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CIRCULATION
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Capital Journal

The Weather
OREGON: Tonight and Wednesday fair; heavy frost in early morning.
Local: Rainfall, .09; northerly winds; part cloudy; maximum, 53; minimum, 36; river, 5.2 feet and falling.

FORTY-FOURTH YEAR—NO. 110. SALEM, OREGON, TUESDAY, MAY 9, 1922. PRICE TWO CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

COURT HOLDS CASEY CANNOT ESCAPE NOOSE

Plea of Attorneys For Dan Casey, Convicted Slayer for Modification of Penalty Denied.

The supreme court this morning denied a motion filed by attorneys for Dan Casey last week asking for a modification of the judgment under which Casey was sentenced to hang for the murder of J. H. (Buck) Phillips in Portland.

In the motion for a modification of Casey's sentence it was pointed out that John L. Burns, who was jointly indicted with Casey for the murder of Phillips had been acquitted of the charge. The two men though indicted jointly were tried separately, Casey being found guilty of murder in the first degree and sentenced to hang and Burns being acquitted of the charge.

The order of the supreme court denying the motion was given orally and was unaccompanied by any comment.

There were not written opinions handed down by the court today. Other orders handed down were:

Platt vs. City of Newberg, petition for rehearing denied.

Myrtle Point Lumber company Vs. Pike, petition for rehearing denied.

Huson vs. Portland & Southeastern Railway, motion to advance allowed.

Wilkins vs. North Coast Power company, dismissed on stipulation.

TRUSTEES DELAY DECISION ON GYM

The executive committee of the board of trustees of Willamette university acted upon only the most important business before it yesterday, deciding to carry much of the work over to the meeting in June when a full session of the board of trustees will be held.

Among the things considered were: Blanket insurance for all of the university buildings, the problem of the mill stream over-flowing, the petition of the student body concerning the gymnasium, and the advisability of having the school take over the varsity book store. After a short discussion the matter of a blanket insurance was referred to a committee with A. M. Smith of Portland as chairman. A committee was named to confer with the officials of the Oregon Pulp & Paper company in regard to having a larger pump installed at the mill so that the excess of water caused by rains would not cause the mill stream to overflow. The problem of the gymnasium was left for the next meeting.

The problem of the taking over of the store by the trustee is of special interest in that it is planned to have it run on a cooperative basis. This matter was also left for final settlement at the meeting next month.

PLANT OF DES MOINES NEWS IS DESTROYED

Des Moines, Iowa, May 9.—Fire of unknown origin, starting in the paper storage room of the Des Moines News shortly before 3 o'clock this morning wrecked the newspaper plant and gutted the entire News Arcade building. Loss to the News plant is estimated at $200,000.

Majority of Cabinet Members Are Smokers

Washington, May 9.—It will be a terrible blow to the government if the anti-tobacco reformers outlaw the cigarette and the cigar.

Observers of high dignitaries in action report that 95 per cent of cabinet members, members of congress and envoys in the American diplomatic corps are devotees of Lady Nicotine.

It is a rare thing to find a non-smoker in the president's official family. The president likes a mild, fragrant cigar. With but one or two exceptions those about his cabinet table are incessant smokers.

Angling Art Fails Blanchett Twice; Episode Costs $30

Fishpole angling without a license got Lee Blanchett arrested by Roy Bremmer, deputy game warden.

Verbal angling with Judge G. E. Unruh in the Salem justice court this morning got Lee nowhere.

After a 30 minute period during which he thought it over, he paid a fine of $30.

"I've had so much trouble of late it makes me plumb sick," Blanchett said after Unruh had pronounced sentence.

"All the more reason why you should not have fished without a license," the judge countered.

There was a protracted pause.

"What do they do if you don't have the money? Do you have to work it out?"

"Just easy work," the judge explained.

Another silence.

"Could I pay the money when I pay the taxes?"

"Sorry, but the tax department and this court are separate organizations."

"It'll come hard right at this time," Leo continued. "If you could wait six months when the crops come in it would be easier."

