

SHEPHERD WITNESS BARRED

GIRL'S TRIAL AWAITS NEW JURY VENIRE

Ellingson Case Postponed Until Afternoon For Lack of New Jurymen To Test Sanity.

San Francisco, Cal., March 31.—Judge Harold Lunderback adjourned the murder trial of 16-year-old Dorothy Ellingson from this afternoon until April 6. A hearing into the sanity of the child matriarch was begun.

San Francisco, Cal., March 31.—The sanity trial of Dorothy Ellingson, 16-year-old matriarch, was postponed until 1 o'clock this afternoon because the new jury venire was not available this morning.

The jury in the murder case reported at 10 o'clock this morning and would have been excused indefinitely had a new panel been available. Judge Lunderback directed the jury to return early this afternoon, when its members probably will be instructed to go to their homes subject to the call of the court.

The girl who haunted the jazz palace and then, according to her confession, shot her mother in a quarrel over this night life, came into court with a brighter countenance than at a moment and she started back to jail smilingly. Yesterday she was pale and worried throughout the day and fainted twice.

Girl Listens to Testimony.

Dorothy Ellingson came into court prepared to listen to allegations employed by her counsel brand her as one who is insane, in the hope that the 16-year-old stenographer will be sequestered in a mad house, and thereby escape the possibility of a penitentiary sentence.

The murder trial was halted yesterday when the court dismissed the regularly impaneled jury temporarily and ordered a new jury picked to pass upon Miss Ellingson's mental qualifications. The basis of the test, according to a pronouncement made by the court was "whether a person accused of crime comprehended the proceedings and was able to prepare a defense."

TIMBER IN COOS SOLD FOR \$43,000

Roseburg, Or., March 31.—The government land office here today sold fourteen and a half million feet of timber, all in Coos county, for approximately \$43,000. The timber was in four tracts all Oregon-California railroad grant lands, and all is located tributary to Coos bay. The sale included almost four million feet of Port Orford cedar which sold at the rate of \$7 per 1000 feet. Buyers are anxious to procure Port Orford cedar, but report the market poor on other timber. The purchasers were Menasha Wooded Ware company, North Bend, three million feet \$600,000; D. N. McNair, Myrtle Point, one and a half million feet, \$286,720; Western Lumber Manufacturing company, Marshfield, one million feet, \$6000; A. E. Eddlesperger, W. J. Conrad, Marshfield, D. N. McNair, E. C. Roberts, Myrtle Point, ten million feet, \$28,600.

PORTLAND KLAN PAPER NO MORE

Portland, Or., March 31.—The Western American, official organ of the Ku Klux Klan in Oregon, suspended publication with yesterday's issue and the subscription lists have been taken over by the Oregon Kourier, which while specializing in news of the Oregon Klans, is owned and operated by the national organization, according to a statement issued by Fred L. Gifford.

Head-On Plan Of Parking is Favored Here

PARKIN ILLIOT
For Head-on
For Present I
Name
Address

By a vote that lacked only one of being unanimous, the Salem Kiwanis club at its weekly luncheon this noon went on record as favoring the proposed head-on parking ordinance which is to come up before the Salem city council for decision Monday night. The vote was taken without discussion.

Up until one o'clock this afternoon 58 votes had been cast in the ballot being conducted by the Capital Journal to determine the consensus of opinion among people of Salem on the question of head-on parking.

FORMER WIFE OF TOBACCO KING IS ASKING ALIMONY

New York, March 31.—The suit of Mrs. Lillian N. Duke against James H. Duke, tobacco magnate of New York, for divorce and maintenance, is based on the grounds that in the divorce case she refused to recognize the jurisdiction of the New Jersey court and reserved all her rights, according to a statement by her attorney, Allen Caruthers.

Her complaint charges that Mr. Duke lived with her from November, 1904, until July, 1905, when he deserted her. During the ensuing 20 years, the complaint states, he has refused to provide for her.

According to Mr. Caruthers, when Mr. Duke sued his first wife for divorce in New Jersey, Mrs. Duke claimed that both she and her husband were residents of New York and the New Jersey court could not try the case. He said that when she filed her answer to her husband's complaint, she reserved all rights.

