

THE WEATHER
OREGON: Tootled and Sunday fair and continued warm
Local: No rainfall; northerly winds; clear; max. 86, min. 53; river 1.3 feet and falling.

Capital Journal

CIRCULATION
Average for May 5996.
Member Audit Bureau of Circulation.
Member Associated Press—Full leased wire service.

FORTY-FOURTH YEAR—NO. 150.

SALEM, OREGON, SATURDAY, JUNE 24, 1922.

PRICE TWO CENTS

ON TRAINS AND NEWS STANDS FIVE CENTS

SHERIFF'S CONWARDICE CAUSED MASSACRE

JURORS FREE GOVERNOR OF CONSPIRACY

Len Small Declared Not Guilty of Trying to Embezzle State Funds by Jury Today.

Waukegan, Ill., June 24.—Governor Len Small today was found not guilty by a jury in the Lake county circuit court where he was tried on charges of conspiracy to embezzle interest on public moneys, while serving as state treasurer.

PAPERS RAPPED BY ATTORNEY IN BRUMFIELD CASE

Newspapers in general and the Roseburg News-Review in particular were brought forth and forcefully attacked by Dexter Rice, attorney for Richard Brumfield, former Roseburg dentist, when Rice appeared before the Oregon supreme court Friday and argued the murder case with a view to having it remanded for a new trial, George Neuner, district attorney for Douglas county, represented the state.

Having hurled his broadsides toward newspaperdom, Mr. Rice turned his attention and verbal artillery to matters legal and insisted that Judge Bingham, who heard the case, should have granted a nolle prosequi change of venue. Affidavits, signed by a number of Roseburg persons, which held the statement that, in the opinion of the signers, Brumfield would receive a fair trial in Douglas county, were, it appeared, counted as nothing by Mr. Rice. Instructions of the judge to the jury were objected to, and the appointment of Joseph Hammersley, as deputy prosecutor was, Mr. Rice felt, all wrong.

At least three members of the jury, the defense attorney claimed, showed they had formulated opinions before the case was heard and were, therefore, not qualified to sit. District Attorney Neuner, in his answer to Rice's statements, held that the jurors were well chosen and entirely qualified. The appointment of Hammersley, he declared, to be regular and he added that the jury instructions held every instruction requested by the defense.

Brumfield, who is held in the Oregon penitentiary under sentence of death, was convicted of killing Dennis Russell. A little more than an hour was given over to the arguments. They were heard by Chief Justice George Burnett and his six associate judges.

SITUATION IN KIANGSI REPORTED IMPROVED

Peking, June 24.—(By Associated Press.)—The situation in Kiangsi province is greatly improved. General Tani-Husan, commander of the northern forces in Kiangsi, province, has his troops under control and has checked the retreat and looting of the mutinous Kiangsi army on the Kan river, according to a dispatch from Kulkang dated Friday. All foreigners except physicians attending the wounded in crowded hospitals have left Nanchang but the city is believed not to be in danger. The dispatch makes no mention of reported massacres of missionaries, and reports that foreigners have been mistreated are discredited here.

Disposal of Reward For Sloat Thursday, Claimants Informed

Persons believing they have a claim to the \$1200 reward, or a portion of it, offered here for information leading to the arrest and conviction of the perpetrator on March 5, criminally assassinated two small Salem girls, should send their claims in writing to the Capital Journal not later than Wednesday at 6 o'clock.

On Thursday morning, decided today, a meeting representatives of persons or organizations that contributed to the reward will be held at that time a decision will be made relative to the reward's disposal.

Contributors to the fund were as follows: The Capital Journal, \$100; Salem street railway employees, \$100; Homer Smith, \$100; unnamed contributor, \$100; city of Salem, \$500; Louis Lachmund, \$100; Ku Klux Klan, \$200.

AGED MAN STRUCK BY YOUTH IN FIGHT, DEAD

Portland, Ore., June 24.—Edward Cushman, 64 year old piano finisher, died at a hospital early today from a fractured skull suffered as a result of being knocked down in a fight following an argument over a thirty cent difference in his pay check last Monday, according to reports to Deputy District Attorney John Mowry. George Kern, 23 year-old book-keeper of a local music house who was alleged to have struck Cushman, left the city, but his attorney has advised Mowry that he will return and place himself at the disposal of the authorities.