"No doubt," Judge Unruh agreed, "but, unfortunately, you did your fishing at this time."

"Well," began Leo.

"I might mention," Judge Unruh interpolated, "that there's just one issue to decide now. Do you wish to pay the $30 or serve it out at the rate of $2 a day?"

Leo paid his fine.

Apple Tree, 96 Years Old, In Full Blossom

Vancouver, Wash., May 9.—The oldest living apple tree in the west and possibly the oldest in the United States, now 96 years old, is in full bloom again. This old tree is in the enclosure of Vancouver barracks. A wire fence has been built around it to keep out persons who might clip off limbs for souvenirs.

This apple tree was planted in 1826. It is in good condition and gives promise that it will live to be at least 100 years old.

LOGANS SELL AT 31-2 CENTS IN FIRST BIG DEAL

Oregon State Library Jan 22

Reports of the first big loganberry deal of the season, unverified but from reliable sources, say that the California Packing corporation has contracted with the Hillsboro growers association for 1,000,000 pounds of berries at 3½ cents.

The price quoted in this deal is about the figure at which the market opened last year, and is slightly lower than the growers have been expecting and getting in a few instances this year. A few small contracts have been reported at 4 cents, but the market appears to have weakened slightly during the past week, due to a falling off in the demand for logans on the eastern markets.

While some fruit men are predicting a large crop of logans in the valley this year, most of them are cutting their per acre estimates after viewing the patches. Dead vines are said to be plentiful, but the increased acreage is expected to hold the tonnage yield for the valley up to a good figure.

Strawberries are moving well at 4 cents and most of the buyers declare that they have already purchased nearly all that they can handle.

Gooseberry quotations are fluctuating close to the 5-cent mark, with indications of a normal crop.

Seven cents is the highest figure so far reported given for raspberries, but there are indications that the buyers may better that figure by half a cent should the crop show a tendency to fall short.

MILL AT DALLAS AGAIN CUTTING

Dallas, May 9.—The resumption of activities at the big mill of the Willamette Valley Lumber company in Dallas on Monday morning means that about 110 more men have been put to work and it also means a monthly pay roll in this city of $25,000.

The logging camp of the company at Blackrock, about 20 miles from Dallas, is now in full operation and circulates a pay roll in that vicinity each month of $20,000. A good part of this money from the camp is spent among the Dallas merchants and business men.

The camp is now furnishing 16 carloads of logs to the mill each day, or approximately 120,000 feet. Weather conditions at the camp are still most unfavorable, the snow lying on the ground to a depth of between 2 and 3 feet, and the company is handicapped to a great extent in getting out the logs. The weather is reported as moderating to a marked degree and conditions will soon be at their best. It was necessary to move the logging equipment to a new tract in order to accomplish any results.

It is the intention of the company to keep the mill in steady operation in the future and many orders are booked ahead for future delivery. Shipments of lumber are now being made daily, most of it being consigned to California points, although some small amount of export business is being done.

The lathe and shingle mill departments are now working with a full crew of men, the latter working 2 shifts daily.

BEARCATS MEET ALBANY COLLEGE

Tomorrow afternoon the Albany college baseball team will cross bats with the Bearcat nine on Sweetland field, the game being called for 3:30 o'clock.

In the first game of the year played at Albany the Albany team won 9 to 5. Some idea as to the playing of the Bearcats may be known by the statement of the score keeper. He said that he wore out his pencil keeping tab on the errors made. Since that time Coach Bohler has been drilling the men on grounders until now he has a nine that will give any of the college teams a good run for their money.

The showing made by the local team in their games with Pacific college and the Chemawa Indian school nines is proof enough of what Bohler has done. Pacific came here confident of victory but was defeated in a game featured by stellar pitching by both mound men, 5 to 1. Those who saw the Chemawa-Willamette game last Friday witnessed another pitchers battle which took eleven innings to decide the victor. Willamette won 2 to 1.

