

# Capital Journal

SALEM, OREGON, WEDNESDAY, JANUARY 11, 1922

PRICE TWO CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

**CIRCULATION**  
 Average for 1920, 2550.  
 Population of Salem, 1900, 4258;  
 1910, 14,994; 1920, 17,679.  
 Marion County, 1920, 47,177; Polk  
 County, 1920, 14,381.  
 Member of Audit Bureau of Circulation.  
 Associated Press Full  
 Licensed Wire.

**THE WEATHER**  
 OREGON: Tonight and Thursday fair. Moderate easterly winds.  
 LOCAL: No rainfall; northerly winds; part cloudy; max. 49, min. 24; river 4.2 feet and falling.

FORTY-FOURTH YEAR—NO. 9

## NEWBERRY MOTION IS MODIFIED

### Questions of Moral Turpitude Not Mentioned in Senate Action

Washington, Jan. 11.—A resolution declaring Truman H. Newberry not to be entitled to a seat in the senate because of an admitted expenditure by relatives of \$200,000 in his behalf but making no reference to questions of moral turpitude of Senator Newberry's connections with his campaign committee's activities was introduced in the senate today by Senator Owen, democrat, Oklahoma.

Democratic leaders in conference shortly before noon agreed upon a revision of the resolution upon Senator Walsh of Montana to declare vacant the senatorial seat of Newberry.

National republican leaders were charged by Senator Underwood of Alabama, democratic leader, with having "determined to buy a seat" in the senate for Newberry, where retention of that seat is contested by Henry Ford, his democratic opponent.

The democratic leader, entering into this debate for the first time, declared that as he saw the Newberry case and as he believed the country viewed it, "the issue involved is whether the republican party, as a party, intends to obey the law of the land."

## Big Transport Springs Leak In Mid-Ocean

New York, Jan. 11.—The army transport Crook, which is bringing American troops from Germany, sprung a leak about 450 miles from New York but the damage has been temporarily repaired and she is in no immediate danger, according to wireless messages received today. The transport St. Michel left here today to render assistance if needed.

The Crook is bound from Antwerp to New York.

## Washington, Jan. 11.—The army transport Crook reported to be in distress 500 miles east of New York, is continuing to port under her own steam, the war department was advised officially today. There was no danger to the ship or the troops on board, comprising contingents from the army of occupation in Germany, the dispatch said.

## Open Forum On At Club Tonight; Will Request Publicity

T. E. McCroskey, manager of the Salem Commercial club, will request more publicity for the organization at the regular open forum meeting to be held in the auditorium at 8 o'clock tonight. A large representation of the club's membership is expected to be present.

Mr. McCroskey also will ask for cooperation from all of the club's members in putting across his program for the year. "At the present time the club's work falls on the shoulders of too few men," he declared. "I hope to see other members volunteer to assume the responsibility which is rightfully theirs."

## Meet of Cherrians Held; Suggestions Offered by Members

Many suggestions, several of which probably will be acted on, were offered by speakers who took the floor at the regular meeting of Salem Cherrians last night. King King "Billy" McGilchrist presided.

Cherrians, one speaker held, should become better acquainted with citizens of near-by towns, while another member declared that Oregon scenery should more frequently be mentioned by residents of Oregon. It was further suggested that Cherrians call on newcomers in Salem, and that the members should celebrate the Fourth of July.

The monthly report of officers was read and routine business was transacted.

## Fledged Selected As Belgium Envoy



Announcement of the selection of Henry P. Fletcher, under secretary of state, as ambassador to Belgium was hinted as imminent in official quarters in Washington. Mr. Fletcher would succeed Brand Whitlock, who has been the American Ambassador to Brussels.

## Griffith And Cabinet Take Office Today

Dublin, Jan. 11.—(By Associated Press.)—Arthur Griffith, new president of the Dail Eireann, and his cabinet, assumed today the places to which they were elected yesterday. It was recognized that careful work was necessary if pitfalls were to be avoided during the full month which must elapse before final ratification of the treaty creating the Irish Free State was possible.

On February 14 the Dail will reconvene to ratify formally the document which it approved as the representative body of the Irish republic.

The possibility of the proverbial slip 'twixt cup and lip was not ignored and it was feared in some quarters that the republicans might use the interval in attempting to turn popular feeling to their side.

