

WEATHER FORECAST
Oregon: Tonight and Tuesday fair,
Gentle easterly wind.
Maximum 55; minimum 42; rainfall
.12.

Capital Journal

CIRCULATION
Average for Quarter Ending
December 31, 1919
5458
Member Audit Bureau of Circulation
Associated Press Full Leased Wire

FORTY-THIRD YEAR—No. 28.

SALEM, OREGON, MONDAY, FEBRUARY 2, 1920.

EIGHT PAGES.

PRICE 2 CENTS.

JURY FINALLY SELECTED FOR RADICAL CASE

Twelfth Member Seated at Montesano Today; Defense Invokes First Premptory Challenge Right

Montesano, Wash., Feb. 2.—The defense invoked its first preemptory challenge an hour after court opened today in the second week of the trial of 11 alleged I. W. W. charged with the murder of Warren O. Grimm, one of four victims of the Centralia Armistice day shootings. Thomas C. Connor, former liquor dealer of Montesano, and the first temporary juror passed, was the man excused.

Challenge Falls.

The jury box, which lacked one man of making the dozen necessary when court opened this morning, was filled by the seating of Walter Quennell, cigar dealer of Hoquiam. He was seated notwithstanding a challenge for cause by the defense. Attorneys Geo. F. Vanderveer, for the defense, and W. H. Abel, for the prosecution, indulged in sarcastic clashes this morning and the court was forced to call them to order several times.

Abel during Quennell's examination charged that Vanderveer was "trying the jurors" in alleged endeavors to show prejudice and Vanderveer replied in effect that he had such a right. The prosecution has used one of its preemptory challenges and the defense one. The defense must use another preemptory before the prosecution invokes its second.

MYERS REFUSES TO QUIT POSTMASTER JOB IN PORTLAND

Portland, Or., Feb. 2.—Portlanders were in doubt today as to who was their postmaster. Frank S. Myers, who has held the office for seven years and whose resignation by February 1 was asked by his superiors in Washington, reported for duty and contended that he still was in office, having refused to resign. He indicated that he would make a legal fight for his position.

Robert A. Barclay, chief postoffice inspector, who came here from Spokane to take charge of the local office until a successor to Myers is appointed, also was on duty in the chief inspector's office at the postoffice, and expressed determination to take over control of Portland's mail dissemination. The situation was expected to clear during the day.

The postoffice department has not made public its reasons for asking Myers' resignation, beyond stating that friction existing between the postmaster and Harry Durand, assistant postmaster, necessitated the removal of both. Durand tendered his resignation several days ago. His friends have stated they would endeavor to have him reinstated. He was under civil service and had been a postoffice employee for many years.

Myers Refuses to Quit.

Orders issued today by Chief Inspector Barclay to postoffice employees were obeyed and Mr. Myers refrained from giving orders, indicating that he would continue as postmaster, however, pending settlement of the controversy.

In a statement made public today, Myers said: "I have not resigned nor will I do so, and no charges of any kind have been made to me. The first consideration is service to the public and this shall not be impaired while I am postmaster. The question involved in the postmaster's position is one of law and it doubtless will be determined by law."

COMPTON TAKES OVER PRISON WARDENSHIP

Formal turn-over of the wardenship at the state prison from Dr. R. E. Lee Steiner to Louis Compton, former state police officer, was effected Sunday upon the return of Steiner from a ten-day absence. Although Steiner's authority as superintendent at the state hospital also dates from Sunday he will not assume actual charge at the institution until he has completed the turn-over of the prison to his successor which will require another day or two.

CITY BEAUTIFUL IS PLANNED FOR SALEM MASS MEETING SET

Court To Decide If Trousers Are Liquor Vehicle

Chicago, Feb. 2.—The United States district court will be asked to decide whether the trousers of Charles N. Thomas, Chicago bank president, are a "vehicle" and if they are whether they should be confiscated by the government and sold at auction.

CHIEF OF POLICE WILL BE NAMED THIS EVENING

A new chief of police to succeed Percy M. Varney as head of the Salem police department, will be appointed by the city council at its regular session tonight, if a quorum is present. Either Verden M. Moffitt, present traffic officer, or Jack Welsh, engineer at the Wittenburg-King plant will be appointed, it is believed, as no other candidates are known.

Perhaps in no other appointment to be made by the council has the public taken so keen an interest. Shortly after publication that Traffic Officer Moffitt, an ex-service man, was a candidate against Mr. Welsh, petitions began to appear in the business districts urging the council to appoint Moffitt to the post.