MOB BENT ON HANGING TEACHER IS DISPERSED

Bowling Green, Ohio, May 9.—Demanding that Otto P. Tracy, former Walbridge, Ohio, school principal be sent out to a "neck tie" party a number of enraged citizens early today stormed the home of Winn Stein, near Walbridge, shooting out the windows. When Stein called the sheriff's office here for assistance the mob dispersed.

TODAY'S BASEBALL SCORES

National.

	R.	H.	E.
Boston	1	6	2
Cincinnati	4	10	2

Marquard, McQuillan and Gowdy; Donohue and Hargrave.

	R.	H.	E.
Philadelphia	9	13	0
Chicago	4	10	2

Ring and Henline; Freeman, Keene, Jones and O'Farrell.

	R.	H.	E.
Brooklyn	2	7	1
Pittsburgh	8	14	1

Cadore, Shriver, Decatur and Deberry, Hungling; Cooper and Mattox.

American.

	R.	H.	E.
Cleveland	4	9	1
Philadelphia	15	20	0

Coveleskie, Keefe, Bagby and O'Neill, Shinault; Rommel and Perkins.

	R.	H.	E.
Detroit	6	10	0
Boston	2	4	2

Ehmke and Bassler; Ferguson, Russell and Ruel, Walters.

MASONS TOLD TO KEEP KLAN OUT OF ORDER

Members of 'Invisible Empire' Forbidden Admittance Into Lodge by Grand Master In Letter.

San Francisco, Cal., May 9.—A letter discountenancing admittance of members of the Ku Klux Klan into the Masonic order was ordered sent to all members of the order in California and the Hawaiian islands last night by Dr.

(Continued on page two)

GRIFFITH QUITS AS MEMBER OF A. L. COMMITTEE

Because of the provision in the national constitution of the American Legion by which the organization is prevented from entering politics, George P. Griffith, Jefferson bank president, Salem automobile man, and candidate for a seat in the state senate on the republican ticket in the May primaries, resigned as a member of the executive committee of Capital Post No. 9.

Mr. Griffith has been one of the most ardent workers of the post since its organization, and the remaining members of the committee, as well as a majority of the post members received his announced resignation with regret.

In tendering his resignation the candidate said that he felt it is his duty to resign, because of the provision in the national constitution, and particularly at this time when charges were being made against candidates for office who, it is said, are trying to use their American Legion affiliations for political purposes.

When the election of the American Legion was held the first of the year, Mr. Griffith was the choice of nearly all Capital post members as a member of the executive committee.

SUNDAY SCHOOLS TO HOLD SESSION

Dallas, May 9.—Every Sunday School in Polk county will participate in the Sunday school convention which will meet in Dallas on Tuesday, June 6. The convention will consist of an all day session, morning, afternoon and evening. The meeting will be held in the Dallas Christian church.

The convention is being arranged by the newly organized Dallas Ministerial association. Up until about two years ago these conventions were held annually, but of late the interest has been allowed to elapse. New officers will be elected at this meeting and various necessary committees appointed. It is the intention to again stimulate interest sufficient to make them annual affairs.

An interesting program is now being arranged which will consist primarily of vocal and instrumental selections and short addresses.

During the noon recess a luncheon will be served in the basement of the church. At the close of the session in the evening a banquet will also be served to all who attend.

The County Ministerial association will also hold a meeting in the church on the same day.

GORMAN LOSES TO MORROW

Portland, Or., May 9.—Lakey Morrow, Spokane 130 pounder, won a 10-round decision from Joe Gorman of Portland here last night. Gorman weighed 130 pounds.

Mike Depinto, Portland featherweight, won a four-round decision over Joe Simmons of Portland.

BROKERAGE FIRM SUSPENDS

New York, May 9.—Failure of the brokerage firm of Carpender Caffry & company of 74 Broadway was announced this morning from the rostrum of the New York stock exchange.

First Scenes of Journal Picture are Taken Today

Curious Crowd Witnesses First Filming for "Listen, Look and Laugh" on Busy Street Corner This Afternoon; Entire Cast Now Filled.

