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EIGHTY-THIRD YEAR

No. 49

HUGH BLACK ON TRIAL IN POLK CIRCUIT COURT

Jury Obtained Late in day; Defense Attorney Says Settlement Made

Shortage in County Funds Basis of Action; State Cites Audit Report

DALLAS, May 22. — Ten men and two women were selected on the jury to try Hugh G. Black, former county clerk, on a charge of larceny of public money involving the sum of \$2211.21, during the first day of the trial which opened this morning before Judge George R. Bagley of Hillsboro. Selection of the jury consumed the entire morning session and lasted until about 3 p. m.

Prosecuting attorneys are Elmer Barnhart, district attorney of Polk county, and E. B. Tongue. Black is represented by Oscar Hayter of Dallas.

Barnhart following selection of the jury, outlined the state's case and stated that the crime charged occurred on December 31, 1932, when Black allegedly appropriated this sum of money for his own use. Barnhart also outlined the story of the discovering of the shortage in the audit conducted by Floyd A. Rowell of Portland, and the events which followed, including Black's alleged confession.

Settlement Made. Hayter's Contention. In his opening statement, Hayter stated that hard feelings had existed in the courthouse between various officers for some time and that this had caused investigations by the grand jury and various audits to be made of the county books. He said the investigation carried on by the grand jury in 1932 had not been complete as some of the records were not available and that the jury had suggested that the matter be settled following a more complete audit of the clerk's books. No further audit had been made until this year and that following the discovery of the shortage, Black, in conference with the auditor and the county court, had admitted a shortage of \$2211.27 which he had agreed to pay.

This agreement on the actual shortage and the agreement that day was supposed to have occurred before the indicting of Black by the grand jury. Hayter said Black had made good his agreement when the bonding company had paid the county and that Black and the bonding company had been released from further liability. When Hayter stated that the circumstances in this case were not those of a criminality or those of an officer converting county funds to his own use, Attorney Tongue objected to his statements on the grounds that he was drawing conclusions before argument and Judge Bagley sustained the objection.

Evidence Offered On Bank Accounts. The first witness called by the state was F. J. Craven, cashier of the Dallas City Bank. He established the fact that Black had carried an account in his own name in the bank during the years of 1931-32 and produced the records of this account as evidence.

Claire M. Miller, deputy county clerk was called to identify records from the clerk's office which were introduced as evidence.

Twenty jurors were called before the jury box was filled with seven being challenged and one disqualifying himself. The jury which will hear the case is as follows: Belle M. McKnight, Monmouth; Abel Cruse, Independence; James Lewis, Monmouth; G. Claude Skinner, Independence; A. C. Oliver, Independence; C. D. Blanchard, Sheridan; Bird Robinson, Dallas; Carl F. Gregg, Bilston; Harley Prather, Buena Vista; Nola Mattison, Independence; Carl M. Johnston, Dallas; Roy R. Brown, Independence.

Business Men to Play Hookey and Fish Three Days

SILVERTON, May 22. — (Special) — A deep, dark mist will settle over Silverton next Monday when business and professional men will "for one day return to boyhood and play hookey, hook, line and sinker have been dangling before their eyes, stories of the "big catch" have been coming in with the result that a group of men sneaked out during business hours and presented petitions to over-petitioned Silverton.

But for once instead of bringing arguments, petitions brought smiles and very nearly the entire town has signed up in favor of taking Monday off. That there will be no business houses open at Silverton Sunday, Monday and Tuesday of next week is the present indication.

Plans Nearly Ready For Water Project; Seek Federal Funds

Kowitz to Confer With Engineers Today; Bond Legality Decision may not Cause Delay; Other Public Works Viewed

A CONFERENCE with Baer & Cunningham, engineers, is planned today in Portland by City Attorney Kowitz who will consult them regarding the \$2,000,000 water project. Salem councilmen are hopeful can be undertaken with the aid of Reconstruction Finance corporation advances.

Kowitz said yesterday the engineers, who heretofore have done extensive water system investigation work for the city, were nearly ready to submit the proposed application for funds to the federal authorities.

Broadly, the proposal will be that Salem general obligation bonds be held by the federal corporation to secure a long-time, self-liquidating loan with which (1) the present Oregon-Washington Water Service plant here can be purchased and (2) the system can be connected with mountain water from the Little North Fork of the Santiam.

