

POWER AND COMMUNICATION PARALYZED IN CITY FOR HOUR BY VIOLENT STORMS

STEEL VIADUCT BEING ERECTED ON GREENWOOD

Excavation Started By
Portland Firm

LOCAL LABOR USED

Increased Safety Assured—
Concrete Piers, Steel
Span Provided For

Excavation in preparation for the
substitution of a steel and concrete
span for the dangerous wooden rail-
road viaduct over Greenwood avenue
near Division street, is under way,
and laying of forms for the first
concrete pier will start soon.

The erection of the new viaduct is
in charge of Ira Moore, foreman for
Footh & Pomeroy, Portland construc-
tion firm which holds the contract.
Moore has employed all local labor.

Replacement of this viaduct this
summer was promised several months
ago by officials of the Oregon Trunk,
after they had come here and in-
spected the old one and seen the dan-
ger which its narrow apertures pre-
sented to traffic.

The new viaduct will include two
driveways, one on each side of the
center pier which will be of steel
with a concrete base. The side walls,
back of the sidewalk on the south
side and beyond the curb line on the
north, will be of concrete, and the
top will be of steel girders on which
the rails will rest.

This will be a big improvement
from both the standpoint of safety
and appearance, over the present
wooden viaduct with its four narrow
apertures for street traffic.

No Detours Necessary

The new viaduct will be put in
according to a plan which will leave
two or more of the apertures open
to traffic, so that no detours will
be necessary, and also will not halt
the use of the railroad tracks at
any time.

About 15 men are now being em-
ployed on the preliminary construc-
tion work.

Ray Johnson Is Freed On Booze Owning Count

"Not guilty" was the verdict
found on the first ballot by the jury
which heard the case of Raymond
Johnson, in Recorder Louis Bennett's
court Wednesday. Johnson was
charged with possession of the liquor
found at William Fisk's home
last Saturday night.

The officers' testimony of having
seen Johnson carry the sack contain-
ing the liquor into the house was not
sufficiently definite to offset Fisk's
testimony that Johnson did not know
of the liquor and that it had been
there before, members of the jury
explained in discussing the verdict.

Johnson was defended by Attorney
Charles W. Erskine, and City Attor-
ney C. S. Benson conducted the pro-
secution. Members of the jury were
J. J. Klein, J. L. Galtner, R. S. Mc-
Clure, A. A. Symons, J. M. Childers
and P. A. Erickson.

Grandstand Collapses At Frontier Days Show

(U. P. Leased Wire to The Bend Bulletin)
CHEYENNE, Wyo., July 23.—
Brain and brawn, the skill and cunning
of both man and beast, con-
tinued to clash again today at Fron-
tier days here.

Events were marred yesterday
when a 60 foot section of the arena
collapsed, piling 300 people into a
tangled mass.

A score received injuries.
A few minutes after the accident
the crowd was calm again and 11-
000 throats were cheering as Mike
Hastings threw a steer in 10.45 sec-
onds, a record for the year.

Donna Cowan was first in the cow
girls' relay race, one of the exciting
events. Bonnie Gray was second
and Mabel Strickland third.

U. S. Department of Justice to Furnish Counsel In the District of Columbia Suit Over Evolution

Test Will Come Through Injunction Asked to Prevent
Paying of Instructors Teaching Disrespect for
Bible—Law Referred to as "Joker"

(By United Press Leased Wire to The Bend Bulletin)

WASHINGTON, July 23.—The department of justice will act
for District of Columbia authorities in the suit which has been
brought here to test legality of teaching evolution and other
sciences in the public schools.

Under Secretary of the Treasury Winston announced today that
the case has been placed in the hands of Attorney General Sarg-
ent by the treasury department, which is involved because it
pays salaries of teachers here.

