

CIRCULATION
Average for 1920, 3250.
Population of Salem, 1900, 4253;
1910, 14,094; 1920, 17,679.
Marion County, 1920, 47,177; Polk
County, 1920, 14,181.
Member of Audit Bureau of Circulation.
Associated Press Full
Leased Wire.

Capital Journal

THE WEATHER
OREGON: Tonight and Thursday rain west, rain or snow east portion, colder east portion tonight. Fresh to strong southerly winds.
LOCAL: Rainfall 12; southerly winds; cloudy; max. 37, min. 49, river 12.7 feet and falling.

FORTY-THIRD YEAR—NO. 286

SALEM, OREGON, WEDNESDAY, NOVEMBER 30, 1921

PRICE TWO CENTS

ON TRAINS AND NEWS STANDS FIVE CENTS

SHANTUNG ROW LEFT TO CHINA AND JAPAN

Train, School Bus Crash; 12 Dead

Renewal Of Irish War Is Imminent

HUGHES, BALFOUR CHOSEN TO DIRECT SETTLEMENT PLAN

Delegates of Both Oriental Nations Agree To Proposal and Will Confer Thursday While Conference Marks Time To Allow New Plan To Take Shape

Washington, Nov. 30.—(By Associated Press.)—The good offices of Secretary Hughes and Arthur Balfour of the British delegates to bring the representatives of China and Japan together for settlement of questions of Shantung and the leased territory of Kia-Chou, has been accepted by the delegations of both nations.

Conversations will begin immediately and the first meeting will be held tomorrow afternoon.

Washington, Nov. 30.—(By Associated Press.)—Arrangements have been made, it was said officially today in armament conference circles, for direct negotiations between the Japanese and Chinese delegations over Shantung.

The negotiations are expected to start immediately and in order to give the Chinese and Japanese delegates a free day for their discussions, the conference committee on Pacific and Far Eastern questions adjourned today until Friday.

Principals Agree.
The question of Shantung came up in the meeting today of the Far Eastern committee and it was suggested that the Chinese and Japanese delegates should talk over the subject privately before the other members of the committee took it up. Both the Chinese and Japanese delegates agreed to this and they are to meet tomorrow and report to the full committee on Friday.

The prospects were considered in American quarters as good indication that the Japanese and Chinese representatives would be able to settle the Shantung dispute outside of the conference.

The Far Eastern committee did not conclude discussion today of China's request for withdrawal of foreign troops from China and the matter went over. The committee took up another Chinese request for restrictions on the use of foreign telegraph and radio system.

To Remove Troops.
Japan, it was announced, agreed to withdraw her guards of the Shantung railway as soon as Chinese police force could be substituted, but Japan objected to withdrawing her guards along the South Manchuria railway because,

Holland Desirous of Early Settlement of Far Eastern Problem

Washington, Nov. 30.—(By Associated Press.)—Because of her vital interests in the Far East, Holland is desirous of assisting in any way in the settlement of problems relating to that part of the world, Jonkhoeer H. A. Van Karnebeck, minister of foreign affairs of the Netherlands and delegate from that country to the Washington conference, told the Associated Press today in an interview.

"We have been very glad to come to the Washington conference," Jonkhoeer Van Karnebeck said, "because, although we have no special engagements in connection with China as other powers have and although we are not interested in quite the same way as other powers are in the Far Eastern problems, still everything that affects the situation there may be of great importance to us.

Homeless Woman Is Put In Cell

Making her simple preparations for the night with the aid of a lighted lantern at her side, Mrs. Mary Peters, 60, was found by Police Matron Shank in the Oregon Electric station here last night about 12 o'clock. Mrs. Peters was taken to the city jail where she was given a bed in the women's cell.

Mrs. Peters, who says she was ousted from her daughter's home, also spent Monday night in jail. She is said to own a few acres of land in Josephine county.

ATTORNEY IS SCORED BY OLCOTT

Practice of Selling Aid To Secure Release From Penitentiary Rapped

The practice of certain attorneys in soliciting and accepting fees in return for their influence in securing the release of prisoners from the state penitentiary is characterized by Governor Olcott as "reprehensible" in a letter to Edward J. Shinners, Portland attorney, who, the governor understands, has been guilty of this procedure in a recent case.

"My attention has been called to letters apparently sent by you to Mrs. —, in which you intimate that on payment of a certain sum of money by her to you, you will have great influence in securing the release of her son from the penitentiary," the governor has written to Shinners.

