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# Capital Journal

UNSETTLED WEATHER
Tonight and Saturday; probably light rains in west portion; no change in temperature; moderate westerly winds.

Local: Max., 50; min., 38; rain, none, river, 2.7, falling; atmos., cloudy; wind, southwest.

FORTY-SEVENTH YEAR No. 62 SALEM, OREGON, FRIDAY, MARCH 13, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

# RATIFY ISLE OF PINES PACT

## ADMITS FEVER GERMS STOLEN FROM SCHOOL

**Owner of Scientific University Says Tube of Typhoid Cultures Taken During Studies.**

Chicago, Mar. 13.—Dr. C. C. Faiman, owner of the National University of Sciences, questioned in the coroner's inquiry into the death from typhoid of William Nelson McClintock, "millionaire orphan" was said by states attorneys today to have admitted after a night questioning that a tube of typhoid germs was stolen from him a year ago last November.

John S. Sharbaro, assistant prosecutor, also said Faiman told him that William D. Shepherd, foster father and chief heir of McClintock's $2,000,000 estate, visited the school and took several sample lessons.

During a lull in the questioning, Faiman and John P. Marchand, formerly his agent and also questioned, came to blows in a dispute over a letter which they said Shepherd had written to the school asking information regarding courses. When questioned before the coroner's jury, both had admitted there had been such a letter, but neither could remember what had become of it. Marchand charged Faiman with knowing what had become of it, which Faiman denied and several blows were struck before they were parted. The letter, which Faiman said Shepherd had written in the fall of 1923, according to prosecutors, was destroyed with other applications for information regarding courses.

According to Faiman's story as state's attorney said he told it, Shepherd shortly afterward attended lectures on germs for about a week, but never paid any tuition and never returned.

Shortly afterward, Faiman said, he looked in an incubator where a supply of germs cultures was kept and which was accessible to students and found three tubes missing, one of which he was sure contained typhus baccili. The others also may have held the typhoid germs, he said.

## STEAMER OWNER DROPS SUIT TO GET INSURANCE

New interest was aroused in the scandal over the river steamer Relief when it became known in Salem this morning that C. F. Schaub, owner of the boat, had changed his demand for the entire $20,000 for which the boat was insured, and is now suing only for the cost of raising the boat and putting it back into good condition.

Originally the insurance company intended to put the Relief into condition, and actually did raise the boat from the bottom of the Willamette river, it having sunk near the bank at the foot of Court street. Schaub demanded the entire $20,000 for which the boat was insured, however, which gave rise to a serious controversy between himself and representatives of the insurance company. The company filed a suit for the money it had spent raising the craft, alleging that it had been deliberately allowed to sink.

It is suspected in some quarters that the counter suit was filed merely for the purpose of bringing Schaum to terms, and that the company never entertained any serious belief that it could prove in court that Schaub had, through criminal neglect or worse, allowed his boat to sink.

The boat was insured with the Globe and Rutgers fire insurance company under terms conforming with English law.

The case has not yet come up for trial in federal court at Portland, where it will be held. It was originally set for March 2, but has been postponed.

## BRITAIN FOILS LEAGUE PLAN FOR SECURITY

**Rejection of Disarmament Protocol Causes Reference of Subject to Next League Meeting.**

Geneva, March 13.—(By Associated Press.)—The league of nations disarmament and security protocol, put out of present consideration at least by the rejection of it voiced by Great Britain on behalf of herself and all her dominions, except Ireland, was referred by the council of the league today to the next league assembly, together with the pronouncements made upon it by the British and representatives of other powers.

Addressing the council at the opening of today's meeting, Foreign Minister Benes of Czecho-Slovakia, one of the principal proponents of the protocol, elaborated at the last assembly session, delivered an eloquent appeal that the principles of the protocol be preserved.

Dr. Benes insisted that whatever might be the weaknesses of the instrument, which was constructed in one short month at Geneva, the ideas behind it were essential to the league and the world to prevent further destructive wars.

Before the resolution was submitted to a vote Austen Chamberlain, the British foreign secretary, announced that Great Britain wished to re-affirm her firm attachment to the principles of arbitration and disarmament because she was anxious to do her share in giving peace and security to the world.

The resolution, unanimously adopted, means that, the sixth assembly, opening in September will institute an entirely new examination of the problem of international peace and reduction of armaments, including the British suggestion for special defensive treaties operating under the guidance of the league.