## Polk Resident For 77 Years Buried Sunday

Dallas, Or., Jan. 11.—The death of Sarah J. Richmond, old pioneer of Polk county and wife of the late T. G. Richmond, who died many years ago, came as a surprise to the community. Mrs. Richmond was laid to rest in the Oddfellows cemetery Sunday after living for 77 years in Polk county. The Richmond donation land claim consisting of several hundred acres is located about five miles north of Dallas on the Perrydale road, where she and her husband lived for many years, and is occupied by her son, George Thomas Richmond. The estate is of considerable value and will be appraised at about \$40,000. She is survived by one son, George T. Richardson, and three daughters, Mrs. Otto Williams, Mrs. Alice E. Lynn and Mrs. Minnie Snelling, who live in Dallas. By her will the four children and two grand children, Victor Williams and Virginia Richmond, acquire the estate and her son, G. T. Richmond, is the executor.

## Believe Murder Mystery Solved

Tacoma, Wash., Jan. 11.—The discovery of a number of charred human bones in a stove here today led police to believe they will shortly solve the mysterious disappearance of Mrs. John Rutherford, missing since October 6. The bones, some of which were also discovered in an ash heap back of the house, pointed to the burning of a human body, they said.

## Yakima Realtors Now Organized

Yakima, Wash., Jan. 11.—Yakima realty dealers, at a called meeting last night, decided to organize a realty dealers association. They elected L. A. Dash temporary chairman and A. R. Killingsworth temporary secretary. Final organization will be within two weeks.

## ARMY MEN TESTIFY TO HANGINGS

### Allegations of Executions In France and Denials Feature Senate Probe Today

Washington, Jan. 11.—Army officers were called in today by the senate committee investigating charges that American soldiers had been hanged in France to check up on testimony of former service men as to the illegal executions.

Dr. H. E. Ross of Danville, Ill., a battalion surgeon with the 16th Infantry, declared he heard of no hangings at Gondrecourt and that he never heard of any hangings in that locality. Robert Harrison of Wilmington, N. C., had testified that he saw a Mexican lynched near Gondrecourt.

"If a man in the 16th infantry had been hanged as charged would you have heard of it?" Chairman Brandegee asked.

"Unquestionably," he replied.

Swears to Hanging.

Senator Watson presented to the committee an affidavit by J. A. McDonald of Youngstown, Ohio, setting forth that he was at the Bassens prison in France when Private Fitzgerald was shot and killed by "a Sergeant Cooper or Kuipps, of Newcastle, Pa."

McDonald said he was ready to testify in support of recent testimony to that effect by Edward Duner of San Francisco.

Details of the execution of a soldier at Glycer, on June 20, 1919, were given by Colonel Charles J. Symonds of Camp Sherman, Ohio, who was in command there at the time. The gallows, (Continued on Page Five.)

## Price of Coal Slumps; Mines Closing Down

Boston, Jan. 11.—A reduction of 50 cents a ton in the retail price of hard coal was announced today by one of the larger companies here.

Springfield, Ill., Jan. 11.—Some coal mines in Illinois which have withstood all previous slumps in business since the day of their organization, are closing down according to reports received here today, with no other explanation than "no business."

Among the latest to close in this vicinity was the Springfield district mine at Riverton, which had operated 15 years without a stop. Its 400 men are now looking elsewhere for work. The management announced the closing was for an indefinite period.

Other reports today were that mines in Mount Olive, Staunton and Gillespie have closed.

## Two Salem Banks Elect Previous Officers for 1922

Officers of two Salem banks were elected yesterday, the election being fixed by federal law governing all national banks. No president was elected to succeed John H. Albert of the Capitol National bank, who died in December of 1920. Other officers elected for the institution were:

Vice-president, E. M. Colson; cashier, Joseph H. Albert; trust officer, W. I. Needham. The directors re-elected are E. M. Colson, B. J. Miles, Paul Wallace, George F. Rodgers and Joseph H. Albert.

Officers and directors of the United States National bank, re-elected yesterday afternoon are as follows: D. W. Eyre, president; E. H. Hazard, cashier; G. W. Eyre, vice-president; F. S. Lampert, vice-president; L. C. Smith, assistant cashier. The directors elected are D. W. Eyre, E. W. Hazard, G. W. Eyre, F. S. Lampert and D. S. Page.