STILL OPERATOR IS SHOT IN RAID

Elgin, Mar. 31.—Shot in the back and leg when he attempted to get away during a liquor raid on the upper McKenzie at an early hour this morning, a man of about 27 years of age, who declines to give his name, is at a local hospital. His wounds will not prove dangerous, it is believed.

A newly-built still was found by the raiding officers, and the unidentified man made a break when the raiding party broke through the brush into the clearing. He held a rifle at "ready" and a deputy believing that he was about to fire, shot at him with a sawed-off shotgun he carried.

The man fell on his face, while his companion, who was nearer to the edge of the clearing made his escape.

CONS INSIST CONFESSION IS GENUINE

Dorner Declares Story of Killing Near Chehalis True; Pair Willing To Pay Penalty.

That he worked on the Butte Miner as a reporter for about two weeks in 1918 was one of the statements made to newspapermen today by A. C. Dorner, one of the two prisoners at the state penitentiary here who confessed a few days ago to the killing of a stranger on the Pacific highway last May and burial of the body east of Chehalis.

Dorner still insists that the previous statement of the two relative to the killing is true, and that if they were not willing to pay the penalty the confession would not have been made.

Chehalis officers apparently place no credence in the confession, since they have not replied to the letter of Warden Dalrymple. A clew that possibly might lead to the truth or falsity of the statement was dropped by Dorner today. He said that the salesman to whom he sold the diamond stick pin taken from the dead man was in the employ of the Mason Cord company. He did not know the name of the salesman, he said. Opinion is expressed, however, that if that firm were to make inquiry among its salesmen the truth might be revealed as far as the disposal of the diamond is concerned.

Dorner today gave newspapermen a lengthy manuscript covering his career from childhood and describing the murder to which confession has been made. Dorner says he fired the shot that killed the stranger. The automobile, which Dorner and J. W. Mack, the other convict, claim to have stolen in Seattle and in which he carried the body, was abandoned in Chehalis, according to Dorner's story.

Dorner claims to have been born in Minneapolis, April 1, 1897, and to have lived there until the death of his father a year later. He and his mother then went to North Dakota and later to Montana, says the story, and some years later he was sent to an orphan's home at Twin Bridges, Montana. After three years in the orphan's home Dorner claims to have been adopted by a family and to have worked on a ranch at Polson, Mont., for

COOLIDGE GIVEN NAME, BEAR RIBS

Washington, Mar. 31.—The name of Bear Ribs was bestowed upon President Coolidge today by the Indians of the Kenel district of North Dakota in recognition of the citizenship rights granted to them. The name is that which was borne by a chief of the Hunkpapas who was killed when he sought to teach the Indians the white man's way, after peace had first been brought about between the Indians and the white man.

"We now know that Bear Ribs was right," the letter from the Kenel Indians said, "and because he was a far seeing progressive man we now give you the name Bear Ribs by which you will be known to our tribe."

SUSPECT ARRESTED IN \$120,000 MAIL ROBBERY

Buffalo, N. Y., March 31.—Harry Reis, alleged member of a frontier bootleg ring suspected by federal authorities of complicity in the bomb murder of Special Customs Agent Orville Prenter at Niagara Falls on March 1 was arrested today in connection with the alleged theft on February 27 of \$120,000 from the United States mails. Joseph Serlanni of Niagara Falls was held for questioning.

Civil Rights Are Restored To Ferguson

Austin, Texas, March 31.—(By Associated Press.)—Full political and civil rights were restored today to former Governor James E. Ferguson, impeached in 1917, when his wife, the first woman governor of Texas, signed the amnesty bill passed by the last legislature.

PRINCE FEARFUL OF GROWING FAT FRIENDS ASSERT

London, Mar. 31.—(By Associated Press.)—The Prince of Wales, who is in his early thirties has already begun to fret a little with the fear that he may suffer from embonpoint, say persons close to the royal family.

Just prior to the beginning of his voyage to South Africa and South America he was examined by several specialists, it is declared, and when the trip ends he will be gone over again, being anxious to discover just what effect those ambassadorial jaunts have upon his physique.

During several of his previous tours he took on weight, and as he has a dread of achieving a figure suggestive of the lines of his grandfather, Edward VII, he has made up his mind to keep tabs on himself with the aid of several well known specialists.

FOREIGN LOANS FOR MILITARY USES OPPOSED

Washington, Mar. 31.—Private American loans abroad are not favored by President Coolidge in cases where the money is to go into military armament or similar governmental expenses among European countries.

