

# FATTY IS ALLOWED FREEDOM

## Murder Charge Falls And Arbuttle Is Released On \$5,000 Bail by Judge

(San Francisco, Sept. 29.—Roscoe (Fatty) Arbuttle walked out of the city prison late Wednesday after 15 days of imprisonment, released on \$5,000 bail, the charge of the murder of Miss Virginia Rappe having been reduced to manslaughter after a six-day police court hearing.

Not enough evidence was introduced to warrant Arbuttle being held to answer for murder, Police Judge Lazarus said in reducing the charge. There was enough in Arbuttle's conduct at the drinking party at the Hotel St. Francis, which led to Miss Rappe's death, to justify his being held for manslaughter, however, he announced.

A trace of Arbuttle's famous motion picture smile was restored to his face by his release, but he had no statement to make beyond saying "thank you" to various people who shook his hand and said "Congratulations, Roscoe." He left the prison in company with his brother, A. C. Arbuttle of San Francisco, and went to a hotel, where the announcement was given out later that he would not return to his home in Los Angeles today, although he probably would go south later.

Assistant District Attorney Golden and Milton T. U'Ren, who prosecuted the police court hearing, objected vigorously to Judge Lazarus' decision, saying they felt Miss Rappe's screams, "I am dying, he hurt me," when she was found in agony were sufficient evidence alone to warrant Arbuttle's being tried on a murder charge. District Attorney Brady announced that a statement regarding the case would be given out later.

Two manslaughter charges now are pending against the film comedian, as the county grand jury returned an indictment against him two weeks ago. Arraignment on that accusation has been set for October 3. Today's police court proceedings require the district attorney to file an information charging manslaughter in the superior court within 30 days.

The fact that the district attorney failed to put the complaining witness, Mrs. Bambina Belmont, on the stand, was commented on by both Judge Lazarus and the defense. The judge said he was disappointed that the prosecution had put on a mere skeleton of a case, admittedly barely sufficient to warrant a holding, while Frank Dominguez, Arbuttle's chief counsel, asserted that if Mrs. Belmont were to testify he would prove her accusations were falsehoods.

"I feel that there was no rape or attempted rape committed by the defendant," said Judge Lazarus. "The only one who testimony might have connected him with the commission of a crime was that of the nervous hotel chambermaid, who heard from the corridor the cry of a woman's 'no, no, oh, my God—oh, my God!' and a man's reply, 'Oh, shut up!'"

Assistant District Attorney U'Ren asked if he placed no stress on Miss Rappe's screams of agony and her cry "I am dying. He hurt me," but the judge replied that he did not consider it of sufficient importance to justify charging Arbuttle with murder. Other acts of Arbuttle, such as battery, might have been committed, which would warrant a manslaughter charge, however, he said.

"Evidence has been given of alleged ribal conduct of the defendant regarding the use of ice," the court added, "but it has no connection with any possible injuries received by the deceased, although it was a regrettable incident," Judge Lazarus declaring and explaining that certain other testimony indicated use of ice at another time was too flimsy to consider.

## Stored Body Of Murder Victim In Clothes Closet

New York, Sept. 29.—Detectives today were trying to trace a couple known as Mr. and Mrs. Boulanger, who it is believed, lived for several days, unwittingly in a room where the body of a young woman friend—murdered—had been stored.

The body, packed away in newspapers, was found last night in an unused closet of a lodging house room the Boulangers had occupied. A cloth gage had been tied in the woman's mouth with a white stocking. The date of one of the newspapers, September 21, is believed to fix the date of the murder. The Boulangers did not quit the room until last Monday—four days later. Other lodgers said they thought the Boulangers had gone to Montreal.

The murdered woman was known at the lodging house only as "Mrs. Fay." The proprietor told the police "Mr. Fay" left the house last Thursday, saying "Mrs. Fay" had fallen ill and he had removed her to hospital.

# OREGON SPIRITS ARE LOW

## Prospects For Victory Over Bearcats Not Too Bright—Huntington Is Pessimistic

Eugene, Ore., Sept. 29.—Pessimism is replacing optimism among the coaching staff of the University of Oregon football team as they view the prospects of their hopes in the game to be played against Willamette University at Salem, Saturday afternoon.