The council is known to be divided on the matter of appointment of these two candidates. Because councilmen decline to commit themselves it is not known who has the majority vote to win the appointment. Individual members of the American Legion have approached members of the council urging the appointment of Mr. Moffitt as chief. Mayor Wilson is said to have been approached by several legion men, and while not naming the candidate he would support, inferred that he probably would support the former soldier.

"KIDNAPPER" ANSWERS WIFE'S ALLEGATIONS

Answering charges enumerated by his wife in her divorce petition; that he had neglected his family, made false accusation against her and that he had kidnapped their daughter, Marvel, Edward L. Hill filed answer and cross complaint Saturday in the divorce proceedings of Catherine Hill against Edward Hill.

In this rebuttal, Hill asserts that he owns all the property involved in the action and that his wife owed him \$75 when she married him. The kidnapping charge is also denied. Mr. Hill claims that he took his daughter, Marvel Hill, 14, from her mother, December 31, because the mother "was not fit person" to have custody of the girl.

Mr. Hill further claims that his daughter is in Marion county and that she is being given the best of care and superior educational advantages. The cross-complaint charges that Mrs. Hill had violated her marriage vows and had committed adultery upon divers occasions, namely in the years 1910, 1913, 1914, 1915 and 1917 with many men, among them F. W. Troctor, John Bantzburg, Otto Beatty, Downs Hafferty, Clyde Claggett and F. M. Lick are named.

French See Urgent Need for Big Wheat Acreage

Paris, Feb. 2.—Production of wheat must be increased in France, according to newspapers commenting upon yesterday's meeting of the council of ministers, at which the situation relative to cereals was discussed. It is said the acreage sowed this year is less than that seeded in 1914, and that the French government will not be able to continue making up the difference between the price fixed for wheat and that paid for bread.

Salem, a city beautiful, home of blossoms, flowers and songbirds, and paradise of tourists and lovers of nature.

For this the Salem Floral Society has worked and to them the beauty of the city now has to be credited. But that this city might have on its most gala garn of flowers, shrubbery and trees, the citizens of Salem are urged to take an interest in the "city beautiful" movement and to plant now. During the summer months Salem will be host to thousands of visitors—the Elks, Shriners and others who plan to come here to hold conventions and meetings.

Mass Meeting Called.

To stimulate interest in the movement, and to pledge citizens to making this "The City Beautiful of Willamette Valley," a mass meeting, at which every citizen of Salem is invited to attend, will be held a week from Tuesday.

Decision to hold the mass meeting was reached at the weekly luncheon of the Business men Monday noon in the Commercial club when general discussion of plans to beautify the city was made.

That the Floral Society is disbanding because of the lack of civic interest in their work, and because they have no financial support, was told by J. W. Maruny, head of the society. At the last meeting of the society, Mr. Maruny said, only five members were present, and when it became necessary to raise the membership dues, the membership waned entirely.

Club To Aid.

The civic department of the Commercial Club was instructed to arrange for the mass meeting, and to strive, in conjunction with the floral society, to advance the city beautiful idea here.

Pointing out that California capitalizes its blossoms, and annually attracts thousands of tourists to the rolling hills of bloom, T. E. McCroskey said that the same should be done here. He told of the blossom-draped hills south of the city during prime blossoming time, and of the great advertising possibilities for the city if motion picture camera men are invited to come here to film these scenes for exhibition in all parts of the world.

Mr. Maruny urged a uniform planting law in the city whereby all shrubbery and trees would be the same. He spoke in favor of preserving native shrubbery, and told of the ease with which the citizens could plant trees from surrounding hills along the streets of the city.

Scouts Will Help.

Expressing the willingness of the boy scouts of the city to take a part in any general planting movement, Walter Denton urged the business men to attend the annual meeting of the scouts to be held Wednesday and to encourage them in the work.

STOLEN AUTO FOUND IN RIVER; PLUNGED OVER 40-FOOT BANK

Portland, Or., Feb. 2.—An auto stolen from M. M. Rounds here Friday night, was found yesterday in the Clackamas river, just beyond Gladstone, according to information received by Detective Tackaberry from Sheriff Wilson of Clackamas county today.

The machine, according to Sheriff Wilson, had left the road which runs near the river at that point and plunging over a 40 foot embankment had landed in about seven or eight feet of water.

The car had gone into the river some time after midnight Saturday night, the sheriff said.

That some persons were riding in the machine at the time of the plunge is believed by officials. Whether they made their escape or were swept away by the current was not known.

List of War Offenders To Be Handed Huns Today

Paris, Feb. 2.—The list of Germans to be demanded by the allies and placed on trial charged with violations of the laws will probably be given to German representatives here today according to the Pette Parisien. It is expected Germany will resist this demand, the newspaper says, and that the peace conference will probably be forced to consider future action and at the same time examine different violations of the conditions and armistice and peace treaty by Germany.