Cast of Principals

Gertie L. Gettum	Nancy Thielsen
Heza Grafter	Carl Hinges
Lotta Getdough	Mrs. Arthur Rahn
Ike N. Gettum	Frederick Thielsen
Mrs. Ike N. Gettum	Mrs. W. Carlton Smith
Cashon Hande	George E. Halvorsen
Kent B. Founde	Verden M. Moffitt
Willie Knabbum	J. O. Hooker
Hizonor, the governor	Ben Olcott

Shortly after 2 o'clock this afternoon scores of Salem folk who gathered at the corner of State and Liberty streets saw for the first time a scene enacted in a motion picture comedy-drama.

The actors, under the direction of Harold J. Binney, nationally known producer, were giving the first action in "Listen, Look and Laugh," a two-reel picture being produced by a home cast this week under the auspices of The Capital Journal.

Spectators Comment.

Nancy Thielsen, juvenile lead, Carl Hinges, Helen Savage, Thelma Beamish, Fred Thielsen and Mrs. Arthur Rahn are to work on the first location. Miss Thielsen and Mr. Hinges appeared alone in the first scene.

Many spectators commented on the extraordinary makeup which is used by film actors and which the were glimpsing for the initial time. Surprise was expressed at the unusual colors used on the faces of the performers—the cheek hue which is a mixture of red and orange, the coal black which is used on the eyebrows, the dark brown which shows immediately beneath the eyes.

Those who appeared in this afternoon's scene were made up by Mr. Binney, who personally directed the "shooting" of the work on the first location.

Traffic Blocked.

Sidewalk traffic was completely arrested and State street at Liberty was nearly impassable when Carl Hinges and Mrs. Rahn began gesticulating in their first performance before a "movie" camera.

"All ready — ready — shoot — camera," bawled Mr. Binney.

Mr. Hinges pointed out a diamond which glistened in the jewelry store window. Mrs. Rahn didn't approve. Mr. Hinges offered a grandiloquent sweep of the hand. It brought him nothing, Mrs. Rahn pointed out that it was all wrong. She elected to leave. Mr. Hinges grabbed her—

"All right," announced Mr. Binney.

Whole Cast Complete.

Frederick Thielsen, Mrs. W. Carlton Smith, Carl Hinges, Mayor George E. Halvorsen, Chief of Police Moffitt and Governor Olcott figure prominently in the cast which was definitely announced by Mr. Binney this afternoon.

It follows:

Gertie L. Gettum (the child detective and heroine), Nancy Thielsen; Heza Grafter (the plotter and villain), Carl Hinges; Lotta Getdough (the "princess" and plotter's confederate), Mrs. Arthur Rahn; Ika N. Gettum (father of the girl detective), Frederick Thielsen; Mrs. Ike N. Gettum (mother of the detective), Mrs. W. Carlton Smith; Cashon Hande (the mayor of the city), George E. Halvorsen; Kent B. Founde (the chief of police), Verden M. Moffitt; Willie Knabbum (captain of detectives), J. O. Hooker; Hizonor (the governor), Ben Olcott; ladies in waiting to the princess, Alta E. Wood, Beatrice Crawford-Newcomb, Helen Savage and Thelma Beamish; reporters, Albert Kufner and Hugh Smith; maids to the princess, Hazel Peetz and Paloma Patricia Prouty; detectives, L. W. DuBois and Earl T. Busserte.

Forty-three Take Part.

Forty-three persons had today signified their desire to appear in The Capital Journal pictures.

Every person who desires to appear in the picture is requested to appear at the Southern Pacific depot tomorrow morning at 9:45 o'clock. At 10:05 one of the biggest scenes of the picture is to be "shot" when a southbound train arrives. "I want to urge every one to be at the depot at 9:45 sharp," Mr. Binney said this afternoon.

Satisfaction over the personnel of his cast was expressed by Mr. Binney. "I have observed carefully each person to appear in the picture and I am sure they will make it a success," he said.

Opportunity for Talent.