MINE OWNERS WANT COURT TO CURB STRIKERS

Indianapolis, Ind., June 24.—(By Associated Press.)—The United Mine Workers of America and all officers and members of the union were made defendants in a suit for an injunction filed in United States district court here today by Clara Masson, owner of the Peacock coal mine, Indiana. The court is asked in the suit to restrain union miners from continuing activities aimed at closing so-called wagon mines of the state. John L. Lewis was made a defendant to the suit as president of the United Mine Workers of America and as an individual.

So far as the action is against the United Mine Workers of America, as an organization, it is brought under the recent decision of the United States court in the Coronado coal case, whereby it was held that a labor organization is suable. In detail many circumstances connect with the activities of crowds of miners that have marched in recent weeks against various wagon mines in southern Indiana.

MEDICAL MEN ARE TO HAVE MEETING 27TH

The Polk-Yamhill-Marion Medical society will meet at the Beaver hotel, at Independence on June 27, it was announced here this afternoon.

"The Work of the State Industrial Accident Commission," will be the subject of W. T. Kirk, of Salem, who will address the meeting. Dr. W. B. Morse, also of Salem, will speak on "The League for the Conservation of Public Health."

HORSE, HARNESS, STOLEN; MAN HELD IN JAIL HERE

Charged with the larceny of at least one horse and three sets of harness, Antonio Schulte, of Sublimity, was today lodged in the Marion county jail. Schulte was arraigned in the justice court at Stayton yesterday and was bound over to await action of the Marion county grand jury.

RATHENAU IS MURDERED BY 2 ASSASSINS

German Minister of Foreign Affairs Shot To Death When Leaving Home This Morning.

Berlin, June 24.—(By Associated Press.)—Following the assassination of Foreign Minister Rathenau, it was announced this afternoon that the government would immediately decree the establishment of extraordinary courts for the trial of nationalist plotters and will proclaim a state of emergency for Prussia. All regimental reunions or militaristic demonstrations will be prohibited.

ABSENTEES ARE ORDERED BACK TO HOUSE SEATS

Washington, June 24.—Republican members of the house from the territory east of Kansas, now absent from Washington, were ordered back to the capital today by Representative Mondell, republican leader, owing to a one-man filibuster, conducted by Representative Voigt, republican, Wisconsin.

Prompt returns of republicans will avoid issuance of warrants, Mr. Mondell stated in telegrams to absentees, explaining that the Voigt filibuster resulted yesterday in 14 roll calls and that it was necessary to have all republicans here by Monday to carry out the legislative program. Representative Voigt showed no disposition today to end his filibuster. He forced three roll calls, requiring 25 minutes, within the first hour and a half of the session. The largest number answering was 247, compared with 216, which is a quorum. Members left the chamber in large numbers after each roll call, against the insistence of Mr. Mondell that they remain on the floor.

UNMERGER TO BE CONSIDERED BY BOARD IN FALL

Washington, June 24.—The interstate commerce commission in a notice today declared that it would probably take up some time in October, in its general hearing, the matter of the Southern Pacific and Central Pacific railroad merger, recently declared illegal by the supreme court. Meanwhile the commission can not consider requests that it intervene to bring about some alteration in the situation precipitated by the decision. The Central Pacific and Southern Pacific under consolidation plans before the commission are suggested as component units of a single merged company. This company would be one of the nineteen large railroad systems into plan, all major railroads are to be thrown. The dates and places of hearings which may affect the Central Pacific case, the notice said, will be announced well in advance but have not been definitely fixed as yet.

BODY OF MISSING MAN FOUND IN WILLAMETTE

Oregon City, Ore., June 24.—The body of W. H. Collier, Minneapolis, who had been missing since Monday night, was found today in the Willamette river below a boat house in which he had been living. Coroner Pace said death was accidental.

SHIPLEY IS ASSESSED \$25

O. A. Shipley, who was arrested here Thursday night on a charge of being intoxicated, and who was later released under bail of \$20, yesterday paid a fine of \$25 after he had pleaded guilty to the charge before Judge Earl Rice in the police court.

Strikers Are Leaving Riot Area, Report

Carbondale, Ill., June 24.—(By Associated Press.)—More than 150 miners from the Herrin district passed through here last night and early today, going out to the coal fields. They were believed to be union men. Those that could be approached would give no reason for this exodus. There were no noticeable number of transients from the coal mines in the two night previous and it was only after the announcement that the governor's commission would meet in Herrin today that the number increased to such an extent as to cause comment.