WALLACE LEAVES ITALY

Nice, Feb. 1.—The American ambassador to France, Hugh Wallace, who has been here for the past five days, left for Paris at noon today. He will attend the ambassadors' conference tomorrow.

PROSECUTION IN NEWBERRY CASE OPENED

Conspiracy to Secure Senatorship by "Purchase" if Necessary Exposed in Opening of Trial Today

Grand Rapids, Mich., Feb. 2.—The fraudulent election conspiracy which the government charges against United States Senator Newberry and co-defendants had its inception in New York in 1917, according to the opening statement which Frank C. Dailey, assistant attorney general, made to the jury in United States district court here today. He named Senator Newberry and William Cody, whom he described as "a legislative agent for large corporations, particularly the American Telephone and Telegraph company and the American Book company," as the men who made the "preliminary arrangements." He added:

"They had determined to purchase the United States senatorship in Michigan for Newberry."

Mr. Dailey told the jury that the senator was then on "patriotic work" in New York City as a lieutenant commander in the navy, adding that the American Book company "was largely controlled by the Barnes family, to which Mr. Newberry was related by marriage."

Mr. Dailey said Mr. Cody was commissioned to hire a manager for the campaign and J. D. Hayden, Washington correspondent of the Detroit News, was offered \$500 a month but refused the position, because "he did not want that kind of a job."

Mr. Dailey said solicitations of Hayden ceased suddenly after the latter had advised Mr. Newberry "not to conduct a 'barrel campaign'."

Tells Of Conference.

Mr. Dailey then shifted the scene to Detroit where he said in February there was a conference of Michigan politicians known as "Cody men."

(Continued on page two)

EAST IS SHAKEN BY HEAVY EARTHQUAKE IN EARLY MORNING

Washington, Feb. 2.—A very severe earthquake lasting more than two hours and centered between 3,300 and 3,800 miles from Washington, was recorded early today on the Georgetown seismograph. Shocks began at 6:42 a. m. reached the maximum at about 8:00 o'clock and ceased at 9:03 o'clock.

Seattle Feels Quake.

Seattle, Wash., Feb. 2.—The University of Washington seismograph early today recorded an earthquake which was estimated centered at a point approximately 5600 miles east of Seattle. The first shock was recorded at 2:04 a. m. At 3:15 the quake was so heavy that the east and west needles of the seismograph was thrown from its position and rendered useless. It remained "north and south" needle continued recorded until 5:24 a. m.

CHANGES IN CABINET TAKING PLACE TODAY

Washington, Feb. 2.—Cabinet changes were the order of the day here today. Carter Glass, secretary of the treasury who recently was appointed to succeed the late Thomas E. Martin, expected to be sworn in this afternoon.

Franklin Houston, who has been secretary of agriculture since the beginning of the Wilson administration, will take the oath of office as successor to Mr. Glass, and Edwin T. Meredith of Des Moines, Iowa, becomes head of the department of agriculture, succeeding Mr. Houston.

Mr. Meredith, the new agricultural department head, is the editor of "Successful Farming" and president of the Associated Advertising clubs of the world. He also is a director of the Chicago federal reserve bank and was one of the excess profit advisers of the treasury department.

DEPORTATION CASES GROWING OUT OF MINE STRIKE OPENED TODAY

Benefactor Is Robbed By Man He Brought In

Tombstone, Ariz., Feb. 2.—Three men of the 210 accused of kidnapping in connection with the deportation of 1186 striking copper miners and their sympathizers from Bisbee, Ariz., to Arizona, New Mexico on July 12, 1917, went to trial in the Cochise county court here today. Fred Sandherr and James Boyd, mine shift bosses of the Warren mining district, and Phil Torrea, Bisbee meat dealer, were the first defendants to face the state court.

Kidnapping Charged.

The other defendants include mining officials, bankers, business and professional men of the Warren district, which embraces the mining camps and cities of Bisbee, Lowell, Warren, Bakersville and other smaller camps.

The state charges the defendants with putting into effect a kidnapping conspiracy to deprive the deportees of their lawful rights. Besides the defendants it was said by the prosecuting attorney that more than 1000 persons participated in the deportations, rounding up the strikers and sympathizers, loading them into boxcars and sending them across the state boundaries into New Mexico, where later the deportees were care for in a great camp provisioned and cared for by United States soldiers.

The defense, it was intimated when court opens, will attempt to show the strike was the outgrowth of I. W. W. agitation, that miners who cared to remain at work were kept from the mines by intimidation and that the deportations were lawfully resorted to under direction of the sheriff, Captain Harry Wheeler, who swore in the defendants as deputy sheriffs.