## Tax On Bachelors Unconstitutional

Helena, Mont., Jan. 11.—The state supreme court today declared unconstitutional the "bachelor tax" law passed by the last legislature and the poll tax law which has been in force for more than 21 years.

The poll tax included all male persons from 21 to 60 years of age. The bachelors' tax was imposed on all males more than 21 years old who were not heads of families.

The county agent work in Cooc county has been cut from the expense account of the budget, as well as the demonstrator appropriation.

## Charles Yet Hopeful of Come Back

Budapest, Jan. 11.—(By Associated Press.)—"I regard Hungary as my fatherland. I am also convinced that I will return to Hungary," former Emperor Charles is quoted as saying to the correspondent of a Budapest newspaper who interviewed him at Funchal, Madeira, where he is in exile.

"I have the highest esteem for the loyalty of Count Andrássy, Count Apponyi and Count Sigray, and whatever happens I do not doubt the loyalty of the Hungarian nation," added Charles.

Count Hunyady, a faithful follower of the former emperor, has been obliged to leave Funchal, being unable to bear the expenses of living there.

## Tailors Will Stick to Open Shop Policy

Portland, Or., Jan. 11.—A style show, exhibiting the latest designs produced by coast tailors, was the feature of today at the annual convention of Pacific Coast Merchant Tailors' association.

"The coming season will show a marked trend away from the pinched type, small shouldered designs in men's coats, toward easier lines and natural shoulders," said Sam G. Levy of Los Angeles, chairman of the executive committee of the association.

"Trousers also will swing away from the tight effect to wider designs and straight lines. The long vent coat is out of date and coats are slightly longer. The soft coat without hair cloth or stiffening is one of the most important things in fine tailoring today. The keynote in styles for the well dressed men in 1922 is conservative clothes."

Business occupied the delegates this morning. This afternoon they were to be taken on a trip over the Columbia river highway. The association late yesterday voted to maintain the open shop with unchanged wage scales and to establish an emergency fund available for any city where labor troubles arise.

## Wreck Blamed On Operating Force By Board

Because the slogan of the Oregon-Washington railroad—"Safety First"—meant nothing except a combination of words, seven persons went to their death and 73 others were injured in the head-on collision of two passenger trains at Cellilo on December 1, last, according to the public service commission apparently exonerates the investigations of the fatal wreck were made public here today.

With its trains operating under unusual conditions, due to an emergency, the officials of the road had failed to surround the operation of its trains with such precautions as should have been forthcoming in an emergency, the order points out. While the commission apparently exonerates the crew of train No. 17 from all blame for the accident and declares that train No. 12 "should not have occupied the eastbound main track" on which the wreck occurred, responsibility for the accident is distributed among all who were in any way responsible for the operation of the two trains from the humblest employe to the highest official.

## 1084 Predatory Animals Killed During Six Months

Portland, Or., Jan. 11.—Oregon's sheep eating animals suffered known losses aggregating 1084 in the six months from June 1 to December 31, 1921, through the efforts of the biological survey and counties of the state, according to Stanley G. Jewett, chief of the predatory animal division of the biological survey. Of this number 835 were coyotes, the rest consisting of wolves and sheep killing bears. In addition to this number, some 500 predatory animals are thought to have been poisoned by government trappers.

The county agent work in Cooc county has been cut from the expense account of the budget, as well as the demonstrator appropriation.

## Speeding Charged to Man, Fined \$10

Earrest Hurst, an employe of the Clancy florist shop, was fined \$10 by Judge G. E. Unruh, of the justice court, yesterday when Hurst pleaded guilty to a charge of speeding.

Hurst was arrested early in week by Bert Smith, Marion county deputy sheriff.

## SAYS PRICE OF MEATS TOO HIGH

### Retail Quotations Not Coming Down Proportionately With Stock McDonnell Says

Colorado Springs, Colo., Jan. 11.—With the arrival of United States Senator John B. Kendrick, president of the American National Livestock association, delayed until this afternoon, the annual convention of the association will not open officially until late today, when the executive committee will meet.

The convention was scheduled to open at 10 o'clock this morning. C. M. O'Donnell, vice-president of the association, arrived from Bell ranch, N. M., today and he sounded what is expected to be the keynote of the convention.