"In the first place you know, as well as I, that you have no influence whatsoever to secure the release of her son, or anyone else from the prison. You should know, if you do not, that money cannot be used for that purpose. I consider it reprehensible and wrong on the part of yourself or any other attorney to endeavor, for mercenary reasons, to play upon the feelings of unfortunate relatives of persons confined in penal institutions. Apparently to make financial profit for yourself, you would prey upon the devotion of a mother who no doubt would make any sacrifice within her power.

"I wish it understood that money for attorney's fees, or used in any other manner, can have no influence whatsoever in securing the release of any individual or individuals from the state penitentiary or any other institution. If you were unaware of this fact up to this time, I trust you appreciate it now and that you, and others like you, will discontinue the too common practice of wrenching the heartstrings of those who, in desperation for their loved ones, may be made easy victims of false hopes and alluring promises."

In a letter to the mother of the prisoner in question the governor declares that the payment of money to anyone for the release of her son would not only be useless but would be wrong in principle and in fact.

"No one can buy his way out of the Oregon state penitentiary through an attorney or otherwise," he declares. "The fact that such money was paid, if it came to my attention, would rather prejudice me against the case than otherwise."

Idaho Name Captain.
Moscow, Idaho, Nov. 30.—Allen Brown of Boise, a junior, was elected last night captain of the 1922 University of Idaho football team. Brown, who played full back this season, has served two years on the varsity.

GIRL NOT ABNORMAL IS CLAIM

Movie Director Says Miss Rappe Not Subject To Chronic Ailments As Alleged

San Francisco, Nov. 30.—Jack White, motion picture director of Los Angeles, was the first witness today in the manslaughter trial of Roscoe C. (Fatty) Arbuckle, growing out of the death of Miss Virginia Rappe, motion picture actress. White said he directed certain pictures in which Miss Rappe appeared.

She appeared "normal in every way," he said.

White was one of a number of witnesses called in rebuttal by the prosecution to discredit, if possible, defense evidence that the bladder rupture which caused Miss Rappe's death was the result of a long standing chronic condition. The prosecution alleges that the injury was caused by external force applied by Arbuckle.

Meehan Also Called.
George Meehan, motion picture camera man of Los Angeles, said that he photographed Miss Rappe in motion pictures and that she appeared to be healthy.

Mrs. Minnie Buck, practical nurse, of Los Angeles, said she was companion to Miss Rappe for a time and that she did not appear unwell.

For the fourth time during the trial Mrs. Josephine Hardebeck, housekeeper for Miss Rappe, was called as a witness. She said she did not know of Miss Rappe having used intoxicating liquor before leaving Chicago in 1916 for California.

Mrs. Mary Poulin, hostess of the resort in Los Angeles county where Miss Rappe is said to have stopped for a time, was recalled after having given testimony a few days ago which resulted in the arrest by the prosecution of Mrs. Minnie Neighbors of Los Angeles on a perjury charge. Mrs. Neighbors had testified that she met Miss Rappe at the resort. Mrs. Poulin had testified that there was no record of Miss Rappe having visited the resort and she never remembered seeing the actress there.

Not Resort Visitor.
Mrs. Poulin testified today that she attended to the registration of the guests. She repeated her previous testimony that she had never seen Miss Rappe at the resort.

Fraud Charged In Woodburn Land Trade of Arbuckle

Claiming that the value of a five-acre tract, for which he traded his home in Woodburn worth \$2200, had been fraudulently and falsely misrepresented to him, J. R. Neilson, a Dane, who does not speak the English language, filed an answer to the suit of F. G. Arbuckle of Woodburn through his attorney this morning in the circuit court.

Neilson claims that Arbuckle agreed to find a purchaser for his home and that in doing so ask for a commission of three per cent. The trade for the five-acre tract was made, the land being represented to Neilson as being worth \$3000, which in deed and in fact, states the answer it was only worth \$1500.

Arbuckle filed suit for his commission of \$90, but Neilson holds that he had an agreement with the plaintiff to pay the sum in monthly installments of \$10 each and had already made two payments.

The state society of horticulture will meet in Forest Grove December 1, 2 and 3, and an excellent program is promised by those who are making the arrangements.

4 OTHERS ARE NEAR TO DEATH

Accident Occurs In Fog Near Red Bluff Early Today; Car Is Demolished

Red Bluff, Cal., Nov. 30.—Twelve high school students were killed south of here today at the Proberta crossing by the collision of the school bus in which they were riding with Southern Pacific train number 15. The automobile contained 16 children. The four injured are not expected to live.

The children were on their way from their homes at Gerber, Tehama county, to the Red Bluff high school.