MURDERER HOPEFUL AS END DRAWS NEAR

Friends Making Final At-
tempt to Block Execution

(U. P. Leased Wire to The Bend Bulletin)

CHICAGO, July 23.—New hope for
a stay of execution came to Russell
Scott here this afternoon with receipt
of word that Governor Len Small is
on the way to Chicago.

Scott is to die at sunrise tomorrow
for the murder of Joseph Maurer,
drug clerk.

CHICAGO, July 23.—Refusing to
abandon hope, Russell Scott, former
millionaire, cheerfully paced the
death cell today while his wife, attorneys
and friends made another last
desperate effort to stave off execu-
tion.

Russell played cards with the mem-
bers of the death watch until 3:15
a. m. and then went to bed. He was
up after some five hours' sleep and
smilingly reaffirmed his faith in
eventually escaping from the gallows.

Letters and telegrams asking for
a stay of execution or clemency are
deluging President Coolidge and
Governor Len Small.

Backed by a \$5,000 defense fund,
two new attorneys for Scott are cat-
hering testimony which they say will
throw doubt on the testimony that
Scott murdered Joseph Maurer, drug
store clerk. The attorneys announced
that Governor Small had granted
them an interview for today.

DETROIT, Mich., July 23.—As the
clock in Chicago ticks off the sec-
onds remaining until Russell Scott
must feel the hangman's noose en-
circle his neck, this city is filled with
rumors of help which will come to
stay the executioner's hand.

It became known that Governor
Alex J. Groesbeck of Michigan had
wired Governor Len Small, suggest-
ing a reprieve be given Scott until
every possible hope for the con-
demned man to prove his innocence
had been run down.

Dog Resents Advances, Bites Friend In the Lip

Thomas Edward Lyons, local con-
tracting plumber, is eating through
a straw, and carrying four stitches in
his lower lip, while the small bull-
dog which resented his advances has
been permitted to live after being
found not guilty of hydropobia.

Lyons met the dog, which accom-
panied a Portland traveling salesman,
and immediately proceeded to get
acquainted. The dog was just as
friendly as he was. But when Lyons
dropped to the floor to be on more
equal terms, his new playmate appar-
ently decided that things had gone
far enough.

White teeth flashed, then met in
Lyons' lip. For a moment the bull-
dog hung on in obedience to the tra-
ditions of the breed. Then, remem-
bering that she was a perfect lady,
she relinquished her hold.

Filibustering Demagogues Dawes Name for Senators

(U. P. Leased Wire to The Bend Bulletin)

DENVER, July 23.—Charles G.
Dawes, vice president of the United
States, was spending a quiet day on
a ranch today, following a speech
here last night in which he assailed
the senate rules.

Dawes branded senators as filibus-
tering demagogues who, for selfish
reasons, would destroy the constitu-
tional right of the majority to legis-
late.

The vice president and Mrs. Dawes
will spend the day here and then go
to Cheyenne, Wyoming, tomorrow to
attend frontier days.

The suit seeks to enjoin Frank
White, treasurer of the United States,
and others from paying school
authorities who permit use of scien-
tific texts, citing a law which pre-
vents teaching "disrespectful to the
holy Bible." Legislation passed by
congress to forbid such teachings in
the public schools of the District of
Columbia is unconstitutional and
should be wiped out, Corporation
Counsel Francis Stephens, who will
direct Washington's evolution case,
declared today.

Stephens indicated that he would
submit this position when school
authorities are arraigned next Tues-
day in the suit instituted by Loren
Wittner, a government clerk, as a
taxpayer, to test validity of the act.

"My impression is that congress
has no right to enact such a pro-
vision which seems to me to be an
indirect way of legislating an estab-
lishment of religion," Stephens said.
The suit has excited church, school
and governmental authorities here,
who believe it has let down the bars
for a full and free discussion of the
issues which smoldered under the
Scopes trial at Dayton.

The law was written into the dis-
trict appropriation bill in congress
almost without debate and legislators
refer to it as a "joker." It states
that no part of the appropriation for
running the district shall be used to
pay salaries of any who would teach
disrespect of the Bible. It was pro-
posed by Representative John Sum-
mers of Walla Walla, Wash., and no
district authorities were consulted.