"The retail price of meat is causing a continued decrease in the consumption of beef, pork and mutton in the United States," said Mr. O'Donnell. "Just now the retailers are getting a price that is just about as high as any they ever received and the livestock men are placing their product on the market at an astonishingly low level."

"The convention should do two things at least. The stockmen should fight high retail prices and they should begin a campaign of education urging a great consumption of meat."

## Fish And Game Commission Report Filed

The experience of the past year has conclusively demonstrated the wisdom in the complete segregation of the commercial fishing and game interests of Oregon, according to A. E. Burghdoff, state game warden, in his annual report filed with Secretary of State Koser today.

The report points out that more progress in game protection and propaganda has been brought about in the past year than during any similar period and that the affairs of the game commission are conducted in a more businesslike manner and with more efficiency and the funds of the department expended more judiciously by reason of the game commission giving primary consideration to game affairs.

The report shows receipts for the year aggregating \$274,903.60 with disbursements aggregating \$219,547.31 or a balance to the credit of the department for the year in excess of \$55,000.

During the year there were 655 arrests for violations of state fish and game laws with 509 convictions and fines imposed aggregating \$18,780 of which amount \$850 was suspended. The fines are divided between the counties in which the arrest is made and the game commission.

A total of 3694 game birds were liberated during the year, according to the report which shows 3250 birds on hand at the game farms at Corvallis and Eugene.

Trout fry liberated during the year aggregated 9,784,664. Of this number 2,583,256, mostly rainbow trout, were liberated in Klamath county alone.

## Smith Succeeds Morse As Head of Health Board

Dr. C. J. Smith of Portland was elected president of the state board of health at the annual meeting of the board here. Dr. W. B. Morse of Salem is the retiring head of the board. Dr. J. H. Rosenberg of Prineville was elected vice-president and Dr. Franklin D. Stricker of Portland was re-elected as secretary. The board devoted the afternoon to a discussion of health problems, particularly the drug problem which will be called before the conference at Portland Tuesday called by Governor Oicott for further consideration of the drug evil.

## Woman Gets One Of 2 Places On Arbuckle Jury

San Francisco, Jan. 11.—Two talesmen, one a woman, were passed today as temporary jurors at the close of the first session in the second manslaughter trial of Roscoe C. (Fatty) Arbuckle. Questioning of the prospective jurors followed the same course as that of the first trial.

The women's vigilante committee, a moral uplift organization, which has representatives in the courtroom, figured in the defense questions.

The first seven talesmen examined were excused for having fixed opinions.

Defense counsel expressed the opinion that the jury selection would not take more than three days.

District Attorney Matthew A. Brady outlined the prosecution case to the first twelve prospective jurors called to the box. The court room was filled, but mostly by the jury panel.

## Osborne-Ramp Case Battle Centers Upon Ownership of Auto

Fight to fix the ownership of the car driven by E. G. Osborne on July 2 when two people met their death at the intersection of the Pacific highway and Brooks-Mt. Angel road, on Homer Ross, automobile dealer of McMinnville, continued today in the \$9900 damage suit brought by M. S. Ramp against Osborne, Ross and the Oregon Rubber company in the circuit court.

Osborne was put on the stand this morning and under a grilling cross examination, conducted by Walter Winslow and Roy Shields, representing the plaintiff, stated that he had an agreement with Ross regarding the car previous to the accident, whereby he had agreed to sell the car if Ross would give him an order for \$500 worth of tires.

The witness said that he drove the car to Roseburg and failing to sell it on the way down, or returning, telephoned Ross from Albany asking if he might take the car to Portland. Ross objected, with the result that Osborne agreed to buy the car over the phone. This happened on July 1, the day before the accident.

Another matter which directed the fire of the plaintiff's attorneys, was whether or not Osborne was in the employ of the Oregon Rubber company. Evidence was introduced in the records this morning in the form of letters showing the relationship existing between Osborne and the company which claims to have discharged the defendant previous to the accident.

Osborne testified that while he had been discharged he was still taking orders for the company as a matter of accommodation to its patrons and in the hope that he could establish a record and gain reinstatement on the selling staff of the concern at a higher salary.