Head Coach "Shy" Huntington has announced that he will take between 20 and 30 of his aspiring hopefuls to the Capital City and give them all an opportunity to work out in the first game of the season.

Spring training and two weeks of fall workouts have not brought the results anticipated by the coaches and the team is still slow and green. This, principally, is the underlying motive for the decision of the coaches to try all of the men Saturday, and their refusal to indicate who will be in the Oregon lineup Saturday.

Oregon has little hope on the strength of Willamette and is not counting too strongly on trimming the claws of the Bearcats—their chief concern is to keep the claws from scratching too deeply.

Huntington, with "Brick" Mitchell and Bert Spellman as his aides, has been studying the 40 or more individuals who now make up the first squad with more than usual concentration during the past week, and are admittedly disappointed with the showing the men are making. Constant shifts in the lineup are keeping even the seven veterans of last year guessing.

Tiny Shields, the 200-pounder of last year's aggregation, has been shifted from tackle to the backfield and will likely fill the back position against Willamette. Bill Reinhart, Chapman and Ward Johnson, are candidates for the quarterback job and all may get a chance to show their worth in the Willamette game. Howard, Morfitt, Latham and Risley will hold down the end positions at various times during the game.

King, Parson, DeArmond and Chapman are the most likely candidates for half back positions.

The veterans of the squad, "Spike" Leslie, will fill one of the tackle berths and will probably do the kicking. Strachan, another of the vets, will be one of the guards and competition is keen between F. Shields, King and McKewon for the stand at the outer side of center. Laughlin and Bill Johnson are the candidates for center.

## Stoudenmeyer's Band Scores Big Success At Fair

The Stoudenmeyer band of Portland, official band of the fair appeared again in morning concert at 11 o'clock at the fair grounds. This is the second morning concert given by the organization which also appears at the afternoon races and at the horse show in the evenings. H. N. Stoudenmeyer, formerly of Salem where he conducted the local band, has in his band musicians from all over the country.

The two soloists, Mrs. Nellie Hoone Wetmore, cornet soloist, and Loren Luper, trombone soloist, are winning special favor with the fair crowds. Mrs. Wetmore will appear again in solos today and tomorrow. She has won national fame with her ability and was formerly soloist at the Madison Square Gardens, the Boston Automobile show, and many other big shows. She is now instructor in cornet and saxophone at Oregon Agricultural college.

Mr. Luper, trombonist, is an Oregon man and has studied with Corey, Sousa's trombone soloist. Luper is still a young man and Mr. Stoudenmeyer predicts that he will be a topnotcher in his line.

The bass section of the band is especially fine, and the work is well balanced throughout. Mr. Stoudenmeyer will take his band to The Dalles at the close of the state fair. There they will be the official musicians for the Wasco county fair. They will also furnish music for the Portland Food show in October and the Livestock show in November, said Mr. Stoudenmeyer.

# NOTE TO IRELAND IS FINAL

## Prize Winning Livestock Put Through Paces

Awards made following the judging of the brilliant array of cattle and horses offered at the state fair this year were announced this morning. Three days of hard work were put in by the judges before the results of their efforts were made public.

Today there was a parade of livestock in the huge stadium and thousands of visitors watched the awarding of the prizes.

"Notwithstanding your personal assurance to the contrary, which they must appreciate, it might be argued in the future that the acceptance of a conference on this basis had involved them in a recognition which no British government can accord. On this point they must guard themselves against any possible doubt. There is no purpose to be served by any further inter-change of explanatory and argumentative communications upon this subject. The position taken up by his majesty's government is fundamental to the existence of the British empire, and they cannot alter it."

Mr. DeValera, it is pointed out here, has already agreed to confer on the question of the association of Ireland with the empire but has reiterated the decision of the Dail Eireann, that its negotiators consider themselves representatives of an independent country.

Thus the view held in some quarters here is that the Sinn Fein can now accept Mr. Lloyd-George's invitation without abandoning its own standpoint.

Irish Gratiified. Dublin, Sept. 29.—The reply to Prime Minister Lloyd-George to Eamonn DeValera was received at the Mansion House here at 1:30 o'clock this afternoon. It was read by Mr. DeValera and Arthur Griffith, foreign minister in the Dail cabinet, who was there awaiting it. A reply may be drafted today and placed before the Dail cabinet, which will meet September 30.