Defendants' Promises.

It was said that attempt would be made to show that the United States was at war and that the strike was crippling the country's efforts to obtain copper for manufacturing munitions and otherwise carrying on war work.

HOLES BORED IN TO DAM BY CRAWFISH CAUSE OF WASHOUT

Bend, Or., Feb. 2.—Holes bored by crawfish in the earthen wing-dam diverting the waters of the Deschutes river through the plant of the Bend Water, Light & Power company, are considered responsible for a washout which occurred yesterday and which will cost the company several thousand dollars.

Water impounded in the joint log pond of the Brooks-Seaton Lumber company and the Shevlin-Hixon company a mile above, was suddenly released, while the pond was being cleaned out, with the result that the portion of the wing-dam, weakened by the boring of the crustaceans was quickly swept away.

When first discovered the flood menaced the ice plant and creamery but an alarm brought the members of the Bend fire department, and volunteer workers joined them, filled sand bags and carried tons of hay to be placed in front of a temporary dam of timbers which was hastily erected. At one time 200 men and boys were at work checking the widening breach, and largely because of the aid given by volunteer workers it was not found necessary to suspend power service.

HINES WILL ANSWER WAGE DEMAND TUESDAY

Washington, Feb. 2.—An answer to the wage demands of the 2,000,000 railroad employees presented last July will be given tomorrow by Director General Hines. There was no intimation as to what the government's attitude would be but it was said today that the answer would be "definite and final."

This conference probably will be the last on this subject during the period of government control which ends on March 1. Decision on the demands of the workers had been deferred pending the outcome of the government's efforts to lower the cost of living.

Ride if Young Folks at Late Hour Stopped by Mrs. Shank

Riding through the downtown streets at 10:55 Sunday night in violation of the city curfew ordinance, a party of young folks, none of them more than 17 years old, were accosted by Police Matron Shank, brought to police headquarters and returned to their homes by Officer Branson.

The young folks, Opal Neal, 8, Leona Neal, 12, Donald Neal, 10, Leona Geer, 11, and Elmer Neal, 17, were riding in a car driven by young Neal. He is the son of R. E. Neal, 935 Marlon street.

Benefactor Is Robbed By Man He Brought In

It is said that to be a good samaritan is to be the respected and covered of your fellow man.

But if this fellow, be friendly by a truly good samaritan, respects and reverses his benefactor he doesn't show it.

Friday Dr. O. B. Miles, who resides at "The Ranch," brought a man to his home. The fellow said he was an ex-soldier, a champion of democracy, and down and out. He moved the physician to pity.

Saturday and Sunday the main lotters around Dr. Miles' home. And last Sunday night he fled. And with him he took Dr. Miles' best overcoat.

Monday police were aiding the good samaritan in his search for the ungrateful guest.

VACCINATION OF SCHOOL PUPILS TO BE REQUIRED

During the present prevalence of smallpox in Salem and also throughout the state vaccination of school attendants will be required and prompt action urged in accordance with state laws. One section of this law provides for free vaccination of persons desiring protection against this disease. Immediate immunization is advised by health authorities.

City Health Officer R. E. Pomeroy will accommodate school children desiring vaccination between the hours of 9 to 10 a. m. and 1 to 2 p. m., every day, at his office in the Oregon building. Between the hours of 10 a. m. to 4 a. m. and 4 to 5 p. m., school health officer will vaccinate the students at Dr. Pomeroy's office.

At the special session of the Salem board of public instruction, Friday night, resolutions were adopted requesting that parents of pupils attending Salem school co-operate with the board in complying with regulations issued by the state board of health combatting the growth of epidemic smallpox.

In a recent letter to clerks of school boards, the state health board called attention to the increasing number of smallpox cases, the existence which warranted precautionary action being taken. This letter called attention to the state law, which requires that during epidemics, teachers and pupils attending public schools must be vaccinated or be restrained from attending such schools.

At the Friday night meeting, the local board gave consideration of the fact that there are now 15 cases of the disease in and near Salem, but as most of these had arisen outside of the schools it was decided to avoid closing the school and if possible to render the enforcement of sterner measures unnecessary.

To this end, the Salem school board is sending a letter to guardians and heads of families, asking that school attendants be vaccinated and assuring the parents that the board is doing everything in its power to bring about a reasonable observance of the law. Should the epidemic continue its spread due to the lack of vaccination, the schools will probably be closed.