## ARRESTED FOR PEDDLING CIGARS ON SUSPICION

When the parents of Allen G. Hunt, back in St. Louis, sent him $25 to get home on a few weeks ago, he spent the money for grub instead of railroad fare, he explained to Sheriff Bower and that is why he was arrested yesterday trying to peddle from cigar stores to cigar stores a couple of boxes of cigars for anything he could get for them.

Hunt says he bought the cigars c. a fellow in Portland dirt cheap and they were his last resort for meal money. There was nothing to indicate that he had stolen the smokes himself, but his arrest may lead to some cures as to cigar robberies which have been frequent up and down the valley.

## Mellon Strikes Back At Couzens; Seeks $10,861,131 In Taxes

James Couzens

Washington, Mar. 13—An additional tax of $10,861,131.50 has been assessed by the treasury against Senator Couzens, republican, Michigan, on the sale of his Ford Motor stock in 1919. Senator Couzens declares an attempt is being made to "discipline" him for his activities in investigating affairs of the revenue bureau.

## WEST SALEM WOULD BECOME PART OF SALEM

Representing that their interests are mainly in Salem and that their growing city should be a part of the captial city, a delegation of West Salem citizens today waited upon City Recorder Martin Poulsen for information as to how they should go about annexing their city to Salem.

The members of the delegation were F. N. Needham, W. D. Phillips, N. O. Bruns, Dr. Patterson and Arthur Moore. They have employed an attorney and it is understood that an effort will be made immediately to bring about the annexation. The committee, it is said, is today interviewing the mayor and members of the city council of Salem as well as the city recorder.

Asked whether it would be necessary in the annexation process for Marion county also to annex that part of Polk county in which West Salem is located, Carl Pope, city attorney for West Salem, said he had not yet looked into that point. He said that should the Salem city council be favorable to the annexation the West Salem people would then take whatever immediate steps are necessary, but that if the Salem city council is not favorably disposed it will be useless to carry the matter any farther.

N. O. Bruns, a member of the West Salem committee, attempted to get the question on the ballot last November, but didn't start to work on the matter soon enough

## KOZER ASKS $50,000 FOR MOTOR LAW

**Emergency Board Must Supply Funds To Administer Title Certificate Act Passed.**

An early meeting of the state emergency board apparently will be necessary to provide the secretary of state with funds to administer the new automobile title certificate act, which was introduced by Senator Magladry, and which made no provision for administration funds or postage. The first year's expense of administering the act, according to Secretary of State Kozer, will range from $50,000 to $100,000, for which it will be necessary for the secretary of state to incur a deficiency by authority of the emergency board. This is the opinion of Attorney General Van Winkle in reply to an inquiry by Kozer.

The act necessitates a personal dealing between the secretary of state and every motor vehicle owner in the state, numbering by the end of this year an estimated 200,000. The clerical work attached to this, says Kozer, will be far heavier than that attached to the regular automobile registration. The act provides that the secretary of state must mail to every automobile owner a copy of the act and a blank from on which to apply for certificate of title. Upon receipt of the application, if this is approved by the secretary of state he then has to mail the certificate. This makes two mailings to each motor vehicle owner, with 2 cents postage on each parcel. Estimating the number of motor vehicle owners at 200,000 this means $8,000 in postage alone. The remainder of the expense will be for clerical help.

## STOKES AND LEE BOTH ACQUITTED

Chicago, March 13.—W. E. D. Stokes, millionaire apartment hotel owner of New York, and Robert Lee, Chicago negro, were acquitted this afternoon after a trial of one month on charges of conspiring to defame Mrs. Helen Elwood Stokes. The jury was out one hour and five minutes.

Three ballots were taken on Mr. Stokes before an agreement was reached, members of the jury said, while the negro co-defendant was acquitted on the first ballot.

The indictments were brought against Mr. Stokes and the six others while his second divorce suit was pending in New York. It was to aid it, the state alleged, that Stokes desired to connect Mrs. Stokes with the former Chicago vice district.

The trial brought vindication for Mrs. Stokes from C. F. Rathbun, her husband's counsel, when on Thursday he informed the court and jury that he did not believe that Mrs. Stokes ever was an inmate of the Everleigh club or that she had associated with negroes.