Washington, Mar. 31.—President Coolidge is still unresponsive to suggestions from any quarter that the administration policy with regard to Russia be changed.

BID OF DOLLAR LINE FOR SHIPS ACCEPTED

Washington, March 31.—The shipping board today accepted the bid of the La Grande Flouring mill here was blown last night. About \$175 in cash was stolen. Police today found no clues. The store of C. J. Forstrom of North Powder, also was entered last night. Merchandise including guns and watches was taken.

La Grande Safe Blown

OREGON TAX LEVY OVER \$42,660,338

Polk and Marion County Assessments For 1925 Show Tales of Reduced State Levy Myth.

Clatsop put forth by friends and members of the present state administration that the policies have resulted in a material reduction of direct state taxes are directly disputed by the figures of the 1925 tax levy for state, county and local purposes as compiled by the state tax commission, an administration bureau.

By the commission's own figures the levy for purely state purposes is larger than last year and the total levy for all purposes is nearly \$2,500,000 in excess of the assessments made for 1924.

O. W. R. & N. PLANS TO SPEND THIRTY MILLION IN 1925

Portland, Mar. 31.—The Oregon Washington Railroad and Navigation company plans expenditure of \$30,000,000 in 1925. J. D. O'Brien, general manager, announced here today. About \$2,500,000 of this sum will be for improvements, including widening cuts, laying heavy rails, bridge replacements, new construction and other work. Wages will take an estimated total of \$14,200,000, taxes \$2,000,000. The rest of the \$30,000,000 will be spent for materials.

DEMPESEY BAN IS MADE BINDING

New York, Mar. 31.—The state athletic commission today definitely closed the Dempsey case in which it sought to force Jack Dempsey into a title match with Harry Wills or Tommy Gibbons and returned the certified checks of \$2500 each which the two challengers had deposited to bind the match.

U. S. ENVOY TO SPAIN TENDERS RESIGNATION

Washington, March 31.—Alexander E. Moore has resigned as ambassador to Spain. No decision as to acceptance of the resignation has been reached.

Right of Governor To Appoint Special Attorneys Upheld

The authority of the governor to appoint special prosecutors in counties to handle prohibition cases is upheld by an opinion of the supreme court today, written by Justice Rand, dismissing the action of the state, on information of A. J. Moore, district attorney for Deschutes county, against Ross Farnham. The case was an original proceeding in quo warranto.

Farnham was appointed by Governor Pierce as a special prosecutor to take charge of prohibition cases in Deschutes county and disburse all funds provided by law for the enforcement of the prohibition law. The action was instituted to have determined the right of the special prosecutor to exercise those powers. The dismissal is without cost to either party.

The supreme court, in an opinion by Justice Coehow, allows a motion to dismiss in the case of the Western Land & Irrigation against J. Mumfeld et al, defendants and respondents, and O. D. Teal, appellant, which was heard in Umatilla county by Judge Phelps.

75 PERCENT OF CHILDREN HAVE DEFECTS, CLAIM

Between 75 and 85 per cent of the children in the United States have physical defects which interfere to some degree with their mental development, according to Dr. Walter Brown, head of the Marion county child health demonstration.

Dr. Brown spoke before the Salem Kiwanis club at its weekly luncheon at the Marion hotel this noon. During the war period it was found that one-third of the young men of best military age were unfit for military duty. Dr. Brown stated, "It is a sad commentary," he said, "on how we have treated the human body during the past years."

GUARD DRILLS TO BE LIMITED

Washington, March 31.—Acting under direct instructions from President Coolidge the war department will advise national guard organizations in each of the states that federal pay will be limited during the present fiscal year, ending June 30, to 38 army drills in place of the usual 52.

FORBES REPORTED AS FAIRLY COMFORTABLE

Boston, March 31.—The condition of Colonel Charles Forbes, former head of the United States veterans bureau, who suffered a shock last Friday, was described by his physicians today as "moderately comfortable." His illness was diagnosed as cerebral thrombosis, a condition arising from the stoppage of circulation through part of the brain due to a blood clot.

"Colonel Forbes is moderately comfortable today," the early bulletin said. "His entire left side is paralyzed. No marked improvement is anticipated or radical change expected during the next few days."