Kowitz said the fact that the legality of the bond issue authorized December 15, 1931, by Salem voters had not been determined in the state supreme court would not hold up the application. He feels that the water bond charter amendment can be passed upon (Turn to Page 2, Col. 1)

BREITENBUSH GETS ITS FOREST CREWS

Groups Also Going to Bear Springs, Detroit and Mary Creek Area

VANCOUVER, Wash., May 22. — (AP) — Some 450 men, most of them from Illinois, arrived at Vancouver barracks in two special trains today, ready and eager to go to work in the forests of Oregon and Washington. They comprised the "first contingent" of the several thousand men to be sent here from the east as recruits in the civilian conservation corps, organized to carry out President Roosevelt's vast reforestation program.

The group was divided into 18 detachments. Four of the detachments left by truck, as soon as they had breakfast, for the Columbia national forest. The other men will be detailed this week to forests in Oregon, the first going to the Willamette, Mt. Hood and Siuslaw forests. Major Eugene Slapay of Chicago, was in charge of the detachments.

Remaining companies which arrived today will go to Oregon forests; some to Grass mountain, 30 miles west of Corvallis; Bonney crossing, north of Bear Springs; north fork of the Santiam on Tinicop creek; Breitenbush springs; Mary creek near Coffin mountain, north of Detroit; Portsville, in the same area.

MEIER WILL INSIST ON 5-3 CUT BASIS

Governor Meier will not approve the payrolls of state departments under his jurisdiction unless they comply strictly with the 1933 legislative act reducing the salaries and wages of virtually all state officials and employees from 5 to 30 per cent.

These were indicated Monday here when Governor Meier held conferences with C. A. Thomas, state utility commissioner; Max Gehlar, director of agriculture; Linn Cronmiller, state forester; George A. White, adjutant general; Charles P. Fray, superintendent of state police, and members of the state industrial accident commission.

Thomas had recommended that the salary of Herbert Hauser, secretary of the commission, be reduced to \$250 a month, and that exemptions be made in the case of two engineers. Thomas yesterday voluntarily agreed to reductions in these salaries in compliance with the law.

The salary of General Rilea of the state military department was reduced from \$775 to \$290 a month. White previously had recommended that Rilea's salary be fixed at \$333 a month, but Monday submitted to the reduction.

AUTO STOLEN, REPORT. A car belonging to Greta Hyatt of 130 North 18th street, Salem, was reported to city police last night to have been stolen from its parking place on Ferry street between Church and High some time after 8 and before 10 p. m. Its return had not been effected early this morning.

MOONEY TRIAL TO BE STARTED TODAY

HUTCHINSON, Kas., May 22. — (AP) — The state supreme court today denied the petition of John O'Gara, attorney and law professor for a writ mandating to compel Superior Judge Louis Ward to dismiss the remaining indictment against Thomas J. Mooney, convicted 16 years ago of participation in the preparedness day parade bombing.

In a brief order denying the petition, the court declared that O'Gara, a private citizen, was "unqualified to commence the action on behalf of the people of the state of California without the consent of the state attorney general."

The high court's denial of the petition means that Mooney will go on trial tomorrow morning before Judge Ward on the one remaining and unexpired indictment left of the number returned against him after the bombing on July 22, 1916 in which 10 persons were killed and 40 wounded.

Canalization Data Given Attentive Consideration

"Nothing can be said at this time except that the board gave as the most attentive consideration and evidenced a keen desire to ascertain the true facts and to determine the merit of the project."

Such is the report of the canalization of the Willamette river hearing conducted May 17 in Washington, additional news of the board on the technical matters of tonnage, freight rates and freight savings.

While at Washington, Ellis is to present in person the application to the R. F. C. for the terminal project here which calls for an expenditure of \$95,000. "I am anxious to obtain the best advice possible on the most effective manner of approach," Ellis writes.

CHINESE FORCE GETS READY TO DEFEND PEIPING

Japanese 13 Miles Away as Peace Terms Talked but No Agreement Near

Evacuation Order Rumored But No Exodus; Troops Are in Ugly Mood

PEIPING, China, May 22. — (AP) — (Tuesday) — Chinese troops were making preparations today to battle for the defense of this city of nearly two millions in Peiping's outskirts.