Mr. Binney, during his 14 years as a motion picture actor, author, director and producer, has been associated with many of the most famous persons in the film world. Among those persons whom he has directed and appeared with are Blanche Sweet, Harold Lockwood, Ford Sterling, Mack Sennett, "Fatty" Arbuckle, Wallace Reid and his cousins, Constance Binney and Fair Binney.

"It is possible that, during the course of this picture, I may find some talent which I may use in pictures to be filmed later," Mr. Binney said. At present he is conducting a studio in Portland.

All scenes of "Listen, Look and Laugh" are to be taken this week. The picture will be shown at the Bligh theater next week.

WILL OF LABAREE HELD VALID BY JUDGE STONE

Klamath Falls, Or., May 9.—Circuit Judge C. F. Stone in a decision on file today upholds the county court findings in the Laberee will case which has been pending on appeal for about two years. Judge Stone found the will of O. G. Laberee to be valid and dismissed a petition to revoke probate. The court awarded costs to the defendants, Anita Laberee, executrix, and J. W. Siemens, administrator.

FULTON ATHLETIC CLUB DEFEATS WOODBURN 8-6

Woodburn, Or., May 9.—The Fulton Athletic ball team defeated the Woodburn team here Sunday afternoon by a score of 8 to 6. The old rivals, St. Paul and Woodburn, will meet on the latter's diamond next Sunday.

10 CANDIDATES SPEAK TO CLUB

Ten candidates for seats in the state legislature were given a close "once over" today at the regular luncheon of the Kiwanis club in the Marion hotel. Each candidate was limited to three minute talks, and each, regardless of the different angles with which their candidacies are viewed, pledged himself, or herself, to a program of economy and fair dealing.

The candidates who were present were: Russell Catlin, representative; C. H. Taylor, representative; George Griffith, senator; Z. J. Riggs, representative; Tom Kay, representative; Mrs. Fannie Bishop, representative; L. H. McMahon, representative; Sam Brown, senator; H. T. Reynolds, representative; Otto J. Wilson, representative.

A telegram from Harley W. Moore and a letter from Louis Lachmund were read by Dr. Henry E. Morris, secretary of the club, and in which the senders expressed their regrets at not being able to be present.

ASYLUM PATIENTS ESCAPE

Sliding down a fire hose from a window on the third floor of the state hospital for the insane, Thomas Patterson and Carl J. Parrin made their escape from the institution Monday night. Patterson was committed to the institution from Douglas county and Parrin from Clackamas county.

Harding's Views On Bonus Are Unchanged

Washington, May 9.—Views of President Harding on the soldier bonus legislation, described today at the White House as unchanged will be transmitted within the next two days at Chairman McCumber and republican members of the senate finance committee.

FINANCIERS AND FARMERS JOIN IN DAVISON RITES

Locust Valley, N. Y., May 9.—Men and women of international prominence in the world of finance and society bowed with plain villagers in a common grief today at the bier of Henry P. Davison, financier philanthropist and head of the American Red Cross during the world war, who died Saturday.

The little ivy-covered chapel of St. Johns of Lattingtown, nestling among the flowering hills of this picturesque Long Island village, was crowded and many hundreds unable to gain admittance stood outside.

The last wishes of Mr. Davison were fulfilled. Members of his family, although dressed in black, did not wear deep mourning.

Ten trucks carried the floral tributes to the church.

J. P. Morgan and Charles Steele, partners of Mr. Davison, led the procession into the chapel. Assembled for the service were all the Morgan partners, but Junius S. Morgan and Thomas W. Lamont, who are in London.

There, too, were Otto H. Kahn, August Belmont, former Ambassador John W. Davis, Felix Warburg and a host of others.

LAST OF PACIFIC HIGHWAY PAVING

Portland, Or., May 9.— Bids for the last bit of paving on the Pacific highway in Oregon, 7.4 miles between Halsey and Harrisburg in Linn county, were opened today by the state highway commission. The contract was to be awarded late today. Work on the Pacific highway began just five years ago.

Bids for the last stretch of paving on the west side highway, the Monmouth-Suver section, will be opened tomorrow.