The train plowed into the bus in a dense fog, according to stories of the train crew and of the driver of the bus, who himself was seriously injured. The train hurtled on for 200 yards, carrying bodies and parts of bodies on the engine pilot and strewn other bodies along the right of way.

One man declared the automobile after being struck, was thrown against a post and dashed back against the train.

Retrial of Todd Slated by Court for January 16

Portland, Or., Nov. 30.—At the request of attorneys for the defense and the prosecution, Judge Bean of the federal district court this morning set January 16 as the date for the retrial of John W. Todd, former superintendent of school at Salem.

The court also ordered that the trial of Carlos L. Byron, jointly indicted with Todd for using the mails to defraud in connection with a timber claim deal in Salem, be set for January 16. Byron is at present a fugitive from justice.

American "Drys" To Open Office In Vienna Soon

Chicago, Nov. 30.—Decision to open an American prohibition office in Vienna was announced here today by the prohibition foundation. Its aim will largely be combating of wet propaganda about the prohibition situation in the United States, which its leaders declare is mostly misleading.

Christmas Saving Funds Total Over \$150,000,000

New York, Nov. 30.—Accumulations of various Christmas savings funds, amounting to \$150,000,000 will be distributed next week amount 5,000,000 individuals by approximately 4000 banks throughout the country, it was estimated here today.

Canadian Pacific Builder Is Dead

London, Nov. 30.—(By Associated Press.)—Lord Mount Stephen 92 years old, pioneer railroad constructor and first president of the Canadian Pacific Railway company, died last night at his country residence, Brocklet Hall, Hatfield, Hertfordshire.

Spain Provides For Larger Navy

Madrid, Nov. 30.—The chamber of deputies today passed a bill appropriating thirteen million pesetas for naval construction. This will provide for an increase in the Spanish navy.

Bulletins

Washington, Nov. 30.—(By Associated Press.)—Naval experts of the United States and Japan, according to information obtained late today from Japanese sources, agreed in committee session today to disagree on the question of measurement of the existing navies of their respective countries, and accordingly on the question of ratio of tonnage under the American limitation proposal.

Indianapolis, Ind., Nov. 30.—John Talbot of South Bend, Ind., supreme president of the Order of Owls, a fraternal organization, who was found guilty in United States district court last week of violating the Mann act, today was fined \$5000 by Judge A. B. Anderson and sentenced to Leavenworth prison for five years. It was the maximum sentence for the offense.

HANGING DELAYED BY ORDER

Bingham Denies Writ of Habeas Corpus; Appeal Taken To Supreme Court

Elvie D. Kirby and John Rathie, sentenced to hang Friday morning in the penitentiary here for complicity in the murder of Sheriff Til Taylor, took a new lease on life this morning when Judge Bingham of the Marion county circuit court denied a petition for a writ of habeas corpus filed by John D. Lane, attorney for Kirby and thereby opened the way for an appeal to the state supreme court and a stay of execution for Kirby and Rathie.

The petition for the writ of habeas corpus was filed yesterday afternoon and argued before Judge Bingham, Lane alleging that the Oregon capital punishment law is unconstitutional in that the 1920 legislature, which passed the bill and then referred it to the electorate for final enactment, had no authority to refer the bill to the people.

In denying the petition Judge Bingham ruled that the plaintiff had not established probable cause for issuance of the writ, and held that, in his opinion, the 1920 legislature acted within its authority in referring the bill to the people.

Judge Bingham's action in refusing to grant the petition throws the question of the constitutionality of the capital punishment law before the supreme court and opens the way for a stay of execution. Had he granted the writ and ordered the hearing, he would have been without authority to stay the execution.

Lane announced this morning that he would file an appeal with the supreme court immediately, which he did this afternoon. He also announced that he would petition for a writ of supercedens granting a stay of execution to Kirby pending a decision on the appeal.

Governor Olcott announced this afternoon that, should a stay of execution be ordered for Kirby by the supreme court, he would grant Rathie a reprieve.

Today's developments in the case indicate that Kirby and Rathie will not hang Friday morning.

Newspapers Are Subject of Rotary Club Speaker's Talk

The growing importance of the newspaper in a community was emphasized by John H. Miller, editor-in-chief of the Associated Editors, a newspaper syndicate, in a short talk delivered at the Rotary club luncheon this noon.

Mr. Miller stated that the newspaper of today was becoming an important factor in business because of its insistence on true telling in advertising and by also in getting away from the practice of suppression of news with added realization that it was more or less of a public institution and its success depended on the service it rendered the public.