District authorities who pay the
salaries here were ordered by the
district supreme court to appear
Tuesday and show cause why an in-
junction should not be granted.

Dr. Howard is a graduate of the
University of Michigan, 1904, and
University of Pennsylvania, 1905. He
was for some time engaged in his
professional work at Canton and has
been associated with the Rockefeller
organization in Peking since 1911.

His son, James, was reported safe.
The American consul at Harbin
had taken up the case, said the mes-
sage, while R. S. Greene of the China
medical board, the doctor's superior,
had proceeded northward to investi-
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Official confirmation of United
Press reports of the killing by Chi-
nese bandits of Morgan Palmer and
capture of Dr. Harvey Howard, Amer-
icans, in the Sungari river district of
Manchuria, was received at the state
department here at 10:30 a. m. to-
day.

Officials here were inclined to ab-
solute the Peking government from
any direct responsibility, since it has
only nominal control over the Sun-
gari region. That area has long been
a kind of no man's land, infested by
desperadoes.

Allies to Reply

Officials see in the Palmer case
added necessity for bringing about a
strong Peking government. This de-
mand will be included in the answer
which the United States and the other
powers are about to make to the re-
cent Chinese note asking for aboli-
tion of extra-territoriality and satis-
faction for the Shanghai killings.

Officials here were optimistically
waiting today for definite replies
from Great Britain and France, ac-
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joint commission to study gradual
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CHINESE FORCE KILLS AMERICAN GUARDING FARM

Morgan Palmer Victim
of Bandits

SCIENTISTS TAKEN

American Demand for More
Responsible Government
to be Made Stronger

(U. P. Leased Wire to The Bend Bulletin)

PEKING, July 23.—While defend-
ing his experimental ranch on the
Sungari river, near Harbin, Morgan
Palmer, American organizer of the
Manchurian Development Company,
was killed by bandits, as was his
servant.

Dr. Harvey Howard, head of the
optical department of the Rockefeller
Institute here, has been imprisoned
by the Chinese.

The American consul at Harbin is
making representations to Marshal
Chang Tso-jin, war lord of Man-
churia, in the Palmer case, while the
Peking location is presenting a pre-
liminary statement of facts to the for-
eign office.

EXPEDITION CAPTURED

NEW YORK, July 23.—The Rocke-
feller Foundation received a cable-
gram today stating that Dr. Harvey
Howard, head of the ophthalmological
section of the Union Medical college
at Peking, allied with the foundation,
had been captured by bandits near
the junction of the Amur and Sungari
rivers, Manchuria.

His son, James, was reported safe.
The American consul at Harbin
had taken up the case, said the mes-
sage, while R. S. Greene of the China
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faction for the Shanghai killings.

KEEP POLITICS OUT

"And that if a just price cannot be obtained for the plant of
the Bend Water, Light & Power Company the City will condemn
said plant."

With these words ends the amazing resolution adopted by the
council Monday night proposing repudiation of its contract for
the sale of \$600,000 in city water bonds.

Ever since we read these words we have been wondering just
what they meant and just why it was found necessary or de-
sirable to include them in that resolution.

We grant that no more than a fair and just price should be
paid and we grant that the city should condemn (if it decides to
buy at all) before it pays an unjust or unfair price but why this
sudden bristling up and chip-on-the-shoulder attitude?

Stevens and Koon, employed by the city for the purpose, ap-
praised the company's water plant as of October 1, 1924, at
\$264,195 less an item of \$5,000 called "special depreciation." (See
Stevens and Koon report; Index and Summary of Ap-
praisal). With this special depreciation item out the appraised
value, as reported to the city, was \$259,195.

The company has offered to sell to the city for \$264,195.
In other words, the large sum of \$5,000 is the only difference
between what the city's engineers say the system is worth and
what the company says it will sell for.