ALLEGED FORGER HELD FOR TRIAL AT DALLAS

Dallas, May 9.—Sheriff John W. Orr arrived in Dallas Saturday evening from Seattle, Washington, making the trip both ways in his automobile. He brought with him L. E. Rasmussen, who was arrested at Auburn on his telegraphic orders.

During the time that the firm of Lee & Houch had a contract to build streets for the city of Dallas Rasmussen was their bookkeeper and office man. It was during this time that the forgery, which he is accused of committing, occurred.

At the recent session of the grand jury a secret indictment was filed against Rasmussen on that charge. Pending his appearance before Judge H. H. Belt, he is being held under $1,000 bail. It was alleged in the indictment that Rasmussen had forged an endorsement on a check.

MORAL LEAGUE LOOKS UP CANDIDATES' RECORDS

While no endorsement was made of candidates for office in the city or county election the Moral Improvement league, an organization fostered by the Salem Ministerial association, met last night at the Y. W. C. A. for the purpose of considering all candidates' records.

It was intimated this morning that as soon as the league can obtain sufficient data on the candidates it will announce its endorsements.

FLOOD DRIVES TEXAS PEOPLE FROM HOMES

Two Hundred West Dallas Residents Take Refuge On Hillside; Levees Break Under Strain.

Dallas, Texas, May 9.—Two hundred residents of West Dallas abandoned their homes today and took refuge on nearby hillsides from the waters of the rapidly rising Trinity river which had reached a stage of 40.9 feet.

Warning Saves Lives.

Fort Worth, Texas, May 9.—Trinity river was out of its banks today, inundating sections of Fort Worth for the second time in a period of two weeks.

Warning to residents in the lowlands prevented loss of life today, but property damage is expected to approximate the figure reached by the destructive flood of late April.

Municipal water supplies are cut off, steam and electric transportation is stopped and the city's gas and electric plants are partially crippled.

Fire Adds to Damage.

The river continued to rise during the morning, with government forecasters unable to determine when the crest of the flood, caused by heavy rains throughout the territory during the past few days, will reach the city.

Fire broke out this afternoon in the heart of the business district threatening a wide area. The firemen were handicapped by a lack of water.

Feeding Refugees Problem.

New Orleans, La., May 9.—Flooding of Jonesville, La., with a population of about 1500 by a fresh break in the levee, today had swelled the total of Louisiana and Mississippi's homeless and increased the tremendous property damage in the inundated sections. Following the break in the levee protecting about two-thirds of the town late yesterday, the water today was reported to be two to four feet deep in the streets.

Supplying of food to the approximately 30,000 refugees scattered throughout the flooded areas, in addition to the 40,000 being cared for at relief camps, still presented a serious problem.

NEW CANNERY TO GO UP HERE SOON

J. S. Aitken, Portland contractor, arrived in Salem this afternoon to begin initial work in erecting the new Starr Fruit company's cannery, which will be built at the corner of Church and Mill streets.

A building permit to construct the plant, which will cost approximately $75,000, was issued to Mr. Aitken this afternoon.

It will be five or six days until the work of construction will be actively underway, it was said.

The Starr Fruit company, which operates plants in Portland, The Dalles and Freewater, expects to handle 250,000 cases of fruit here this year. A specialty of fancy goods will be made and it is possible that operations will be continued the year around.

About 200 persons will be employed by the cannery.

Husband, Wife, Are Arraigned On 2 Charges

A husband and wife were arraigned at the same time but on different charges in Judge G. E. Unruh's justice court here this morning. They were Charles Enners and Mrs. Lillian Enners.

Enners, charged with cruelty to animals, pleaded not guilty. His trial was set for Friday morning.

Mrs. Enners, charged with passing bad checks, was dismissed by Judge Unruh when she agreed to make a settlement with those persons involved.

Enners, arrested on a [illegible] laint filed by Dr. A. R. [illegible] mane officer, was a[illegible] ing a team of horr[illegible] or water.

Three checks [illegible] alleged there [illegible] funds in th[illegible] have been [illegible]

The c[illegible]

Postal 1650 Street