## Mercy Extended To 9 in 1 Day by Governor Pierce

Nine certificates of executive clemency, not including paroles, were filed today by Governor Pierce with the secretary of state. The governor said the number was unusually large, but due to an accumulation of cases that he had not had time to act upon during the legislative session. The nine cases cover two conditional pardons, three commutations and four restorations to citizenship. The conditional pardons were:

Robert Bruce — Convicted in Linn county for attempted burglary not in a dwelling and sentenced to serve from one to two years.

Mike Gomez—Convicted in Lane County for larceny and sentenced to serve three years. Conditionally pardoned to be turned over to federal authorities for deportation to Mexico.

The commuted sentences were:

Ed Canning — Convicted in Clackamas county for obtaining money and gods under false pretenses and received at the penitentiary June 28, 1922, to serve four years. Commuted to three years.

William Brinkley—Convicted in Columbia county for larceny and received at the penitentiary June 13, 1921, to serve 10 years. Commuted to six years.

Fred Williams—Convicted in Benton county for assault while armed with a dangerous weapon, and received at the penitentiary May 24, 1920, to serve 10 years. Commuted to seven years.

The four whose citizenship was restored had all been paroled and since had lived law-abiding lives. They were:

Fred Shields — Convicted in Multnomah county for assault with intent to rob, and received at the penitentiary November 27, 1915, to serve from one to 10 years. Paroled October 6, 1923.

Cecil Ledgett — Convicted in Morrow county for buglary and received at the penitentiary December 16, 1925, to serve one year. Paroled May 10, 1924.

Clarence McDade—Convicted in Jackson county for assault while armed with a dangerous weapon and received at the penitentiary November 19, 1920, to serve 11 years. Paroled December 13, 1922.

Pete Chauez—Convicted in Harney county for larceny of horses and received at the penitentiary October 5, 1923, to serve one year. Paroled March 10, 1924.

## LIFE PRESERVER STOCK SELLER LANDS IN JAIL

Selling stock in the National Life Preserver company of New York, hailed as a $2,000,000 concern, with stock at a dollar a share, proved the undoing of L. B. Simons, who is reposing in the county jail here, unable to make $500 bail money demanded by the Woodburn justice court from which he was brought by Deputy Sheriff Bert Smith yesterday.

According to the evidence Simons sold about $200 worth of this stock in Woodburn and got the money for it. It is stated he also sold some stock in Portland, getting half payment down and the balance to be paid on delivery of the stock. It is stated Simons did not turn over the stock but made representations that he knew where he could get it in a week or two.

Simons had no stock salesman's license and had no shares himself.

He carried with him photographs of the life preserver which was to be the means of bringing big returns to the stock buyers, the preserver being a heavy suit covering the passenger's body, in which he attired himself when he discovered himself aboard a sinking craft. The pictures showed many mermaids and mermen dashing happily about in the waves, attired in these suits, showing the most utter contempt for all dangers of drowning.

He also had a large pad of stock applications, which advised that the company is a New York concern, with the $2,000,000 capital mentioned.

Simons rather apologized for being unable to rustle $500 bail, as he is well dressed and of the natty stock salesman's type.

"Sometimes it is hard for even a millionaire to pick up $500 cash on the spur of the moment," explained Simons, when surprise was expressed that he could not dig up the $500.

## GRANDMA HOLDS CHILD IN ARMS IN MAKING PLEA

Holding a sleeping, little brown haired child in her arms, Mrs. Ida Oakley of the Santiam country, was accorded the unusual privilege in circuit court this morning of sitting in a chair while she heard read an indictment charging her with assault with a dangerous weapon.

During the reading the child slumbered, all oblivious of the fact that her grandmother was being charged with an offense that may place her in a felon's cell.

Mrs. Oakley is charged with having attacked a neighbor, Mary Martin, in an assault said to have been staged at the Oakley home on December 9. Conflicting stories are told of the case, but as near as can be determined Mary Martin resented tales which she said Mrs. Oakley's son was spreading in the neighborhood and defaming her character. She went to Mrs. Oakley's home to protest, according to the story and Mrs. Oakley attacked and wounded her with a knife.

Mrs. Oakley pleaded not guilty to the charge and an effort will be made for an early trial as the trip down from the Santiam country is a difficult one and it is hoped to settle the whole affair on this one trip.

## OPPONENTS OF WARREN WIN COMMITTEE

**Adverse Report On Nomination For Attorney General Ordered By Senate Judiciary.**

Washington, March 13.—An adverse report on the nomination of Charles B. Warren to be attorney general was ordered today by the senate judiciary committee.