The Sinn Fein leaders were agreeably surprised by the wording of Mr. Lloyd-George's reply, and one member of the Dail cabinet who saw it expressed the view that the public confidence in the conference being held was justified.

A Dail minister said this afternoon: "The reply certainly is better than we expected."

# Prize Winning Livestock Put Through Paces

Awards made following the judging of the brilliant array of cattle and horses offered at the state fair this year were announced this morning. Three days of hard work were put in by the judges before the results of their efforts were made public.

Today there was a parade of livestock in the huge stadium and thousands of visitors watched the awarding of the prizes.

"Notwithstanding your personal assurance to the contrary, which they must appreciate, it might be argued in the future that the acceptance of a conference on this basis had involved them in a recognition which no British government can accord. On this point they must guard themselves against any possible doubt. There is no purpose to be served by any further inter-change of explanatory and argumentative communications upon this subject. The position taken up by his majesty's government is fundamental to the existence of the British empire, and they cannot alter it."

Mr. DeValera, it is pointed out here, has already agreed to confer on the question of the association of Ireland with the empire but has reiterated the decision of the Dail Eireann, that its negotiators consider themselves representatives of an independent country.

Thus the view held in some quarters here is that the Sinn Fein can now accept Mr. Lloyd-George's invitation without abandoning its own standpoint.

Irish Gratiified. Dublin, Sept. 29.—The reply to Prime Minister Lloyd-George to Eamonn DeValera was received at the Mansion House here at 1:30 o'clock this afternoon. It was read by Mr. DeValera and Arthur Griffith, foreign minister in the Dail cabinet, who was there awaiting it. A reply may be drafted today and placed before the Dail cabinet, which will meet September 30.

The Sinn Fein leaders were agreeably surprised by the wording of Mr. Lloyd-George's reply, and one member of the Dail cabinet who saw it expressed the view that the public confidence in the conference being held was justified.

A Dail minister said this afternoon: "The reply certainly is better than we expected."

Standard Breds—R. G. Boedighelmer, Salem, champion mare or filly, any age.

Morgans—Fred Woodcock, Salem, champion stallion, any age.

French and German Coach—G. Broedighelmer, Salem, champion mare or filly, any age.

Percheron—John and James Middleton, Sherwood, champion junior mare. A. C. Ruby, Portland, champion junior stallions. D. F. Burge, Albany, champion senior stallion and senior mare, also trophy special mares.

Belgians—A. C. Ruby, Portland, champion stallion, mare and five animals.

English Shires—H. W. Merritt, Rosalia, Wash., champion stallion, mare and five animals.

Clydesdales—J. E. Reynolds & Son, La Grande, champion stallion, mare and five animals.

French Draft—George Smith, Sublimity, champion stallion, any age.

Jacks, Jennie and Mules—A. C. Ruby, Portland, champion jack, any age; Jennie, any age, and five animals.

Elks Building Committee Returns. After visiting eight of the most beautiful Elks temples in as many different cities, members of the Elks' building committee which

left to get ideas on styles of architecture for the new temple to be erected here next spring, returned last night.

The committee composed of Frank W. Wriggiman, E. W. Hazard and Cuyler Van Patten visited San Francisco, Alameda, Pasadena, Colorado Springs, Denver, Cheyenne, Lou Angeles and

Roman seem to be the style of architecture. Colorado Springs found a beautiful temple. The report of the committee will be made official Tuesday night.

Standard Breds—R. G. Boedighelmer, Salem, champion mare or filly, any age.

Morgans—Fred Woodcock, Salem, champion stallion, any age.

French and German Coach—G. Broedighelmer, Salem, champion mare or filly, any age.

Percheron—John and James Middleton, Sherwood, champion junior mare. A. C. Ruby, Portland, champion junior stallions. D. F. Burge, Albany, champion senior stallion and senior mare, also trophy special mares.

Belgians—A. C. Ruby, Portland, champion stallion, mare and five animals.

English Shires—H. W. Merritt, Rosalia, Wash., champion stallion, mare and five animals.

Clydesdales—J. E. Reynolds & Son, La Grande, champion stallion, mare and five animals.