For a discussion of just what is covered by this \$5,000 item
you are referred to pages 52 and 53 of the Stevens and Koon report.
You will find that the explanation is rather vague. Indeed, the
appraiser says that "it is frankly admitted that fixed and defi-
nite figures have not and probably cannot be set up to substan-
tiate any definite sum for this item of depreciation." Neverthe-
less, he concludes, "it is believed by the appraiser that \$5,000 is
an allowance which is fair" to both parties.

That \$5,000, then, set down by the appraiser with some uncer-
tainty, is the only amount that can possibly be in dispute between
the company and the city. It is over such an uncertain item
that the council, apparently, proposes to go into the courts.

Clearly, as we have pointed out before, the company wants very
much to get rid of the water system else it would not have accepted
so readily the figures set by the city's engineers with the addi-
tion only of the uncertain \$5,000 item. Clearly, on such a record,
with only an uncertain \$5,000 in dispute there will be no occasion
to condemn. Clearly, examination of the subject shows, the only
reason the council could have had in throwing out this threat
to condemn was for its political effect. That is unfortunate for
this water question is too big to be settled on the basis of political
maneuver.

IF THIS WAS NOT FOR POLITICAL EFFECT WILL SOME
ONE TELL US WHAT THE COUNCIL THINKS IS A JUST
AND FAIR PRICE?

Do not vote on this matter because of politics or prejudice.

INSULATION DOORS HOLD FIRE LOSSES

Origin of Blaze at Bend
Laundry Undetermined

When fire of undetermined origin
broke out 6 o'clock last night
in the engine room of the
Bend laundry, damage roughly es-
timated at \$100 resulted, according to
an estimate made by J. Edward Lar-
son, owner of the laundry.

Loss to the laundry would in all
probability have been much greater
if the engine room had not been sepa-
rated from other parts of the build-
ing by insulation doors, installed by
Larson when the laundry was re-
novated more than one year ago. Pro-
tected by the insulation doors, the
interior of the building was not dam-
aged in the least.

Due to the quick work of the fire
department and employees of the laun-
dry, the blaze was confined prin-
cipally to a pile of wood, where it evi-
dently originated. Part of the wood
work in the engine room was charred.

A valuable pedigree English set-
ter belonging to R. N. Buchwalter
was run over and killed by the fire
struck on Wall street when the run
to the fire was made.

United States Sailors Welcomed In Australia

SYDNEY, N. S. W., July 23.—
Sailors from the United States fleet
swarmed the city's streets today, en-
joying liberty after the long trip
from Hawaii to Australia.

The city was turned over to the
visitors, with scores of entertainments
planned during the friendly visit. The
grand welcome of the fleet was bathed
in brilliant sunshine as the ves-
sels steamed through the heads a half
hour before schedule.

Cliffs were lined with hundreds of
thousands, while gaily decorated air-
craft and yachts encircled the ships.
Two thousand sailors marched
through the streets between lines of
cheering spectators.

STRIKE PROSPECT LOOMS

(U. P. Leased Wire to The Bend Bulletin)

LONDON, July 23.—Prospects of
a national coal strike at the end of
the month loomed larger tonight
when the miners' executive commit-
tee issued a statement saying it had
decided the miners would cease work
July 31 rather than accept the terms
to which the owners so far have ad-
hered.

Murder, Not Duel, Say Relatives of Victim

(U. P. Leased Wire to The Bend Bulletin)

SAN FRANCISCO, July 23.—In-
vestigation of the death of Henry
Kirk and suicide of John Truden,
supposedly as a result of enmity be-
tween the two men, at Brawley, Im-
perial valley, today turned to San
Francisco.

Kirk was identified as a former
student here, Beresford Country club
swimming coach, leader of a cafe or-
chestra and later a popular musician
and photographer at Honolulu.

