicans have had since 1928."

Second Coming Due Soon Miss Pankhurst Believes

Distressed conditions which now prevail throughout the world, in the opinion of Miss Christabel Pankhurst, simply augur the fulfillment of biblical prophecy which points to the second coming of Christ's kingdom on earth. When this kingdom shall be restored, whether it is imminent or a matter for some as yet far-off day, Miss Pankhurst does not profess to state but she is fully convinced that the kingdom of Christ, referred to in biblical prophecy, is to be established on earth.

Miss Pankhurst is in Salem for two days, invited here by Rev. Grover C. Birtch of the First Presbyterian church. She will talk there tonight. Yesterday she was a guest of Mrs. C. A. Kells at dinner. She is a daughter of Mrs. Emmeline Pankhurst, noted suffragist leader of Great Britain, who passed away in 1928, 10 years after woman's suffrage came to that country and the year that the franchise was extended to women between the ages of 21 and 34.

"After the war I did not share the view of many leaders who felt assured the world was on its way to a better situation," Miss Pankhurst declared yesterday. "I be-

SECRET SOCIETY GROUP KIDNAPS, BATTERS YOUTH

Vic DeJardin, Noted as Junior Baseball Player, Taken For "Ride," Pounded to Unconsciousness; ten Lads, Some Declared to be Athletes, in Party; no Legal Steps yet Taken in the Matter

Banned Fraternity Blamed; Previous Efforts to Capture Student Reported; Stern Measures are Indicated by School Officials; Unrequited Spot South of City Scene of Bloody Beating

VICTOR DEJARDIN, Salem high school baseball player, was "kidnaped" at 4 o'clock yesterday afternoon, after giving battle, and "taken for a ride" to the woods near Belcrest park. There he was beaten to unconsciousness by 10 of his schoolmates, allegedly secret society members. Among the 10 were said to be prominent athletes.

Their announced plan of tying him up was thwarted by the approach of an unidentified farmer. The attackers fled. Despite threats of being beaten if he caught a ride back to the city, young DeJardin accepted a "lift" toward Salem. Battered and bleeding, he was found at 4:45 o'clock by friends and brought to the courthouse here to apprise his father, G. W. DeJardin, employee in the tax office, of the attack.

INSANITY PLEA OF MASSIE IS UPHELD

Wife may be Called as one Of Last Witnesses for Defendants Today

HONOLULU, April 19.—(AP)—Alleged testimony that Lieutenant Thomas H. Massie was insane at the moment Joseph K. Kahahawai was killed put the prosecution in a tight mood today as the defense effort to clear four persons of the lynching approached its finale.

Insisting the young naval officer was mentally deranged when he allegedly stood before Kahahawai with drawn pistol and supposedly heard the young native confess taking part in the attack on Mrs. Thalia Massie, Dr. James Arblson, Los Angeles psychiatrist, stuck by his story under a furious attack at the hands of Barry S. Ulrich, assistant prosecutor. Just before that, Clarence Darrow, defense leader, announced he would close his case tomorrow, probably calling Mrs. Massie, attack victim and wife of the accused officer.

Dr. Paul Withington, former Harvard athlete, who attended Mrs. Massie and performed an operation upon her after the attack and Samuel Stewart, retired army captain, had testified briefly after which the prosecution recalled Massie to the stand to question him about participating in amateur theatricals.

This newspaper office Tuesday night received an anonymous telephone call in which names of five of the youths said to have taken DeJardin for a "ride" were stated. It refused to use the information which could not be authenticated.

Principal Fred D. Wolf, who began an investigation last night, said that today he would confer with Mr. DeJardin and his son and take whatever action the affair called for.

Asked if the abductors would be expelled if the charges were true, he answered: "They should."

"It's outrageous," declared Superintendent Hug concerning the attack. "If reports are true, we'll deal very severely with them."

Other Attempts at "Discipline" Reported

Attempts had been made to "discipline" the DeJardin youth several times within the past three days. It is rumored. Two days ago, a party of boys said to have driven to his home after him. Yesterday afternoon they sought to catch him downtown but failed. The final attack was made by the two automobile loads of youths a block from the high school.

DeJardin was a member of the Salem American Legion Junior baseball team last summer and his name came to prominence at that time because of protests filed against him on the ground that he was too old. His record was cleared after a lengthy investigation.

Although the secret society situation has for several months remained calm on the surface, high school students said that an undercurrent of friction had continued to permeate athletics, because of activities of the secret society faction. A majority of the students, it was declared by two youths last night, do not belong to these organizations and feel strongly against their existence in the school.

Melton "Kidnaping" Last Fall Recalled

Last fall a group of alleged secret society members "kidnaped" Lewis Melton, student body president, and drove him several miles into the woods, there leaving him to walk home.

Principal Wolf, since his coming here three years ago, has been at odds after the manner of the secret society and has maintained a policy of barring the members from student body office. Special elections were necessitated last fall to fill vacancies created when he banned several student body officers, officers-elect from retaining their positions.

Senate Vote on Beer is Likely

WASHINGTON, April 19.—(AP)—A senate opportunity to vote on beer this session was virtually assured today despite disapproval of the Binghams bill to legalize four per cent brew by the manufacturers committee.

In reporting the measure adversely to 4 to 1, the committee members agreed to let it go to the senate floor.

BOY "HANGMAN" DIES

TACOMA, April 19.—(AP)—After lying unconscious more than 24 hours from injuries received while he was playing the game of hangman to amuse his two-year-old sister, George Clansen, 11, died here tonight at a local hospital.