French Draft—George Smith, Sublimity, champion stallion, any age.

Jacks, Jennie and Mules—A. C. Ruby, Portland, champion jack, any age; Jennie, any age, and five animals.

Elks Building Committee Returns. After visiting eight of the most beautiful Elks temples in as many different cities, members of the Elks' building committee which

left to get ideas on styles of architecture for the new temple to be erected here next spring, returned last night.

The committee composed of Frank W. Wriggiman, E. W. Hazard and Cuyler Van Patten visited San Francisco, Alameda, Pasadena, Colorado Springs, Denver, Cheyenne, Lou Angeles and

Roman seem to be the style of architecture. Colorado Springs found a beautiful temple. The report of the committee will be made official Tuesday night.

Standard Breds—R. G. Boedighelmer, Salem, champion mare or filly, any age.

Morgans—Fred Woodcock, Salem, champion stallion, any age.

French and German Coach—G. Broedighelmer, Salem, champion mare or filly, any age.

Percheron—John and James Middleton, Sherwood, champion junior mare. A. C. Ruby, Portland, champion junior stallions. D. F. Burge, Albany, champion senior stallion and senior mare, also trophy special mares.

Belgians—A. C. Ruby, Portland, champion stallion, mare and five animals.

English Shires—H. W. Merritt, Rosalia, Wash., champion stallion, mare and five animals.

Clydesdales—J. E. Reynolds & Son, La Grande, champion stallion, mare and five animals.

French Draft—George Smith, Sublimity, champion stallion, any age.

Jacks, Jennie and Mules—A. C. Ruby, Portland, champion jack, any age; Jennie, any age, and five animals.

# JUDGE JOHNS Public Auction

## OF HIGH CLASS Furniture, Furnishing Piano, Etc.

### at 895 Chemeketa St. Tuesday Next, October 4, 1 p. m.

1 Grammar upright Piano with bench, 1 solid oak side table, 1 solid oak extension table—54-in. top, extra good; 1 electric floor lamp with silk shade, 1 leather couch with cover, 1 oak rocker, 1 mahogany upholstered arm chair, 1 standard oak reclining arm chair, 3 other rockers, 1 all range upholstered rocker, 1 birdseye maple dresser and vanity table, 1 brass bed with coil spring and silk floss mattress, 1 large ¼ oak chiffonier, 1 large mirror, 1 walnut bed room suit, 1 massive oak bed room suit, fire-place screens, dining bed room chairs, book rack, hall rug, 6 small rugs, Navajo 6x9, 1 velvet rug, wool rug, 4 wool and fibre rugs, Axminster rug, 2 Brussels rugs, chest drawers, walnut table, walnut chair, comforts, blankets, card table, oval white enamel table, 3 porch chairs, pictures, lawn mower, garden hose, wash tub and many other articles. "Be On Time"—1 P. M. SHAIP.

Judge Johns, F. N. Wood The Auctioneer

895 Chemeketa Street Sale Tuesday Next

895 Chemeketa Street

Sale Tuesday Next

895 Chemeketa Street

Sale Tuesday Next

# C. C. RUSSELL'S PUBLIC AUCTION

The undersigned Auctioneer has received instructions from owner who is quitting farming to sell at public auction on reserve at his farm located 10 miles north of Salem or mile north of Wacanda or 4 miles northwest of Brooks.

MONDAY, OCTOBER 3, 10:00 A. M. Sale

The following described property: 5 Horses—24 Cows—22 Hogs—46 Sheep Farm Machinery, Tractor, Grain, Etc.

HORSES: 1 bay mare, 5 yrs. old, wt. 1400 lbs.; 1 bay mare, 5 yrs. old, wt. 1450 lbs.; 1 bay mare, 10-yr.-old, wt. 1500 lbs.; 1 black horse, 6 yr.-old wt. 1200 lbs.; 1 grey horse, 9 yrs. old, wt. 950 lbs. (A good saddle and driver.)

COWS: 2 Jersey cows fresh, 9 yrs. old; 1 Jersey cow fresh, 5 yrs. old; 1 Jersey cow fresh, 6 yrs. old; 1 Jersey cow fresh, 10 yrs. old; 1 Jersey cow, fresh soon, 8 old; 2 Holstein cows milking, 4 old; 1 Holstein cow milking, 2 old.