LITTLE HOPE OF SECURING LIBERTY SEEN

Chicago, March 31.—(By Associated Press.)—Judge Jacob Hopkins today refused to hear witnesses in support of William D. Shepherd's fight for a reconsideration of the question of his release on bail because the witnesses were not named in the defense affidavit charging that the principal testimony against Shepherd had been framed. Further hearing was continued until Thursday.

The court gave Shepherd little encouragement in the bail matter and refused to transfer the hearing to another judge as asked by the defense after the court had refused to hear new witnesses not named in the defense affidavits.

JOURNAL TO GET SPECIAL SERVICE ON SALEM GAME

By special arrangement with an athletic news bureau in Chicago for exclusive service on the national tournament basketball game between the high school teams of Torrington, Conn. The Capital Journal will complete the fans of Salem with a complete report of the game immediately following its conclusion tomorrow morning.

This service will be supplementary to the regular Associated Press dispatches on the tournament. Results of the first two games of the tournament played this morning, as reported by the Associated Press, were:

Laramie, Wyo., 25; Miami 17. Durham, N. C., 39; Helena, Mont., 16.

DUELL TELLS OF ENGAGEMENT TO WED FILM STAR

New York, March 31.—A story of an unofficial engagement to marry Lillian Gish, which later became official and then was broken, has been told in federal court by Charles H. Duell, who is seeking to compel the screen star to make pictures only for his company.

While Duell was testifying yesterday about engagement Miss Gish covered her face with her handkerchief and some spectators thought they saw tears in her eyes. Before the trial she said that the claim of Duell that they had been engaged was "unwarranted presumption."

Journal Matinee for Children to Feature 'The Thief of Bagdad'

With the appearance here of Douglas Fairbanks in "The Thief of Bagdad," proclaimed by critics throughout the country as the greatest film of its kind ever produced, as the inspiration The Capital Journal today announces another of its popular matinees for the children of the city which will allow all of the kiddies to view this wonderful production for the lowest admission price to which it has played anywhere in the United States.

Alleged Germ Slayer To Remain Behind Bars Pending Trial, Opinion of Observers.

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The court gave Shepherd little encouragement in the bail matter and refused to transfer the hearing to another judge as asked by the defense after the court had refused to hear new witnesses not named in the defense affidavits.

Dr. Herman Hudson, health commissioner of Chicago, was one of the new witnesses by whose testimony the defense wanted to attempt to show that typhoid germs could not have been obtained by C. C. Fairman, chief witness against Shepherd.

Chicago, March 31.—The fight to free William D. Shepherd, pending his trial on charges of killing his foster son, William Nelson McClintock with typhoid fever germs, was resumed today at the rehearing of his attorney's motion for release on bail.

State's attorneys were prepared to resist the announced intention of Shepherd's counsel to "blow the state's case sky high." This effort was expected to center around Mrs. Luella Rheubell, former assistant to Charles C. Fairman, jointly indicted with Shepherd after he said Shepherd had promised him \$100,000 for the typhoid germs and information on administering them.

Mrs. Rheubell claims Fairman never had any live typhoid culture at his school, defense attorney have said.

She was sought yesterday by detectives after prosecutors issued a summons for her, but could not be found.

MARCH BUILDING TOTALS \$155,600

Building permits granted at the office of City Recorder Poolton for March, 1925, total \$155,600, which is not as large as for March 1924, when the total was \$174,500 or for March, 1923, when the total was \$174,399.

Permits for March this year, as itemized at the city recorder's office, are:

Dwellings, 34 permits, \$92,100. Store buildings, two permits, \$3500. Garages, four permits, \$1600. Livery, one permit, \$55,000. Addition to cannery, one permit, \$6000. To repair buildings, eight permits, \$12,400.

"The Thief of Bagdad" opens its showing at the Oregon Thursday afternoon with a regular matinee at 1:30 o'clock. Immediately following this performance the house will be cleared for the kiddies. The picture will remain at the Oregon for an indeterminate stay.

The story is a poet's dream of Araby, a fanciful tale of magic that has been interpreted with entrancing reality through the descriptive possibilities of the moving picture camera. All of the wizardry and magic of fairy tale imagination have been brought into play to provide material for the fanciful situation and incidents that are pictured as though real. There is the magic rope with which the thief scales wall and