The belief continued that truce negotiations were not proceeding smoothly and that hostilities were likely unless an agreement is quickly reached.

It was rumored General Ho Ying-Ching, nationalist government minister who now is in charge of Peiping's defense, ordered the Chinese to evacuate this ancient capital but there was no evidence that this was taking place.

The Peiping area was jammed today with Chinese troops in an ugly mood.

The Japanese troops, because of their nervousness to Peiping were reported to have stiffened their demands to such an extent the Chinese were not inclined to accept such peace terms.

A Japanese bombing plane made a half hour reconnaissance over the city this morning. It flew low, but drew no fire from Chinese anti-aircraft guns along the city's walls.

Foreign military observers predicted that Peiping itself would be a battleground. Japanese residents were preparing to evacuate into their legation quarters.

The vanguard of the advancing Japanese armies was still in the vicinity of Tungchow, 13 miles east of here. Many reports said that Japanese air bombers resumed attacks further northward.

Thirty American missionaries were reported still at their posts at Tungchow.

SEVERAL KILLED IN MIDWEST TORNADO

OMAHA, Neb., May 22. — (AP) — (Tuesday) — A report received here early this morning said seven persons were killed last night when a tornado swept across the farm of Harry Pizer, north of Tryon, Neb. The dead, the report said, are Mrs. Pizer and her two daughters, Viola, 3, and Mary Evelyn, 5; Mrs. Edna Nelson, Mr. and Mrs. H. C. Bender, and their young daughter.

HUTCHINSON, Kas., May 22. — (AP) — Jim Clunsky, a merchant at Liberal, Kas., telephoned the Hutchinson News-Herald from Plains, Kas., tonight that at least five persons were killed and 31 were injured by the tornado at Liberal late today.

At the height of the storm, lightning struck a gasoline filling station, he said, causing it to explode and badly burning two employees.

Packers declined to comment on the report that they were actively seeking some method of ending the strike.

Word that Governor Julius L. Meier was contemplating sending W. Richard, former camera operator, from Salem to act as mediator apparently aroused little interest here.

Campbell Finds Human Jawbone. NELSCOTT, Ore., May 22. — (AP) — What was said to be the lower jaw-bone of a human being was found near Shag Rock yesterday by A. S. Campbell of Salem. Two of the teeth had silver fillings. The bone is in possession of Charles Nelson, postmaster, and an attempt to identify it will be made, it was announced.

Prankster Gets Own Jolt; Bomb Blows Too Soon

STANFORD UNIVERSITY, Cal., May 22. — (AP) — A college prank was hoisted by his own petard here tonight when a chemical bomb made by Henry Sommers, registered from St. Paul, blew up while he was planting it in the room of Charles Lippman, Whittier, Cal., a class mate.

Sommers suffered cuts on his face and hands when the chemicals, contained in a milk bottle, exploded, blowing out the windows.

The bomb, Sommers said, was intended to cause only a minor and harmless pop when Lippman opened the door of his room in Eacina hall, college dormitory.

Channel Project For Columbia is Talked, Capital

WASHINGTON, May 22. — (AP) — Representatives of the governors of Idaho, Oregon and Washington arrived here today to work for a rivers and harbors appropriation or inclusion in the public works bill of a provision for a channel deepening project on the upper Columbia and lower Snake rivers in the northwest.

George C. Baer of Portland, a member of the delegation, said the project included the deepening of channel on the Columbia from The Dalles, Ore., to the mouth of the Snake and down that river to Asotin, Wash.

Culture Just Must Conform!



It is difficult to follow the strange process of reasoning that led to a scene like this in Berlin, Germany. The world's progress toward outlawing war brought an official statement today that the United States would in the interests of peace, under certain circumstances, abandon its policy of international isolation.

BANKS IN HOSPITAL AFTER COURT LOSS

Conviction, Second Degree Murder to Mean Life; Sentence Delayed

EUGENE, Ore., May 22. — (AP) — Llewellyn A. Banks, 42, was ordered today to be confined in a Eugene hospital for several days when Dr. Orville Waller said the former Medford editor and orchardist was "generally run down and nervous."