That paragraph of the state law which permits pupils to remain out of school, if, in the interests of public health, they refuse to be vaccinated, is generally regarded as being spineless concession to the anti-immunizers and dilly-dalliers who would adopt the bold-headed attitude of "I must have my way or I will interfere with educational processes, other phases of progressive national life."

In the militarized forces of the United States, vaccination has proven efficient in reducing and obviating epidemics, despite the fact that members of these forces worked and lived under all conditions. In immunizing troops, it was commonly observed that those who had been vaccinated previously, suffered little inconvenience from the "takes" of the vaccine. Many men who had been previously vaccinated even later than the seven-year period were found to be practically immune to the disease. On the other hand it was readily noticeable that effects of "take" or reaction upon the previously unvaccinated man was much greater than the comparative effect upon a previously immunized child. Aside from the fact that vaccination immunizes against smallpox, local health authorities state that observation and research has proven that the unvaccinated individual transmits the disease (through clothing and personal contact) much more readily than can an individual who has been vaccinated.

GERMANS REACH NEW YORK

New York, Feb. 2.—Several German arrivals today on the Scandinavian-American liner Hellig Olav from Copenhagen and Christiania.

SENATE DEBATE ON TREATY TO REOPEN AGAIN

Renewal of Debate On Floor Assured When Republican Leaders Join Movement to Bring Pact Back

Washington, Feb. 2.—Countering the democratic move to take up the peace treaty in the senate, republicans leaders today gave notice that they would formally ask to bring the treaty up for debate next Monday, one day earlier than the democrats had decided on.

The development was regarded as practically assuring another long period of discussion.

Rules May Be Suspended.

In giving the notice in the senate, Senator Lodge, the republican leader, said he would first ask unanimous consent to proceed to "reconsideration of the treaty with reservations."

"I trust" he added, "that unanimous consent certainly will be given. In case it is not, I shall make the necessary motion to suspend the rules."

The announcement apparently took the democrats by surprise and the republican leader was asked to repeat it.

Preparing Reservations.

Democratic and republican leaders are understood to be preparing reservations to offer as soon as the treaty again is before the senate. In some quarters it was predicted that many of the points at issue soon would be eliminated from the agreement on the basis of the work done by the informal bi-partisan compromise committee. The possibility that open debate would facilitate agreement on article 10 and the Monroe Doctrine, however, was regarded by many of the senators as remote.

Washington, Feb. 2.—A renewal of senate debate on the peace treaty, next week was regarded as virtually assured today when republican leaders decided to join with the democrats in the movement to bring the treaty back into the open senate.

Senator Lodge, the republican leader, planned to give notice today that he would move on next Monday to suspend the rules and proceed to consideration of the treaty. The democrats already announced that they would make a similar motion Tuesday of next week.

In the form proposed by Senator Lodge, the motion will require a two-thirds majority, but the general prediction was that more than that number would support it.

Should Senator Lodge's motion fail, the motion of the democratic leaders the following day will be in such form that only a majority would be necessary to pass it, the party leaders say.

GIRL-MOTHER WILL LEAVE ELLIS TODAY

New York, Feb. 2.—Mrs. Cora M. Spiker, of Baltimore, went to Ellis Island today to complete formalities for the admission to this country of Miss Emily Knowles, Miss Knowles, an English war worker, was detained with her baby on the way to join Mrs. Spiker and her husband, Lieutenant Perley R. Spiker, whom she met at a camp in England while he was training to be an aviator and also was a member of the women's auxiliary service.

Mrs. Spiker was accompanied by Guy S. Spiker, brother of the lieutenant, who has offered to marry Miss Knowles and her lawyer, Benjamin Kirschstein. They took a \$1000 liberty bond to the island to deposit it as required by the department of labor for the admission of Miss Knowles and her baby to the country for three months care of Mr. and Mrs. William K. Battersby of Fall River, Mass. Mr. and Mrs. Battersby were expected to arrive here later today and to take the 16-year-old mother and the child back to Fall River with them.

Mr. Kirschstein says he had received letters offering financial assistance to the girl, praising Mrs. Spiker for her "magnanimous action and her sweet and forgiving nature" and commending Guy Spiker for his chivalrous offer.

VICTOR DEALS WITH MANY VAGS AND BUMS

During last month Officer O. F. Victor dealt with 133 "hoboes and crooks," according to his report for the month submitted Monday to Acting Chief of Police Rowe. Officer Victor's beat is at the Southern Pacific depot and train yards, and night after night he meets vagabonds who he advises to take the next train out of the city. Many of the tramps are brought to the city jail by the officer and given beds for the night or held for investigation of their suspected connection with crimes.

The vicinity around the railroad yards is called "a tough community" by police and the presence of Officer Victor there has had much to do with keeping peace in that neighborhood.