All of the democrats and Senator Borah of Idaho and Norris of Nebraska, republicans, voted today against a favorable report.

The vote of Senator Borah was cast by proxy, the Idaho senator being at the White House where he had been summoned by President Coolidge.

Despite the president's decision to call some of the republican opponents of confirmation into conference and make a personal appeal to them, many of the party regulars saw little hope of favorable action on the nomination which once has been rejected. Senator Borah told Mr. Coolidge frankly he saw no chance of confirmation.

The constitutional right of the president to resubmit the nomination was questioned by Senators Reed and Walsh, and most of the committee session, lasting an hour and a half, was devoted to argument on that point.

The question was not brought to vote, as senators wanted additional time to consider it. Chairman Cummins took the position that the president was fully within his rights.

With an adverse report from the committee, opponents will hold a parliamentary whip hand during the fight on the floor. Senator Walsh will present the report.

## COLONEL HAMMOND TO BE HEAD OF GUARD

Washington, Mar. 13—Colonel Creed Chesire Hammond, infantry reserve, Oregon national guard, today was appointed chief of the bureau of militia affairs, war department, with the rank of major-general. The appointment is for four years, from June 29, 1925. Colonel Hammond has been assistant chief of the bureau for three years. He succeeds Major-General George C. Richards.

## KENNEDY OFFERS PURSE FOR DEMPSEY BOUT

Los Angeles, Cal., March 13.—Tom Kennedy, prize fight matchmaker, today telegraphed Jack Kearns, manager of Jack Dempsey, asking terms for a Dempsey-Jack Renault bout, ten rounds, for the heavyweight title, to be staged in Los Angeles during the spring conclave here next June. Kearns is en route east.

## 20 YEAR OLD TREATY WITH CUBA RATIFIED

**Reservation By Borah Provides That All Future Cuban Treaty Provisions Apply.**

Washington, Mar. 13. — The twenty year old treaty recognizing Cuban sovereignty over the Isle of Pines, was ratified today by the senate.

Just before the final roll call a reservation by Senator Borah, republican, Idaho, providing that all provisions of existing and future treaties between the United States and Cuba shall apply to the inhabitants of the Isle of Pines, was adopted without a record vote.

The senate also accepted an amendment by Senator Reed, democrat, Missouri, providing that inhabitants of the isle should have most favored nation privileges with the United States.

Unanimous consent agreement for a vote on the convention by 3 p. m. today was obtained after Copeland, democrat, New York, had held the senate in session well into the night hours yesterday by adding eight hours more of almost continuous discussion to the filibustering attack he began Wednesday. While the New York senator held the senate in session the senate also held him rigidly on his feet—all resting postures barred—by a strict enforcement of parliamentary rules, until he suddenly abandoned his one man filibuster at 8 p. m. Failing to force an immediate vote after Senator Copeland had yielded the floor to Senator Shipstead, farmer-labor, Minnesota, proponents of the treaty then listened to an opposition speech of only an hour from the Minnesota senator before moving the unanimous consent agreement, which was adopted. The agreement limits each member to one speech of not more than fifteen minutes on the subject.

## NEW STAGE LINE TO PUGET SOUND

Olympia, Wash., Mar. 13—Taking advantage of the recent United States supreme court decision holding certain monopolistic features of the state auto transaction act unconstitutional, an interstate stage line from Portland, Ore., to Seattle, Wash., was being organized here today.

The auto stage companies which are already operating short routes on the Pacific highway between the two terminal cities are co-operating in handling the new continuous traffic. The following are the companies interested: Park Auto Transportation company, Northwest Transportation company and Camas Stage company.

A request is to be filed at once with the department of public works for a permit to operate and schedules and tariffs are being worked out, it was announced.

The time required from Portland to Seattle, via the stage line, is expected to be eight and a half hours.

## FLU EPIDEMIC TOLL 28 DEATHS IN 13 HOURS

Chicago March 13.—Although 28 deaths were reported in 13 hours ending at 9:30 o'clock last night and 78 new cases were reported, Dr. Herman N. Bundesen, city health commissioner, has declared there is no real epidemic of influenza and respiratory diseases here.

The normal number of deaths would be 13 and new cases would be 40 a day for this time of the year, health authorities said.

The deaths yesterday brought the total fatalities from influenza and pneumonia since March 1 to 279.