Banks was convicted by a circuit court jury here yesterday of second degree murder for the death of George Prescott, Medford constable. Mrs. Edith Robertson Banks, jointly tried with her husband on a charge of first degree murder in connection with the officer's death, was acquitted. The jury of seven men and five women returned the verdict shortly after noon Sunday, 2 1/2 hours after they were given the case.

Circuit Judge G. F. Skipworth, who heard the murder trial that lasted three weeks, ordered Banks' removal to the hospital at the request of the convicted man's attorneys. Two guards were assigned to watch him at all times.

At the same time Judge Skipworth today formally gave the defense 20 days in which to file a motion for a new trial. Sentence was held up pending that action. The verdict of the jury makes a sentence of life imprisonment in the state penitentiary mandatory on the court.

M'GILCHRIST ENDS RULE OVER ROTARY

VICTORIA, B. C., May 22. — (AP) — District one, the northwest section of Rotary International, today elected as governor William J. Dinsmore of Tacoma, Wash.

The election followed reports of District Governor William McGilchrist, jr., Salem, Ore., showing a slight decrease in membership because of business conditions, but he said a return to normal was indicated by the prospect of installing clubs during the coming year in Sidney, B. C., Fairbanks, Alaska, Renton, Wash., and Merrill, Ore.

One of the resolutions presented after business reports was that of Dr. E. J. Anderson, president of Linfield college, McMinnville, Ore., asking ratifications by the United States of three treaties designed to facilitate her entry into the world court.

Relief Trouble Seen, Roseburg

ROSEBURG, Ore., May 22. — (AP) — A delegation of unemployed was led to the offices of County Judge W. S. Hamilton today to demand that relief workers be furnished three days of work each week, be employed six hours a day and be paid 50 cents an hour. Police said Fred Walker, Portland organizer, urged the workers to camp on the Douglas county courthouse lawn until their demands were met.

Campbell Finds Human Jawbone

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Late Sports

SAN FRANCISCO, May 22. — King Tut of Minneapolis was knocked out in the fourth round of a ten-round fight here tonight by Babe Marino, San Francisco welterweight, and was taken immediately to an emergency hospital, where physicians said he suffered possible internal injuries.

PORTLAND, Ore., May 22. — (AP) — Otis Clingman of Okla. City defeated Bulldog Jackson of Klamath Falls, Ore., taking two falls out of three in the main event of tonight's wrestling matches here. Clingman weighed 141, five pounds more than his opponent.

Baptists Hit Out at F. R. And His Beer

WASHINGTON, May 22. — (AP) — Overriding efforts to avert adoption, the Southern Baptist convention tonight approved a resolution deploring the prohibition attitude of President Roosevelt and declaring the White House had been used to "advertise the beer business."

A loud chorus of "No," "No," "No," came from the convention floor when Dr. Walter P. Binns, Roanoke, Va., moved to strike out the sections expressing "regret" Mr. Roosevelt had used the "power of his office" for repeal of the 18th amendment.

The resolution had been presented by Dr. A. J. Barton, Wilmington, N. C., chairman of the social service committee of the convention, and he arose to defend it.

He contended loads of beer had been taken to the White House, and that even if these loads had been of razor blades or chewing gum he would have been against it.

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Three Millions For Bridges in Oregon Sought

Construction of bridges aggregating a cost of \$3,000,000, in addition to other projects previously contemplated under the federal public works legislation, was included in a program being prepared yesterday by R. H. Baldock, state highway engineer. Baldock will ask the state highway commission to approve the program, which would be carried on with reconstruction finance corporation funds.

School's Budget Voted at Dallas

DALLAS, May 22. — By a vote of 324 to 162 votes of the school district here today in a special election voted a school budget levy to exceed the six per cent limit to the amount of \$12,229.96. The total budget with the increase called for \$48,593.

Capacity Crowd Acclaims Philharmonists' Concert

Sponsors of the Salem Philharmonic Symphony orchestra's final concert of 1932-1933 had fears before Monday night that the first appearance of the orchestra after a long season of musical treats might find the public satiated with musical entertainment. They were happily wrong last night. Salem townspeople were out in larger numbers than ever to appreciate and to applaud the organization at its closing concert. The first floor and the balconies of the armory were capacity filled and the event fittingly culminated a second successful year for the orchestra organization, Jacques Gerskovitch, its present director and the talented Salem young men and young women who are its personnel.