HOGS: 1 registered Berkshire boar, 3-year old; 1 Berkshire Brood sow will farrow Oct. 15th, extra good; 1 Berkshire Sow fancy; 2 grade cows fresh, 9 yrs. old; 2 grade cows fresh, 4 yrs. old; 1 grade cow fresh, 5 yrs. old; 1 grade cow fresh, 6 years old; 2 grade cows fresh, 3 yrs. old; 1 fancy heifer, 1 yr. old; 4 dry cows. These cows are a good deal better than average and are worthy of your attention.

SHEEP: 26 Shropshire and cross bred ewes.

TRACTOR—MACHINERY, GRAIN, HOUSEHOLD GOODS, BEES, ETC.

1 7ft. McCormick binder complete; 1 5ft. McCormick mower; 1 5ft. Deering mower; 1 hay rake; 2 Clover attachments for mowers.

1 International 8-16 Tractor, good condition; 1 7ft. Tandem disc; 1 P. and O., 2 or 3 bottom 14-inch tractor plow; 1 7ft. corrugated roller; 1 Oliver plow, No. 40; 1 Syracuse plow, 16-inch; 1 land plaster or fertilizer sower like new; 1 12-ft. spike tooth harrow; 1 8-ft. spike tooth harrow; 1 truck wagon; 1 2-inch wagon; 1 hay rack; 2 sets harness; 1 two-bottom disc plow.

1 8ft. horse or power lift portable drill; 1 Pitless 5-ton scale; 500-lb. platform scale; 4-horse Hoover potato digger a good one; 1 Success power fanning mill; 1 Clipper No. 2 fanning mill; 1 1½ H. P. International engine; No. 17 DeLaval cream separator, like new; Milk cans; 15 awarms bees; 200 bushels Grey oats, fine seed; 300 bushels White oats, fine seed; 3000 lbs. Vetch seed; Some household furniture; Forks, shovels, rakes, spades and other articles too numerous to mention.

TERMS:—All sums of \$20.00 and under cash, over that amount time will be given to October 1st, 1922, to parties furnishing approved bankable notes bearing interest at 8% per annum. No article to be removed until settled for. Declaration of the Auctioneer to be final in all cases of dispute.

C. C. RUSSELL, F. N. WOODRY The Auctioneer

Owner, Gervais, Rout 2. Phone 173, Salem. Phone 511, Salem, Ore. "LIST YOUR SALES WITH WOODY FOR RESULTS."

# Studebaker

## This is a Studebaker Year

For the first eight months of 1921, Our sales of Studebaker Cars were:

41% MORE than for the same period of 1920. 101% MORE than for the same period of 1919.

But our sales of Repair Parts were: 13% LESS than for the same period of 1920. 3% LESS than for the same period of 1919.

While the total numbers of Studebaker Cars sold were: 326,000 up to September 1st, 1919. 375,000 up to September 1st, 1920. 442,000 up to September 1st, 1921.

Summing up 116,000 more Studebaker Cars were maintained in operation with 3% less parts business than two years ago, which conclusively proves that—

Studebaker Cars are standing up in service and staying out of repair shops, to a degree unexcelled, we believe, by any cars of whatever price.

The Studebaker Corporation of America. A. R. ERSKINE, President

NEW PRICES OF STUDEBAKER CARS f. o. b. Salem, effective September 8, 1921

Touring Cars and Roadsters:		Coupes and Sedans:	
Light-Six 3-Pass. Roadster	\$1365	Light-Six 2-pass. Coupe-Roadster	\$1800
Light-Six Touring Car	1390	Light-Six 5-pass. Sedan	2125
Special-Six 2-Pass. Roadster	1845	Special-Six 4-pass. Coupe	2795
Special-Six Touring Car	1895	Special-Six 5-pass. Sedan	2895
Special-Six 4-Pass. Roadster	1895	Big-Six 4-pass. Coupe	3250
Big-Six Touring Car	2325	Big-Six 7-pass. Sedan	3350

# Marion Automobile Company

JOURNAL WANT ADS PAY JOURNAL WANT ADS PAY JOURNAL WANT ADS PAY