WILLIAM ROCKEFELLER, ONE TIME HEAD OF STANDARD OIL AND BROTHER OF JOHN D., PASSES ON.

None of the Wall street associates of William Rockefeller have ventured an estimate of his fortune, but it was generally believed that he had between \$100,000,000 and \$250,000,000, concentrated in various Standard Oil companies, Anaconda copper, Consolidated Gas, Brooklyn, Union Gas, St. Paul and National City bank.

KE PATTERSON REFUSES TO BE PARTY LEADER

Portland, Or., June 24.—Republican leaders from every section of the state were in session here today to organize the republican state central committee. After two hours devoted to organization and oratory the session adjourned until this afternoon when officers were to be elected.

Thomas H. Tongue Jr., of Hillsboro, chairman, presided. Tongue had indicated that he did not wish to succeed himself and there were seven names mentioned in talk concerning a new chairman. At a caucus last night the chairmanship was offered to State Senator J. L. Patterson, one of the candidates for the republican nomination for governor at the recent primaries, but he refused to accept. A majority of those present then indicated they favored Walter L. Toose Jr., McMinnville. There was, however, an element among the delegates opposed to Toose.

After Chairman Tongue called the meeting to order today and urged that the party must hold together in the fall with a united front, State Secretary Clarence H. Sitcock made his report. Committee members named were: Credentials—E. E. Blanchard, Grants Pass; W. G. R. Mercer, Eugene; C. E. Woodson, Morrow county; W. B. Johnson, Benton county, and John Cochran, Portland.

SPECIAL TRAIN WILL CARRY YAKIMA FRUIT

Spokane, Wash., June 24.—Installation of a special fruit train of refrigerator express cars from Yakima direct to St. Paul, Minn., was announced here today by officials of the Northern Pacific railroad. One train, it was stated, will be made up at Yakima at 3 p. m. and will stop at Pasco to pick up the Milton and Freewater, Oo. crops. The schedule for another train, to leave in the morning, has not been completed.

MAN UP FOR BEING DRUNK NOW IN JAIL

A fine of \$25 or 12g days in the city jail was imposed by Police Judge Earl Rice this morning when Peter Mitchell, arrested last night on a charge of being intoxicated, pleaded guilty.

WEISSMULLER BREAKS ANOTHER WATER MARK

Honolulu, T. H., June 24.—Another world swimming record was annexed by John Weissmuller, Chicago, the Illinois Athletic club flash, when he swam 100 yards here last night in 52 4-5 seconds, lowering the mark of 53 seconds made by Duke Kahanamoku, Hawaii's champion, in 1914.

DEATH TAKES RAILROAD AND OIL MAGNATE

Tarrytown, N. Y., June 24.—(By Associated Press.)—William Rockefeller, oil magnate and brother of John D. Rockefeller, died here today from pneumonia, shortly before 7 o'clock. Mr. Rockefeller had been ill at his home, Rockwood hall in North Tarrytown since Sunday but word of his condition was not made public. Built Own Mausoleum Five doctors, under the charge of Mr. Rockefeller's personal physician, Dr. W. J. Robertson, were in attendance when the end came. Practically the entire family was assembled at the death bed. Mr. Rockefeller who contracted a heavy cold during the rains of the last week-end, had just completed building a \$250,000 mausoleum in the Sleepy Hollow cemetery, according to his own plans and under his personal direction.

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EXTENT OF FORTUNE NOT KNOWN TO ASSOCIATES

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VALLEY MOTOR NINE VICTORS

Last night the valley Motor and Bankers nines played the last game of the season in the Twilight league. The Mechanics defeated the money handlers 16 to 9. Humphries, pitching for the winners had the opposing batters at his mercy at all times. On the other hand his team mates batted Ringle out of the box in the second inning. Burwick was sent in but he too was unable to stop the merry go-round.

MISSOURI SYNOD LUTHERANS TALK CHURCH DOCTRINE

The Lutheran delegates of the Missouri Synod holding their convention in St. Johns church, 16th and A, devoted this morning to a discussion of the church doctrine. The discussion was narrowed down to the question of Christian burial. Prof. J. G. C. Frits, dean of Concordia Seminary of St. Louis, was chairman of the meeting. This afternoon no session was held. The delegates enjoyed a two hour ride about Salem. After the trip they all went to the high school field and played a game of ball.