Sharing with the orchestra its presenting of a delightful program was the Willamette University Philharmonic choir, ably directed by Cameron Marshall, a vocal group which has been presented throughout the northwest in a series of radio concerts and one which plans to represent this city at the world's fair in Chicago this summer.

The orchestra demonstrated increased ability in its presentation of difficult, classical music. Choosing Schubert's "Unfinished Symphony" as its major number, it presented a careful, spirited interpretation of this long-time favorite of orchestra lovers. For the concluding number the orchestra gave "Rakocsy March" by Berlioz, a stirring, martial piece, sustained by Director Gerskovitch and his players until the final notes of the tumultuous ending.

Between the major orchestral numbers the choir alone presented. (Turn to Page 2, Col. 1)

RETAIN EXCISE LEVIES TO AID PUBLIC WORKS

Such is Program Approved By Committee; Income Tax to be Raised

Stock Dividends Also to be Assessed; Budget Chief Recommends Action

WASHINGTON, May 22. — (AP) — After deciding to boost income tax rates, place a tax on stock dividends and raise gasoline levies, the House ways and means committee tonight decided suddenly that in order to aid financing of the administration's huge public works-industrial control bill there should be continuation for another year of all the excise taxes levied in last year's billion dollar tax bill.

Shortly after agreeing behind closed doors to recommend these far-reaching steps, the committee unanimously ordered the gigantic measure reported to the house.

Recommendation for continuation of the levies under the billion dollar tax bill until June 30, 1935, came directly from the administration through Lewis Douglas, director of the budget.

Will Make Sale of Bonds Earlier, Belief. Meeting with the committee in executive session, Douglas suggested the additions to make easier the sale of bonds for the projected \$3,300,000,000 public works sections of the bill.

The committee's action came as a surprise.

Douglas told the committee the move should be taken to stabilize the government's credit as well as to assure ready sale for the proposed \$3,300,000,000 bond issue. One explanation given for the unexpected move was the difficulty democratic leaders have in having with the proposed continuation of the one cent gasoline tax which expires on June 30 of this year.

An amendment was included in the bill as finally reported empowering President Roosevelt to suspend the \$220,000,000 revenue program upon the repeal of the 18th amendment or when the treasury, through increased revenues, should be adjudged in condition to meet its current expenditures and the interest and amortization charges on the bond issue.

Members of the league of nations believed Davis meant the United States would respect a blockade against a nation guilty of military aggression.

In Washington it was considered generally that the Davis speech respected the policy of American freedom from foreign entanglements but also paid heed to the demands of foreign nations that America give them some assurance against attack in return for sacrificing armaments.

PROBE OF MORGAN AFFAIRS TO START

WASHINGTON, May 22. — (AP) — A senate investigating committee was ready tonight to throw open the business secrets of J. P. Morgan and his company, America's most famous banking house.

Armed with evidence collected in months of scrutiny of Morgan records, the committee planned to climax its long investigation of Wall street with the inquiry into the house of Morgan.

The starting witness tomorrow, committee officials announced tonight, will be J. P. Morgan, head of the firm. He has been chief of the Morgan house for a generation.

Ferdinand Pecora, committee counsel, spent all day today with associates completing plans for the opening of the hearing, but he would not disclose the nature of the evidence to be offered.

Income tax statements filed by the Morgan partners have been used by committee investigators as a basis for their inquiry into operations of the bankers.

LEGIONNAIRES TALK COMMUNITY TASKS

A group of World war veterans formerly active in the work of Capital Post, American Legion, gathered last night at the Elks' temple to consider plans for reviving interest among those similarly situated, through the launching of an extensive program of community service.

It was declared at this meeting that although the ex-service men's welfare would continue to have the post's attention, a broader viewpoint must be adopted to bring back into activity the many members who have dropped from active participation in the post's affairs.

Another meeting will be held next Monday night at the Fraternal temple, and all those present last night pledged themselves to bring two more to that gathering; also to invite all the ex-service men they meet to the next post meeting, the first Monday in June, at which time special entertainment is promised.