### Smallpox Epidemic

Seattle, Wash., March 13.—Advised that smallpox was mildly epidemic at Vancouver, B. C., Dr. G. M. Magruder, in charge here for the United States public health service, today ordered that all persons from that city be vaccinated before crossing the American border.

## Governor Executes About Face Move Over Proposed Road

Right about face by Governor Pierce in regard to a proposed new county road from the girls' industrial school to the boys' school, has brought about a clash between the county court and the board of control. An effort will be made to smooth this out at a special conference of the two bodies called for 2 o'clock next Tuesday afternoon. The conference was set following a visit yesterday afternoon by the board and members of the county court to the schools and a trip over the proposed new road.

The governor's switch from warmest enthusiasm for the road to hottest disapprobation, has caused the county court some warm moments, as acting on what apparently was the governor's earnest desires in the matter the court went ahead last fall and went to the full extent of collecting and paying damages for the roadway, and now the executive is hot against it.

When W. H. Downing was still judge last year, the court went over the road with the executive. At that time the governor declared the road must go through, and he wrote a letter to a farmer on the road saying over his signature, "I am anxious that this road be put through at the earliest possible moment."

As a result the farmers along the way drew up a petition, the court laid out the new road, viewers assessed $456 damages, and people along the route paid the damages out of their own pockets, these being paid to farmers whose land was cut up. These farmers already, or one of them at least, has changed his fence and gone to considerable expense.

When patrolmen went in to cut down some of the trees to open up the new roadway, the executive went up into the air and sent a man out to stop work. Superintendent Patterson also objected to the road because she did not want a county highway so close to the school. Secretary Kozer never was very warm for the project, it is stated.

The new road would make a link between the schools about a mile shorter than the present road and cut out an exceedingly steep grade.

## WITHDRAW TRACT FOR TOWNSITE AT ALGONA

Washington, March 13.—The withdrawal of nine acres of public land near Algoma, Klamath county, Oregon, for township purposes was authorized in an executive order issued today. The tract will be surveyed, divided into lots and sold at public auction. Prior rights of the present occupants will be recognized.

## GUARDS POSTED TO PREVENT DYNAMITING

Washington, March 13.—Special guards were posted today around the immense brick structure which houses the government printing office as a result of anonymous threats to destroy the place with bombs.

A controversy has raged recently over dismissal of several hundred printing office employes.

## THOMPSON'S CASE TO GO BEFORE GRAND JURY

The case of Clarence W. Thompson, former cashier in the state treasurer's office during the regimes of Treasurers Hoff and Myers, and charged with misappropriation of state funds, will have his case before the grand jury in about a week, it was learned today.

It is understood the court will be asked to continue the grand jury sessions from time to time. The jury adjourned yesterday and reconvened today and probably will take another recess for a few days.

According to street corner talk Thompson's case may reveal some interesting testimony in regard to conditions that have obtained in connection with the treasurer's office during the past few years.

## Heavy Penalties of New Auto Law Bring Appeal to Governor

The first application of the new law embodied in senate bill 75, inflicting heavy penalties on persons driving motor vehicles while under the influence of liquor, fell hard on P. Shallenburg, 115 Royal Court, Portland, while driving the other day in Hood River county. The governor has been asked to extend clemency, but apparently is powerless to act unless contrary information is received from Attorney General Van Winkle, who has been asked for an opinion.

For the first offense under the act the penalty is a fine of not less than $100 nor more than $500, imprisonment in the county jail not less than 60 days nor more than six months, revocation of the operator's license for one year and confiscation of the automobile for not less than 30 days nor more than six months.

According to the representation made to the governor Shallenburg was taking a friend to the county. The friend was ill and eggnog had been recommended. He could find plenty of eggs in the country but it was necessary to take the "nogg" with him in the car. Unfortunately the automobile en route bumped into another and a state traffic officer arrested the party. He found the liquor. The driver pleaded guilty before a justice of the peace to violation of the act, but insisted that he wasn't drunk, and yesterday the same plea was made to the governor by the man's wife. The magistrate was magnanimous and inflicted only part of the penalty required by law, namely the $100 fine. He neither sent the man to prison nor confiscated the car, but his license was revoked. The man's wife objected to the governor that it would now be necessary for her to act as chauffeur wherever the husband wants to go anywhere in the car.

The bill was introduced by Senator Eddy.