Today's Scores

Table with columns: National, H. H. E., Brooklyn, Philadelphia, New York, Grimes and Miller; Toney and Smith, First game, Boston, Philadelphia, McQuillan and O'Neill; Meadows and Henline, Second game, Boston, Philadelphia, Filtingim, Lansing and Gowdy; Winters and Peters, Cincinnati, Pittsburgh, Luque, Keck and Wingo; Glassner, Hollingsworth, Morrison and Gooch, New York, Pittsburgh, Jones, Murray, O'Doul and Hoffmann; Collins, Russell and Ruel.

DEATH TOLL OF WIND STORM TOTALS THREE

Winnipeg, Man., June 24.—The death list resulting from the destructive wind storm which swept Manitoba early yesterday still stood at three this morning. Property damage at Portage la Prairie and surrounding district was estimated at more than \$2,000,000. Damage here ran into hundreds of thousands of dollars and it is believed the total property loss will be in the neighborhood of \$3,000,000.

Convicts Publish Paper.

Walla Walla, Wash., June 24.—Convicts in the state penitentiary have again started publication of a weekly newspaper, after a lapse of two or three years. The new paper is called "The Agenda" and made its first appearance this week.

LINEMAN FALLS FROM POLE; DIES INSTANTLY

Medford, Or., June 24.—Grover Darnelle, 35 years old, and in point of service one of the oldest linemen for the California-Oregon Power company, was instantly killed this morning when he fell from a pole at the corner of Central and Jackson streets. According to witnesses, Darnelle's hand slipped just as he unsnapped the safety belt preparatory to descending. He leaves a widow and two children.

STARR COMPANY SELLS STOCK TO ENLARGE SCOPE

Extension of its plants and operations in Oregon is the motive behind the stock selling campaign of the Starr Fruit Products company which is now under way. The company, an Oregon corporation, proposes to distribute an issue of \$300,000 in preferred and \$75,000 in common stock among the people of Oregon in blocks of five shares. The blocks consist of four shares of preferred stock with a fixed annual seven percent cumulative rate, and one share of common. All of the shares are of \$50 denomination and the block is estimated to return an annual dividend of approximately \$27 on the initial investment of \$250.

"The Starr company is in no financial straits," said J. E. Sophy, stock sales representative for the company who is making his Salem headquarters at the Marlton Hotel. "We are offering the stock as a means of interesting Oregon people in a profitable Oregon business enterprise and to finance the extension of our operations in Oregon. Most of the stock will be sold in Portland, but we are offering Salem and Willamette Valley people all they care to absorb."

INVESTIGATION OF MINE RIOTS OPENS TODAY

Springfield, Ill., June 24.—(By Associated Press.)—Lack of nerve on the part of Sheriff Melvin Thaxton of Williamson county and the killing of two union miners by guards last Wednesday were two of the causes assigned for the massacre of 25 strike-breakers, in a report made over long distance telephone to Adjutant General Black by Major General Milton J. Foreman, this afternoon.

Troops Might Be Needed.

The military board of inquiry reported to Governor Small that if the mine operators attempted to send men into to look after their property and repair their machinery dynamited Thursday it will provoke further trouble and troops will be necessary. The report said the state's attorney and sheriff would look after the burial of the dead non-union workers.

Investigation Started.

Herrin, Ill., June 24.—(By Associated Press.)—A state military investigation of the Lester mine massacre, which took between 25 and 40 lives, was begun today by a board headed by Major General Milton Foreman of the state militia, acting under orders from Governor Len Small, issued when the chief executive became aroused over failure of local officials to take any steps against the miners who captured and killed the majority of strikebreakers working in the strip mine.

Probe Official Laxity.

General Foreman has been instructed particularly to learn why the state's attorney had not taken steps toward convening a special grand jury, why the coroners inquest had not been held and why these officials repeatedly refused to authorize Colonel Hunter to call for troops, even after an investigation meeting of miners was held the day before the fighting started and even after the miners had marched on the mine. He also had been instructed, it was understood, to learn why Sheriff Thaxton had ignored Colonel Hunter's request that some special preparations for an emergency be made. Failure of local officials to send out enough deputies the night the fighting began and during the following day when almost unheard of deeds of cruelty and brutality were committed, also was a point to be investigated. Another matter to be looked into was why numerous requests from the governor for information after the trouble started were (Continued on page ten)