His widow, Mrs. Cleo Baxter Kirk,
and his brother, David Kirk, were
positive he could not have been killed
in a duel. They believe he was
bound and murdered. Kirk was a
crack shot, they asserted, and during
the world war was sent to Annapolis
to give instruction in pistol shooting.

Members of his family leaned to
the belief that Kirk was slain over
a woman, said to be still living in
Honolulu, but whose husband is now
in San Francisco.

Forest Lookouts See Lightning Bolt Strike

Coming from the thunder caps
which passed over timber southeast
of Bend last yesterday afternoon, a
bolt of lightning was seen to strike in
the forest north of Fox Butte by two
forest service lookouts, H. S. Nedry,
stationed on Pine mountain, and H.
E. Derrick, on Fox Butte.

Immediately after the lightning
darted from the clouds to the timber,
a small cloud of smoke was spotted
by the lookouts. This smoke, be-
lieved to have been from moss which
was fired by the lightning, soon dis-
appeared. The lookouts were unable
to locate a blaze last night or this
morning, and it is believed the bolt
of lightning buried itself in the
ground without doing any damage.

With the humidity and tempera-
ture comparatively low, forest offi-
cials report fire conditions in the
Deschutes forest to be most favor-
able for this time of the year. The
blaze spotted near the Shonquest
ranch yesterday was placed under
control.

CAVE IN KILLS CHIEF

(U. P. Leased Wire to The Bend Bulletin)

TACOMA, July 23.—P. G. Collins,
60, one time chief of police of Ever-
ett, was killed in a cave in of a
gravel pit at Portage on Vashon
island at 4:10 p. m. Wednesday.

LIGHTNING BOLT STRIKES MILLS, HOLDS UP WORK

Phone Lines Silenced by
Electric Attack

HOME IS SET ON FIRE

Woman Hit, But Thought
Not Badly Hurt—Streets
of Bend Are Flooded

The worst electrical storm in
Bend's history occurred between
2 and 2:30 o'clock this afternoon,
accompanied by a near cloud-
burst which also came close to
breaking all records. The rain-
fall amounted to half an inch.

The most serious results of
the electrical storm were the
blowing out of transformers and
electrical machinery throughout
the city, accompanied by the
shutting down of all power lines
for nearly an hour.

As a result of the storm, the
Brooks-Seaton plant will be
closed down until tonight's shift,
if not longer. An electric bolt
hit both mill A and mill B, dam-
aging the transformer in mill
B and hitting the power house
of mill A.

It was at first reported that the
transformer generators at mill B
were totally wrecked. This was later
disproved.

Two hundred telephones in Bend
were put out of commission, and the
telephone system was in a chaotic
condition for some time after the
lightning struck.

Storm Travels Northeast

The home of Mr. and Mrs. Gene
Glaser at the corner of Lava road
and Louisiana avenue, was struck by
lightning which apparently came
down a radio aerial. Mrs. Glaser
was badly shocked, but it is not be-
lieved that she was seriously in-
jured.

The fire department responded to
an alarm and extinguished the blaze,
confining the damage to the attic.

Meanwhile the rain fell in gusts
and torrents, and the streets were
deluged with water which raised up
over the curbs at some of the inter-
sections where the drains were not
equal to the task of carrying it away
fast enough.

In spite of the rain, it is expected
by forest service men that this light-
ning storm will result in new fires
breaking out in the national forests.
By 3 o'clock the rain was ended in
Bend, but the storm apparently con-
tinued, traveling northeast from this
city.

Belgium Now Has Plan For Funding of Debt

(U. P. Leased Wire to The Bend Bulletin)

WASHINGTON, July 23.—The
Belgian debt commission will arrive
in Washington August 4 and 5 to
advance a plan, more lenient than
Great Britain obtained for the fund-
ing of her \$180,000,000 war debt to
the United States, according to offi-
cials in close touch with the commis-
sion today.

At the treasury department it was
announced that Secretary Mellon
would return from his vacation about
August