PEACE IMPOSSIBLE WITH SINN FEINERS REPUDIATING KING

Resumption of Armed Hostilities Expected Momentarily; Failure of Negotiations Due Primarily To Refusal of Irish To Pledge Allegiance To British Ruler

London, Nov. 30.—(By Associated Press.)—Government circles today expressed belief that the Irish conference would break down almost immediately as a result of the difficulties which have arisen and that the resumption of armed hostilities could not be postponed.

The alternative settlement plan submitted by the government to the Sinn Fein representatives last evening included the necessity for a definite undertaking by the Sinn Fein to take oath of allegiance to the crown.

The Sinn Fein has many objections to the government's new plan, but even if it agreed to discuss this plan it will not give its assent to the oath of allegiance proviso, it is stated.

Thus it appears, according to government officials, that the breach in the negotiations, if it comes, as now is feared, will take place over the allegiance issue.

There has been hope of prolonging the truce and adjourning the negotiations for an additional period of two months, but this hope now has receded.

Martial Law Likely.
The moment a breach occurs, it is believed in these quarters that there would be imminent danger of the Sinn Fein, on the one hand, and the police auxiliaries, on the other, trying to get to their guns first.

The military, it is indicated, would be put in charge of affairs in Ireland, and interference by civilian officials with its action would not be permitted.

A meeting of the British representatives in the Irish conference was held today. It was presided over by Prime Minister Lloyd-George.

Elderly Salemite Jailed; Didn't Pay Room Rent, Claim

Frank A. Pike, known by many old-timers in Salem, was in the Marion county jail today. He was taken there after a trial held before Judge G. E. Unruh in the justice court. Pike was found guilty of defrauding an innkeeper. He is about 65 years of age.

Pike, who was arrested on complaint of Harold Lantz, of this city, admitted on the stand that he was in debt to more than one boarding housekeeper in Salem. He said he hoped to reimburse them as soon as he could find work.

Pike was unable to pay the \$10 fine assessed him by Judge Unruh. He had no attorney. Barney Page appeared for the state.

Sub-Committee Has Naval Reduction Plan Ready For Delegates

Washington, Nov. 30.—(By Associated Press.)—The "big three" sub-committee of naval experts had concluded today consideration of facts and figures involved in the American "5-5-3 ratio" proposal and will refer the question back to the full committee of experts for further action. No vote was taken in the sub-committee, and while the Japanese experts are understood to continue their view that Japan is entitled to a higher fleet ratio, there was said to have been no disagreement as to figures involved.

It was pointed out that the experts were limited strictly to consideration of the technical aspects of the American proposal. The action of the sub-committee today, however, represents substantially continued disagreement between American and Japanese experts as to the proper place of Japan in the limitation ratio proposal.

Judges For Election Are Signed Up

Names of Judges of the election to be held on January 12, 1922, for the purchase of the automobile camp grounds for \$7000 must be turned in immediately to W. M. Hamilton, president of the Salem Federation of clubs by the organizations who have volunteered to supply them.

The camp ground can be purchased for \$7000, \$3900 for the real estate and \$3100 for the improvements in making road ways and supply equipment.

According to a communication sent to all the clubs, the election board officers must be duly qualified electors and their names should have been in tonight so that they will be ready for presentation on December 5 at a meeting of the city council. Accompanying the letter were agreements which the election judges must sign.

Two election boards of five members each will be required for each ward. Board No. 1 will work from 7:30 a. m. to 3 p. m. and the second board from 3 p. m. to about 10:30 p. m., or until all ballots are counted. The polls will be open from 8 a. m.

Three organizations have filed the required number of judges. They are: Salem Woman's club, Mrs. W. W. Emmons, Vera Byars Glover, Melissa Parsons, L. M. White, Mrs. B. B. Herlick, G. C. Ashby, Mrs. C. G. Given, Ruby Morton Powell, Elizabeth L. Bohrnstedt, Hattie P. Cameron, Fannie Millard, J. B. Parker.

Marion County Realtors association, H. S. Radcliff, Albert Copley, L. A. Hayford, John H. Scott, Bessie F. Snyder, W. G. Krueger, W. R. Palmer, G. T. Morrison, Elizabeth L. Bohrnstedt, by A. C. Bohrnstedt) G. H. Grabenhorst, Cherrilans, Lee M. Unruh, William Gahlsdorf, E. E. Fisher, C. B. Webb, E. C. Patton, P. E. Graber.

Hope of Clearing Rail Route Into Bend Abandoned

Bend, Or., Nov. 30.—Railroad officials here have virtually abandoned hope of clearing snow and ice from the rails in the Deschutes valley in time to resume the regular schedule before next week.

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