Speed Estimates Vary

Conflicting testimony regarding both the speed of the Ramp car and the speed of Osborne's car was given yesterday by witnesses called to the stand. Walter Thompson, Salem police officer, testified that Osborne was going 45 miles an hour when he passed him just previous to the accident. Frank Meves, following the Ramp car on a motorcycle, said that he had seen the Osborne car approach the scene of the accident and that it was traveling between 40 and 45 miles, though D. S. Gesser, truck driver for the Salem Kings Products company, also following the Ramp car, stated that the motorcycle was nowhere in evidence at the time of the accident. Osborne testified that his car could not make above twenty five miles an hour.

A motion for non-suit, brought charging the Ramps with contributory negligence and asserting that the plaintiffs had not established that Ross was owner of the car, or that Osborne was in the employ of the rubber company, was overruled by the court, after arguments which lasted until midnight, because the defendants were unable to prove that Ross was not the owner of the car, or that Osborne was not in the employ of the rubber company, and that the accusation of contributory negligence was a fact which the jury had to determine from the evidence in the case.

It is possible that a verdict may be reached in the case by tomorrow noon.

Washington, Jan. 11.—With provisions for the air mail service eliminated, the annual postoffice appropriation bill, carrying \$554,000,000 was favorably reported today by the house appropriations committee.

## JAPS TO RECALL TROOPS

### Delegates Agree To Withdraw All But Police Forces From Shantung Points

Washington, Jan. 11.—(By Associated Press.)—The Japanese delegates to the arms conference today tentatively agreed to the withdrawal of Japanese troops from the former German Kiaochow leasehold and from the Tsing Tao-Tsinanfu railway on condition that Japan furnish proper policing.

The delegates did not discuss the date on which the withdrawal would take place but the Japanese suggested that the railroad guard withdrawal would be treated separately from that of the withdrawal of other troops in the leasehold.

Wait Word from Tokio.

Washington, Jan. 11.—(By Associated Press.)—While they waited word from Tokio on the final draft of the Pacific fortifications provisions, the naval "big five" of the arms conference went ahead today with the discussion of other features of the five power naval limitation treaty.

Aside from the fortifications articles and various annexes to the treaty, the five delegation chiefs were in virtual agreement on all portions of the treaty text. Before the five came together, each of the delegations had met separately to review the few points remaining at issue.

During the day the Shantung (Continued on Page Seven.)

## Bank Cashier Confesses He Robbed Clerk

Pasadena, Cal., Jan. 11.—Fred A. Grace, cashier of the First National bank here, was placed in the city jail here today and charged with having robbed a Citizens Saving bank messenger of \$15,000 on October 7.

According to the official statement from the police department, Grace admitted the theft, implicated two others and made restoration of \$7686 stolen funds.

Grace, who had been employed by the bank for 13 years, told the police, they announced, that he was the principal in the robbery of William Booker, bank messenger, which had gone unsolved until today.

Louis Palto and Emma Eleanor Halter were later taken into custody. Both denied any connection with the robbery and Grace reiterated, according to the police that he did the work unaided.

## Germany Asked To Explain Her Failure To Pay

Cannes, Jan. 11.—(By Associated Press.)—Representatives of the German government today were summoned to appear this evening before the allied reparations commission to explain Germany's inability to meet her January and February reparations payments.

## Hillman, Archer, Talkers Today at Rotary Luncheon

Business in the west is much better than it is in the middle west, according to Grover Hillman of this city, who, with Charles Archer, spoke at the Rotary club luncheon at the Commercial club this noon. Mr. Hillman recently returned from Iowa.

Mr. Hillman said he found Iowa farmers hard pressed financially because there is no market for their products. Few travelers are found on middle western trains, he explained.

The value of fertilizing machines was emphasized by Mr. Archer.

Members of the local club will attend a meeting of the Portland club next Tuesday, it was announced.

## Yellow Jackets Are Victors In Eugene

By a score of 23 to 19 the Salem Yellow Jackets defeated the Eugene Comets in the game played at Eugene last night, and which was the first defeat administered to the Eugenites this season.

The Salem Business Men's volleyball team of the Y. M. C. A. defeated the Eugene business men on the Eugene floor, taking six out of the 11 games played.

The games were a part of the entertainment of a "get-together meeting" of the two associations.

## Arrest of "Male" Vamps Ordered

Youngstown, Ohio, Jan. 11.—Mayor George L. Oles today ordered arrest of all "male vamps" whom he defined as "well dressed men with big automobiles standing along the curb."

"This also includes the male vamps standing at the corner making insulting remarks as the ladies pass by," the mayor's order said.